

# **Evangel University**

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## **Kirkland Campus 2014 Annual Security Report**

**(2013 calendar year crime statistics)**



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## **Preparation of the Annual Disclosure of Campus Crime Statistics**

To comply with *the Jeanne Clery Disclosure of Campus Security and Crime Statistics Act*, the Evangel University Director of Public Safety is designated as the Campus Security Survey Administrator, who is responsible for obtaining the Annual Security Report (consisting of campus security policy disclosures and campus crime statistics for the previous three calendar years) from each separate Evangel campus and for its submission by October 1 to the U.S. Department of Education.

This Annual Security Report is prepared by separate campus administration in cooperation with local law enforcement agencies surrounding the separate campus, which provides updated information on the University's educational programs and policy disclosures conducted in order to comply with the Clery Act.

Additionally, the Annual Security Report includes the frequency of occurrence of certain categories of crimes specified in the Clery Act. These crime statistics are collected from the following sources: incident reports written by separate campus administrators; information that may be provided by the local separate campus police department with jurisdiction, State Police and/or the local County Sheriff's Department; reports provided by campus victims of crime; and reports provided by EU officials designated as "Campus Security Authorities" (including, but not limited to: vice presidents, directors, department heads, , and faculty/staff advisors to student organizations, etc.). Once Evangel University's Separate Campus crime statistics report has been submitted to the U.S. Department of Education and reviewed by that staff, the Department of Education will make that data available to the general public at <http://ope.ed.gov/security>.

It is the policy of Evangel University that the administration for student development at the separate campus shall distribute by electronic mail, to all enrolled students, faculty and staff, the appropriate hyperlink to the Annual Security Report; that the Human Resources Director will notify prospective employees of the availability of the report; and that the Admissions Director will notify all prospective students of the availability of the report.

## **Access Control**

The branch campus manager reports security concerns to the parties responsible for site maintenance. The entity responsible for maintenance will then decide how the issue will be resolved.

During business hours, the campus will be open to the students, parents, employees, contractors, guests, and invitees. During non-business hours access to all campus facilities is by key, if issued, or by admittance via the Security Department. During the time a building is secured the Security Department will only admit personnel with a University identification card and if a student, those with prior written approval. Students

are not normally issued keys to any university facility. Some facilities may have individual hours, which may vary at different times of the year. Examples are the D.V. Hurst Library, the Eagle Fitness Center inside the Randall B. Barton Building, and the Pecota Student Center. In these cases, the facilities will be secured according to schedules developed by the department responsible for the facility.

### **Campus Law Enforcement Authority**

Evangel Separate Campuses do not have any security personnel. Evangel University staff do not possess arrest power and are not commissioned police officers. Evangel University does not have a formal Memo of Understanding with the any police department.

All crime victims and witnesses are strongly encouraged to immediately report the crime to the Kirkland Police Department and to the Kirkland separate campus director (SCD). Prompt reporting to campus administration will assure timely warning notices on campus and timely disclosure of crime statistics.

### **Procedure for Reporting Criminal Offenses**

To report a crime:

Contact local Police at (425) 577-5656 (non-emergencies), dial 9-1-1-(emergencies only). Any suspicious activity or person seen in the parking lots or loitering around vehicles, inside buildings should be reported to the police department. In addition you may report a crime to the following areas:

Kirkland Separate Campus Director, Dr. Wayde Goodall	Phone Number and office location (719) 337-9271 Office of Dean, Northwest University College of Ministry
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All crimes should be reported as soon as possible to the SCD. Notification of the SCD insures that timely warning can be issued if required and that the crime is recorded for the annual statistical disclosure. The SCD will notify the Main Campus Director of Public Safety about the incident.

### **Reporting procedures**

Evangel University encourages and expects victims and witnesses of crimes to report crimes to the local police department even if the victims do not want to pursue action within Evangel University's Community Accountability Program or through the local or state criminal justice system.

