**Important Definitions**

Under Western’s Policy on Preventing and Responding to Sex Discrimination, Including Sexual Misconduct:

### Sexual Assault:

Any actual or attempted sexual contact or behavior with another person without that person’s consent.

- If a person is mentally or physically incapacitated or impaired so that such person cannot understand the fact, nature or extent of the sexual situation, there is no consent.
- If a person is mentally or physically incapacitated or impaired due to alcohol or drug consumption or is being aided or restrained from making the decision to give consent, there is no consent.
- Consent cannot be implied or assumed.

### Domestic Violence:

1. Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, between family or household members;
2. Sexual assault of one family or household member by another;
3. Stalking as defined in RCW 9A.46.030 of one family or household member by another family or household member. (RCW 2A.50.010)

### Stalking:

A person commits the crime of stalking if, without lawful authority and under circumstances not amounting to a felony attempt of another crime:

- 1. It is made intentionally and repeatedly harassing or repeatedly follows another person; and
- 2. The person being harassed or followed is placed in fear that the stalker either:
  - a. Intends to frighten, intimidate, or harass the person;
  - b. Knows or reasonably should know that the person is afraid, threatened, or in fear of the person, or of a person who is or would have been in fear or intimidation of the person. (RCW 9A.46.010)

### Dating Violence:

Violence committed by two persons who are or have been in a social relationship of a romantic or intimate nature.

1. Where the existence of such a relationship shall be determined based on a consideration of the following factors:
   - a. The length of the relationship;
   - b. The type of relationship;
   - c. The frequency of interaction between the persons involved in the relationship;

### Consent:

Consent is a voluntary agreement to engage in sexual activity. Consent is informed, freely given, and mutual. If coercion, intimidation, threats, or physical force are used there is no consent. (RCW 9A.44.010)

1. If a person is mentally or physically incapacitated or impaired so that such person cannot understand the fact, nature or extent of the sexual situation, there is no consent. This includes impairment or incapacitation due to alcohol or drug consumption, or being aided or restrained from making the decision to give consent.
2. There is no consent when there is force, fraud, or deception.
3. Consent is void if the person’s consent was obtained by coercion, force, fraud, or undue influence.
4. Consent is not given if the person does not have the capacity to give consent.
5. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another person.
6. Consent can be withdrawn at any time.
7. Consent to sexual activities does not imply ongoing future consent.

### Confidental Resources:

- **On-Campus Support**
  - **Consultation and Sexual Assault Support (CASAS)**
    - Old Main 585B | (606) 650-3700
    - CASAS is Western’s caring and compassionate resource to assist all students who, at any period in their life, have been affected by sexual assault, dating/domestic violence, stalking or harassment. CASAS staff provide confidential, professional consultation, information about medical services, legal information and reporting options, academic support, and support groups for survivors of sexual or dating violence. CASAS can also help students make a report to the University or to the police.

- **Counseling Center**
  - Old Main 540 | (606) 650-3164
  - (After hours phone support available)

The Counseling Center provides confidential counseling, including crisis appointments and after-hours emergency services. The Counseling Center also assists students by referring them to other services on campus and to community resources that can offer more specialized or longer-term help with problems and concerns.

- **Student Health Center**
  - Campus Services Building, 2001 Bill McDonald Pkwy | (606) 650-3400

The Student Health Center provides confidential health care, including treatment for injuries and sexually transmitted infections, and emergency contraceptive services.

- **Off-Campus Support (Bellingham)**
  - **DVAS (Domestic Violence & Sexual Assault Services)**
    - 1407 Commercial Street, Bellingham
    - 24-hour helpline (360) 715-1563 or (877) 715-1563

DVAS offers free and confidential services, including 24-hour helpline seven days a week, walk-in services weekdays from 8am to 5pm, support groups, emergency shelter, and legal and medical services. For more information, visit www.dvass.org or list many community resources for survivors.

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**Under Title IX, all students have the right to an educational environment free from sex discrimination.**

You have this right regardless of your sexual orientation, gender identity, race, disability, or other aspect of your identity. Western prohibits retaliation against individuals who file or participate in sex discrimination complaints.

**Western prohibits sex discrimination, including sexual misconduct.**

*Western Washington University is committed to providing an environment in which students, staff, and faculty can learn and work free from all types of sexual misconduct. University Policy 1601.04, Preventing and Responding to Sex Discrimination, Including Sexual Misconduct, prohibits sexual harassment, gender-based harassment, sexual assault, dating and domestic violence, and stalking and outlines survivors’ rights. Western takes action to prevent sexual misconduct, support survivors, and hold perpetrators accountable.*

**Together Against Sexual Violence**

Western Washington University’s Together Against Sexual Violence website: [uw.wwu.edu/sexualviolence](uw.wwu.edu/sexualviolence)
Abusive Relationship Warning Signs:

- Your partner is jealous and possessive towards you.
- Your partner tries to control you by being bossy and never considers your opinions.
- Your partner scares you, making you afraid of how they will react to things you do or say.
- Your partner has a quick temper and history of violence towards others.
- Your partner pressures you into doing things that you do not want to do, such as having sex or breaking the law.
- Your partner abuses illegal drugs and alcohol.
- Your partner blames you for their problems, including those they brought upon themselves.
- Your partner has a history of bad relationships.
- Your partner believes in rigid gender roles.
- Your family and friends have warned you about your partner or told you that they are worried for your safety.