Separate campuses do not have campus police departments. The university encourages and expects victims and witnesses of crimes to be reported to the SCD.

When the victim of a crime elects to, or is unable (physically/mentally) to make such a report either witnesses or Evangel Community members will make a report on behalf of the victim.

All reports are counted and disclosed in the annual crime statistics for the institution.

### **Voluntary Confidential Reporting**

If you are the victim of a crime and do not want to pursue action within the Evangel University System or the criminal justice system, you may still want to make a confidential report. With your permission, the SCD can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to keep your identity confidential while allowing others to take precautions to insure their safety. With such information, Evangel University can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution.

### **Timely Warning**

#### **A. Definitions:**

Clery Act Crimes—Criminal Homicide, including: a) Murder and Non-Negligent Manslaughter; and b) Negligent Manslaughter; Rape, Forcible Fondling, Statutory Rape and Incest.; Robbery; Aggravated Assault; Burglary; Motor Vehicle Theft; Arson; Domestic Violence; Dating Violence; Stalking and Hate Crimes.

Campus Security Authorities—Campus police; non-police security staff responsible for monitoring campus property; individuals and offices designated by the campus security policies as those to whom crimes should be reported; and officials of the institution with significant responsibility for student and campus activities.

Pastoral counselor—A person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor.

Professional counselor—A person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of his or her license or certification. This definition applies even to

professional counselors who are not employees of the institution, but are under contract to provide counseling at the institution.

B. Requirements:

In order to keep the campus community informed about safety and security issues on an ongoing basis, an institution must alert the campus community of certain crimes in a manner that is timely and will aid in the prevention of similar crimes.

These crimes must include all Clery Act crimes that are:  
Reported to campus security authorities and local police agencies;  
and are considered by the institution to represent a serious or continuing threat to students and employees.

In addition to making timely warnings, an institution is required to have a timely warning policy. All Title IV institutions are subject to the timely warning regulations. There are no exceptions.

Timely warnings can be issued for threats to property, as well as for threats to persons. It is irrelevant whether the victims or perpetrators are members of the campus community.

Timely warnings must be issued in a manner that gets the word out quickly communitywide.

The responsibility for the warning rests solely with the institution.

The institution's policy on timely warnings should specify who or which office is responsible for issuing the warnings.

The issuing of a timely warning must be decided on a case-by-case basis in light of all the facts surrounding a crime, including factors such as the nature of the crime, the continuing danger to the campus community and the possible risk of compromising law enforcement efforts.

An institution is not required to provide a timely warning for crimes reported to a pastoral or professional counselor.

FERPA does not preclude an institution's compliance with the timely warning provision of the campus security regulations.

C. Summary and Procedures:

The campus crime “Timely Warning” is provided to heighten awareness and to provide students, faculty and staff timely notification of Clery Act crimes that are considered to represent a serious or ongoing threat to the campus community. The warning will provide pertinent information related to the crime and available suspect information.

The Kirkland SCD or their designee is responsible for preparing and issuing timely warnings. The Kirkland SCD will make the decision to issue a timely warning on a case-by-case basis considering the facts surrounding a crime, including the continuing danger to the campus community and the possible risk of compromising law enforcement efforts.

When the Kirkland SCD issues a Timely Warning, it will be issued through the university email system to students, faculty, and staff. Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the community and individuals, the Kirkland SCD may use any other means of communication, providing the community with more immediate notification. In such instances, a copy of the notice will be posted around the separate campus and updates regarding the situation will follow as more information becomes available.

Anyone with information warranting a timely warning should report the circumstances to the Kirkland SCD.

In the event Northwest University receives pertinent information that a Clery Act crime has occurred on or near the Kirkland campus and it is a serious or ongoing threat to students or employees a timely warning will be disseminated. A timely warning is provided to enable people to protect themselves. Timely warnings are usually provided via email, notices in common areas, and/or verbal notification.

## **Emergency Notification**

If there is an emergency on the Kirkland separate campus the SCD or faculty member would confirm that there was an emergency by contacting the Northwest University Administration. In the event of an actual emergency the Kirkland Campus community will be notified in person by the Kirkland SCD or faculty designee. Due to the fact that the separate campus student population is less than fifty students who are only on campus February 4 through 8, 2013, they would be notified if they were in class while they were on campus. The notification would contain instructions on what to do to mitigate the

emergency. The SCD or faculty designee would initiate the notification by informing the class on campus.

Localized incidents within a building, such as a small fire or hazardous material spill in a lab most likely will not require a mass notification.

The following Evangel University officials have authority to activate the Emergency Notification System:

- President
- Vice President for Business and, Finance and Information Services
- Vice President for Student Development
- Provost
- Director of Public Safety
- Assistant Director of Public Safety
- Public Safety Patrol Supervisors
- Kirkland Separate Campus Director
- Kirkland Separate Campus Faculty

After the appropriate notification system is selected, it may be used to transmit brief urgent messages as quickly as possible. Emergency notifications may include, but are not limited to:

- Campus Closures
- Weather Warnings (Severe Thunderstorm Warnings & Tornado Watches & Warnings)
- Fire
- Natural gas leaks or hazardous material spills
- Natural disasters affecting the Campus
- Campus wide power outages and/or utility failures
- Violent criminal behavior
- Bomb threats or other imminent violent threats
- Explosions on campus
- Terrorism incidents

Dependent upon the contact information supplied by faculty, staff, and students, notification may be made in the following manners:

- Cell phone
- In person
- Text to cell phone
- Evangel University email
- Personal email
- Business phone
- Home phone



Larger Community notifications will be accomplished through both regular media outlets as well as social media resources by the Kirkland SCD.

### **Security Awareness Programs**

The Kirkland separate campus did not offer any security awareness programs in 2013.

### **Crime Prevention Programs**

The Kirkland separate campus did not have any crime prevention programs in 2013.

### **Monitoring Criminal Activity Off-Campus**

When an Evangel University student is involved in any off-campus criminal activity, EU community members may assist with the investigation in cooperation with local, state, or federal law enforcement.

Evangel University does not operate any non-campus housing or non-campus student organization facilities.

### **Pastoral and Professional Counselors Reporting Policy**

In accordance with federal law U.S.C. Section 1092 (f), campus “Pastoral Counselors” and campus “Professional Counselors,” who are functioning within the scope of their responsibilities as counselors (per the definitions below), are not considered to be campus security authorities and, therefore, are not required to report crimes for inclusion in the annual disclosure of campus crime statistics.

As a matter of policy, however, they are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures and requirement to report crimes for inclusion in the annual campus crime statistics.

The rulemaking committee defines counselors as:

*Pastoral Counselor*

An employee of an institution, who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor

#### *Professional Counselor*

An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution's community and who is functioning within the scope of his or her license or certification.

### **Disclosure to Alleged Victims of Crimes of Violence or Non-forcible Sex Offenses**

Evangel University will, upon request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the results of any disciplinary hearing conducted by the university against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, Evangel University will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

### **Sexual Assault, Domestic Violence, Dating Violence and Stalking Policy**

Respecting the human dignity of every employee, student and guest, Evangel University strives to maintain a safe, Christian community free from all forms of sexual or physical intimidation and exploitation. Sexual assault, domestic assault, dating violence or stalking are not only incompatible with biblical standards of Christian conduct, but also are criminal acts. Therefore, sexual assault, domestic violence, dating violence and stalking are prohibited by the University.

This policy pertains to sexual assaults including rape, forcible fondling statutory rape, and incest; domestic assaults, dating violence and stalking that occur between students or against a student by a non-student perpetrator. This policy addresses the definition of sexual assault, domestic violence, dating violence and stalking and prevention efforts, how to report these crimes and gain assistance if it occurs, and the procedures for resolution of an incident

#### **A. Definitions**

##### **1. Sexual Assault**

The term *sexual assault* is defined as any sexual physical contact that involves the threat or use of force or violence, or any other form of coercion or intimidation; any sexual physical contact with a person who is unable to give consent. It includes the crimes of rape, forcible fondling,

statutory rape and incest as defined by the 2013 Violence Against Women Act.