Remember, in a healthy relationship, each person is entitled to:

- Have their needs be as important as their partner’s needs.
- Be able from blame or responsibility for their partner’s behavior or actions.
- Be able to voice their thoughts, feelings and opinions.
- Be free from emotional, sexual, financial and physical abuse at all times.
- Change their minds and not feel threatened.
- Spend time with their friends and family and not feel pressured by their partner’s jealousy.
- Live without fear and confusion from their partner’s anger.
- Be able to voice their thoughts, feelings and opinions.
- Get yourself a safety plan; WWU’s CASAS (360.650.3700) can assist you with this.
- Call for help to assist you with restraining orders, safety planning, education, support, and other services you may need.

If you feel you are in an abusive relationship:

- Take it seriously. If you are in immediate danger, call the police.
- Talk to someone about it, such as a friend, parent, clergy, or counselor. You are not alone.
- Get yourself a safety plan; WWU’s CASAS (360.650.3700) can assist you with this.
- Call for help to assist you with restraining orders, safety planning, education, support, and other services you may need.

If you suspect someone is in an abusive relationship:

- Voice your concerns.
- Don’t force them to break up with their partner until they are ready to do so on their own terms.
- Let them know that they do not have to face the situation alone.
- Offer your support and guidance, and refer them to the appropriate resources.
- Educate yourself about abusive relationships.

Required Training

All new matriculated students – including freshmen, transfer and graduate students – are required to complete Haven, an online sexual violence prevention training. Haven addresses the creation of healthy relationships, emphasizes the importance of obtaining consent in sexual situations, and describes ways you can help strengthen the safe, positive university community you want to be part of. Haven also provides information on Western’s policies, resources and reporting options regarding sexual violence.

For more information about Haven, including FAQs and a link to complete the training, please visit www.wwu.edu/haven.

For information about additional training opportunities, please contact PWS at pws@wwu.edu or 360.650.2893.

Proactive Measures:

Students who experience sexual violence may use any or all of the following reporting options.

When safety is a concern, Western will take interim measures to protect the complaining party during the investigative process as necessary and with the complainant’s permission.

Western’s Discrimination Complaint Procedure, www.wwu.edu, provides for prompt and equitable investigation of complaints alleging violations of Title IX. Retaliation against complainants is prohibited by Title IX and will not be tolerated by Western. Western is committed to resolving complaints with a prompt, equitable, adequate, reliable and impartial investigation. The investigation is conducted by officials who receive annual training specific to these issues.

You have the right to receive assistance from Western while the investigation is occurring.

Depending on the situation, this might include having a no-contact order, modifying on-campus living arrangements, academic accommodations such as changes in class or testing schedule, safety planning, or counseling, without penalty to you.

Reporting Options:

Students who experience sexual violence may use any or all of the following reporting options.

When safety is a concern, Western will take interim measures to protect the complaining party during the investigative process as necessary and with the complainant’s permission.

Western’s Title IX Coordinator in the Equal Opportunity Office

Old Main 345 | (360) 650-3307

The Title IX Coordinator investigates sexual misconduct as a form of discrimination using the University’s Discrimination Complaint Procedure, and can help coordinate support and accommodations for survivors.

University Police

2001 Bill McDonald Prwy | (360) 650-3911 (emergency) | (360) 650-3555 (report)

Provides information on protective orders and services for filing a criminal report.

Bellingham Police

911 (emergency)

(360) 778-8800 (report)

Provides information on protective orders and services for filing a criminal report.

Western’s Investigative Procedures:

Making a report or filing a complaint with Western does not obligate an individual to file a police report or interact with the alleged assailant. A complaint begins an investigation in which involved parties are met with individually.

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Possible Sanctions:

Sanctions imposed may include one or more of the following. Sanctions may be tailored to meet the circumstances of the particular case.

1. Warning.
2. Conditional status.
3. Loss of privileges.
4. Restriction from contacting others (“no contact” order).
5. Educational activities.
6. Assessment, counseling, or treatment programs.
7. Restitution.
8. Parental notification.
9. Campus residence hall or apartment relocation.
10. Termination of university residences agreement.
11. Suspension from the university.
12. Deferred suspension.
13. Expulsion from the university.

Protective measures that WWU offers following an allegation of sexual misconduct:

Administrative interim no-contact orders are typically issued to both the complainant and the respondent. Depending on class and on-campus work schedules, these may include temporary trespass orders. If the complainant lives off-campus, there is the option for alternative temporary housing. Complainants are encouraged to work with appropriate resources (CASAS, DVSAS, police) for safety planning.

Standard of evidence used:

Investigations conducted by the Title IX Coordinator/Equal Opportunity Office use the preponderance of evidence standard. This standard asks whether it is more likely than not that the allegations occurred.

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