Note: For reference, *sexual harassment* is defined as any unwelcomed action of a sexual nature by a person (of the same or opposite sex), which results in sexual discrimination or a hostile environment. In some instances sexual assault may also constitute sexual harassment. For information regarding reporting of sexual harassment, as opposed to sexual assault, see the *Evangel University Sexual Harassment Policy*.

## 2. **Consent**

The term *consent* is defined as an unambiguous and willful participation or cooperation in an act or as an attitude that is commonly understood to be consistent with the exercise of free will. Consent requires participants who are fully conscious, are equally free to act, have clearly communicated their willingness, cooperation, or permission to participate in a specific sexual activity, are positive and clear in their desires, and are able to cease ongoing consensual activity at any time. Refusal to consent does not have to be verbal; it can be expressed with gestures, body language or attitude. A prior sexual history between the complainant and respondent does not constitute consent. Consent is not freely given if one of the following applies:

- a. The individual is unable to make an informed decision as a result of alcohol or other drugs (including but not limited to predatory drugs or prescribed medications); or
- b. The individual is unconscious, asleep, or suffering from shock; or
- c. The individual is under the age of seventeen and therefore legally unable to give consent; or
- d. The individual has a known mental disorder or developmental or physical disability, and therefore legally unable to give consent.

“No” means “No”

“No” can be expressed or implied, it does not have to be spoken.

“Yes” means “No” if conditions a, b, c, or d listed above exist.

Note: For the purposes of the University, use of alcohol by an offender neither diminishes personal responsibility nor is considered a mitigating factor in disciplinary sanctions should a violation be found to have occurred. Under Washington state statute the definition of consent is defined as being at the time of the act of sexual intercourse or sexual contact there are actual words or conduct indicating freely given agreement to have sexual intercourse or sexual contact.

## Domestic Violence/Dating Violence

**Domestic Violence:** Includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person cohabitating with or has cohabitated with the victim as a spouse, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of Washington state.

Washington state defines domestic violence as “(a) Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, between family or household members; (b) sexual assault of one family or household member by another; or (c) stalking as defined in RCW 9A.46.110 of one family or household member by another family or household member.”

**Dating Violence:** Means violence committed by a person—(a) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (b) where the existence of such a relationship will be determined based on a consideration of the following factors:

- (i) The length of the relationship.
- (ii) The type of relationship.
- (iii) The frequency of interaction between the persons involved in the relationship.

### 3. Stalking

**Stalking:** Means engaging in a course of conduct directed at a specific person that would cause a reasonable person to—a) fear for his or her safety or the safety of others; or b) suffer substantial emotional distress.

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

(a) He or she intentionally and repeatedly harasses or repeatedly follows another person; and

(b) The person being harassed or followed is placed in fear that the stalker intends to injure the person, another person, or property of the person or of another person. The feeling of fear must be one that a reasonable person in the same situation would experience under all the circumstances; and

(c) The stalker either:

(i) Intends to frighten, intimidate, or harass the person; or

(ii) Knows or reasonably should know that the person is afraid, intimidated, or harassed even if the stalker did not intend to place the person in fear or intimidate or harass the person.

## **B. Prevention of Sexual Assault**

The Kirkland separate campus students did not participate in any sexual assault prevention training in 2013.

## **C. Reporting Sexual Assault, Domestic Violence, Dating Violence or Stalking**

Student assistance is available 24 hours a day through the entire year by calling the Evangel University Main Campus Department of Public Safety at (417) 865- 2815 extension 7000. The Department of Public Safety personnel will offer assistance in reporting the crime and in providing information for counseling support and medical treatment.

Kirkland campus community members, students, faculty, staff and guests are encouraged to report all crimes and public safety related incidents in a timely manner. To report a crime or an emergency, call 911 from any campus telephone to make a report. Outside the university system, call 911 and the dispatch operator will contact you to the appropriate law enforcement agency. After reporting to 911 you are asked to call campus security at a telephone number listed below. To report a non-emergency safety or security matter, call a campus security representative at a telephone number listed below. Kirkland Campus Security personnel are available 24 hours per day, every day of the year. In a non-emergency situation during business hours you may also report a crime to the Security Director at (425) 889-5581. Crimes should be reported to Campus Security to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community when appropriate. All criminal offenses are referred to the local law enforcement agency for investigation. The prosecution of criminal offenses is conducted by the local Prosecutor's office. If a student commits a minor offense involving university rules and regulations, the Security Director may refer the violation to the office of the Dean of Community Life. The following phone numbers may be used when security assistance is needed: (425) 889-5500.

To report a crime or an emergency on the Kirkland campus, call emergency services at 9-1-1. Then call Campus Security to advise them of the situation. To report a non-emergency, security or public safety related matter, call Campus Security. To reach Campus Security: (425) 889-5500 or 222 - from a campus telephone; Telephone Call-Boxes that ring directly to Security are located at:

- ☐ Northwest Pavilion – on the outside wall at the southwest corner
- ☐ Butterfield Chapel – outside the main entrance
- ☐ Crowder Residence Hall – outside the main entrance door
- ☐ Crowder Residence Hall – near security desk
- ☐ Perks Residence Hall – outside the Perks Lounge door
- ☐ Beatty/Gray Residence Hall – outside the lobby south door
- ☐ 6710 Building – outside the south main entrance
- ☐ Family in Residence (FIRs) apartments – located in each laundry room

**D. Response to a Report of Sexual Assault, Domestic Violence, Dating Violence or Stalking.**

1. **Assessment of Danger:** Upon receiving a call, the Kirkland SCD will determine if the survivor or others are in immediate danger, the survivor's name or other means by which the survivor can be identified, nature of the offense, and present location and phone number where the survivor may be reached.
  - a. **Immediate Danger.** If there is an immediate danger to the caller, the caller will be directed to contact the local Police Department. When the immediate danger is past, the help of a Crisis Counselor will be offered.
  - b. **No Immediate Danger.** When there is no indication of immediate danger, the Kirkland SCD will put the caller in touch with an on-duty public safety officer who will encourage the victim to accept the help of a Crisis Counselor, who has been trained to provide such assistance.
  - c. **Preservation of evidence.** Once there is no immediate danger the Kirkland SCD or officer will advise the survivor of the importance of preserving evidence to prove any criminal case of domestic violence, dating violence, and sexual assault or stalking, of if needed to obtain a protective order.
2. **Medical Assistance:** The Kirkland SCD shall encourage the survivor to seek medical treatment or examination, if needed, and offer to arrange transportation to a local hospital. Should the survivor desire counseling, the Kirkland SCD will offer to make the necessary arrangements outlined below.

- a. **Rape Kit.** If the sexual assault involved sexual intercourse, the Kirkland SCD will inform the survivor about the importance of the Rape Kit (if the sexual intercourse occurred within the last 72 hours) in order to preserve evidence. The Kirkland SCD should instruct the survivor to not wash, shower, douche, or change (destroy or clean) the clothes worn at the time of the assault. Not washing or changing clothes is important in order to preserve evidence.
  - b. **Support and Safety** Should the survivor require medical examination, University or Kirkland separate campus personnel, if available, can remain outside the examination or treatment room during the examination or treatment and then return the survivor to his or her residence or, if necessary, to a safe place other than the survivor's residence. If no University or Kirkland separate campus personnel are available the survivor should be referred to the local police department.
3. **Crisis Counseling Assistance:** The Kirkland SCD shall encourage the survivor to access support services from those specially trained to assist survivors of sexual assault, domestic violence, dating violence or stalking.

#### Sexual Assault & Domestic Violence Resources

##### Faith-Based Organizations

<i>Organization</i>	<i>Phone Number</i>	<i>Website</i>	<i>Services</i>	<i>Address</i>
Northwest Family Life	206-363-9601	<a href="http://www.northwestfamilylife.org">http://www.northwestfamilylife.org</a>	Counseling, Education, Advocacy, & Training	11320 Roosevelt Way NE, Seattle, WA 98125
Family Renewal Shelter	<b>National 24-hour crisis line:</b> 1-888-550-3915	<a href="http://www.domesticviolencehelp.com">http://www.domesticviolencehelp.com</a>	Shelter, Case Management, Legal Referrals, & Washington state-certified treatment program for perpetrators	6832 Pacific Ave Tacoma, WA 98408

##### Other Community Resources

Washington State Domestic Violence Hotline	<b>24-hour crisis line:</b> 1-800-562-6025		Referrals, Shelter, Counseling, & Anger Management	
King County Sexual Assault Resource Center	<b>24-hour crisis line:</b> 1-888-99-VOICE (1-888-998-6423)	<a href="http://www.kcsarc.org">www.kcsarc.org</a>	Legal advocacy and services for victims	
Lifewire (Formerly: Eastside Domestic Violence Program)	<b>24-hour crisis line:</b> 1-800-827-8840	<a href="http://www.edvp.org/">http://www.edvp.org/</a>	Shelter, Legal Advocacy, Counseling Services, Education, Training, Outreach, & Support Groups	
Abused Deaf Women's Advocacy	206-812-1001	<a href="http://www.adwas.org">www.adwas.org</a>		
Bremerton Alive Shelter	360-479-0522			
Domestic Violence Services of Snohomish County	425-252-ABUSE (425-252-2873)	<a href="http://www.dvs-snoco.org">www.dvs-snoco.org</a>		
YWCA Women's Support Shelter - Pierce County	253-383-2593	<a href="http://www.ywcapiercecounty.org">www.ywcapiercecounty.org</a>		405 Broadway Tacoma, WA 98402
Harborview Center for Sexual Assault and Traumatic Stress	206-521-1800	<a href="http://depts.washington.edu/hcsats">http://depts.washington.edu/hcsats</a>	Counseling & medical services related to sexual assault	401 Broadway #2027 Seattle, WA 98122

Other Community Resources <i>(continued)</i>				
Organization	Phone Number	Website	Services	Address
Domestic Abuse Women's Network (DAWN)	<b>24-hour crisis line:</b> 425-656-7867	<a href="http://dawnonline.org">dawnonline.org</a>	Emergency shelter for abused women and children, Support Groups, Advocacy, Referral	
FaithTrust Institute	206-634-1903	<a href="http://www.faithtrustinstitute.org">http://www.faithtrustinstitute.org</a>	Multicultural, Multi-faith	2900 Eastlake Ave E #200 Seattle, WA 98102
New Beginnings	206-522-9472	<a href="http://www.newbegin.org">www.newbegin.org</a>	Shelter, Counseling, and support services for abused women and children	
YWCA Women's Resource Center	206-461-4888	<a href="http://www.ywcaworks.org">www.ywcaworks.org</a>	Secure Shelter, Case Management, Support Groups, Child Counseling, Legal Advocacy, Food, Clothing, & Referrals	
Wellspring Family Services Domestic Violence Intervention	206-826-3050	<a href="http://www.wellspringfs.org">www.wellspringfs.org</a>		1900 Rainier Ave. S, Seattle, WA 98144
Children's Response Center	425-688-5130		Serves children and youth in East and North King County who have been victims of sexual assault or other trauma and their non-offending family members by providing counseling, medical and legal advocacy, plus referrals for other services.	1120 112th Ave NE #130 Bellevue, WA 98004
Northwest Network of Bisexual, Lesbian, & Transgender Survivors	206-568-7777	<a href="http://nwnetwork.org/">http://nwnetwork.org/</a>		

**Consent for Help:** If the survivor consents to talk with a counselor, the Kirkland SCD or officer will immediately seek to contact the counselor for immediate assistance. The Kirkland SCD or officer then will contact the survivor to provide the name of the proposed counselor. The victim then may ask for a different counselor if the proposed counselor is known to the survivor and unacceptable for any reason. In such an event, the Kirkland SCD or officer will request another counselor who is available and then repeat the identification process. When no proposed counselor is approved by the victim, the Kirkland SCD or officer will immediately refer the victim to Lifewire 24-hour crisis line at 1-800-827-8840

**Refusal of Help:** If the victim declines to talk with a counselor, any information obtained by the Kirkland SCD or officer will be reported to the AGTS Doctor of Ministry office.

#### 4. Information

The Kirkland SCD or officer will provide the survivor with the following information, including telephone numbers for the referral sources:

- a. The survivor's right to anonymity
- b. The University's willingness to appoint a person to serve as the survivor's liaison with school officials and other parties, including service as the survivor's advisor in any disciplinary proceeding against the alleged offender;
- c. The availability of medical treatment, counseling services, and other resources;



- d. The procedure for reporting the incident to the Department of Public Safety, the Kirkland Police Department, or other appropriate law enforcement agencies.
- e. The University's willingness to assist in contacting the appropriate outside law enforcement agency if requested by the survivor;
- f. The University procedures for disciplinary action against students found guilty of sexual assault, domestic violence, dating violence or stalking and;
- g. The availability of local attorneys for legal counsel.

## 5. Sexual Assault, Domestic Violence, Dating Violence and Stalking

**Reporting:** The Kirkland SCD and/or officer shall take appropriate steps for the completion of a report in cooperation with the expressed wishes of the survivor.

- a. **Police Report Filed:** If the survivor chooses to file a Kirkland Police Department report, then the Kirkland SCD or officer will assist the survivor in contacting the Police Department and will also complete a brief report for statistical records.
- b. **No Police Report Filed:** If the survivor decides to not file a report with the police department, then the Kirkland SCD or officer will complete an Evangel University Incident Report containing the following:
  - i. **Survivor's Statement:** The Kirkland SCD or officer will record the survivor's account of the offender's action and any relevant background information.
  - ii. **Other Information:** The Kirkland SCD or officer will also seek and identify in the report as much potential corroborating information as possible
- c. **Incident Report Options:** The Kirkland SCD or officer will provide information to the survivor concerning the options for reporting the alleged offense and will use one of the following three formats selected by the survivor. Absent special circumstances the Kirkland SCD or officer will encourage the survivor to choose the third option (a formal complaint).
  - i. **Anonymous Report:** The report will not include the name of the survivor or other information about the victim's identity. The report will be used solely for information to enhance prevention programs and to prepare statistical records. The report will be signed by the Kirkland SCD or officer, who will verify that the survivor has requested that no further investigation or action be undertaken.
  - ii. **Signed Report:** The report will include the name of the survivor, but will be used solely for information to enhance prevention programs and to prepare statistical records.

- iii. **Formal Report:** The survivor will request further investigation and appropriate disciplinary action. If a police report was filed the survivor will provide the university a copy of the report.
  - d. **Confidentiality:** Regardless of the type of report, the name of the survivor and other information about the victim's identity will be kept confidential by the officer and other University employees.
  - e. **Filing of Report:** Promptly after the completion of a report, the Kirkland SCD or officer will deliver the original copy of the report to the Evangel Main Campus Director of Public Safety or his designee. Upon receipt of a report, if the Evangel Main Campus Director of Public Safety determines there is a safety threat to the community, the survivor will be consulted and an appropriate timely warning will be issued to the community by the local separate campus administration.
- E. **University Response to Reported Sexual Assault, Domestic Violence, Dating Violence and Stalking**
  - 1. **Change of Program or Residence:** The University will accommodate change of academic, transportation, and working situation if so requested by the survivor. The survivor may make change request to the Kirkland SCD. The institution may adjust the accused schedule to minimize contact with the survivor. Or the university may change the survivor's class schedule to limit contact with the accused. The university will make reasonable efforts to accommodate the survivor's requests even if the survivor chooses not to pursue the matter.

**Disciplinary Action:**

- a. If the Incident Report requests disciplinary action, and if the offender is not a member of the Evangel Community such as a visitor or vendor, then the Kirkland SCD will contact the Kirkland Police Department to investigate.
- b. If the Incident Report requests disciplinary action, and if the offender is a University employee, then the Kirkland SCD will contact the Kirkland Police Department to investigate and will forward the Incident Report to the Director of Human Resources and the appropriate Vice President for resolution in accordance with policies governing employee conduct.

- c. If the Incident Report requests disciplinary action, and if the offender is a student, then the Kirkland SCD will review the complaint for action pursuant to the Community Standards of Conduct published in the Evangel University Student Handbook. The policy for student disciplinary cases is established by the Community Standards of Conduct (copies are available for review at:

<https://web.evangel.edu/Apps/Public/studentHandbook/index>

.asp) and the Doctoral Program Handbook (copies are available for review at: <http://www.agts.edu/dmin/Participant-Handbook.pdf>). Disciplinary action under the Evangel University student conduct code is independent of any legal proceedings. This action may run concurrently with or in addition to any law enforcement investigation or court proceedings. The following sections of this protocol summarize some of the steps in the disciplinary procedures implemented by the Vice President of Student Development.

- i. **Parties.** In the disciplinary process, the victim of a sexual assault, domestic violence, dating violence or stalking is referred to as the complainant, and the student who assaulted or stalked the survivor is referred to as the accused student. Collectively, the complainant and the accused student are referred to as the parties for the particular case.
- ii. **Gender Balance.** The Vice President for Students Development may elect to handle sexual offense complaints in cooperation with another faculty or staff member of the opposite sex in order to eliminate the risk of any gender bias, either perceived or real.
- iii. **Administrative Resolution.** The Vice President for Student Development in partnership with local EU administration will conduct an investigation to determine if the complaint has merit. Unless the complaint is found to be without merit, the Vice President for Student Development will seek to resolve the matter administratively by determining the nature and severity of the violations and by reaching an agreement with the accused student on the appropriate sanctions for such violations. The Vice President for Student Development will confer with the complainant prior to completing an agreement with the accused student. If the complainant is dissatisfied with the completed agreement, the complainant may appeal to the University Accountability Board.
- iv. **Written Charges.** If the complaint cannot be resolved administratively by mutual consent, the Vice President for Student Development will prepare written charges against the accused student. The charges will be forwarded to the University

Accountability Board, and copies will be sent to the accused student and the complainant by the Vice President for Student Development.

- v. **Hearing Date.** The University Accountability Board will set the time and place for the hearing, and both the accused student and the survivor will be given notice of the hearing at least 48 hours in advance of the date. Either party may request the board to delay the hearing for good cause.
- vi. **Hearing Guidelines.** The hearing will be administrative in nature, and every attempt will be made to assure a fair and impartial hearing. Following is a summary of the guidelines for such hearings.
- vii. **Closed Hearings.** Hearings will be conducted in closed session. The parties may be present during the hearings, but may not be present during the deliberations of the board.
- viii. **Advisors.** The complainant and the accused student each will have the right to be assisted by an advisor.
- ix. **Admission of Others.** Admission of witnesses and other persons to the hearing will be subject to the discretion of the board, as permitted by the Family Educational Rights and Privacy Act.
- x. **Witnesses.** The parties will have the privilege of presenting witnesses, and the board may call additional witnesses.
- xi. **Cross-Examination.** The members of the board may question and cross-examine witnesses. The parties and/or their advisors may not cross-examine witnesses or other parties, but may suggest questions to be asked by the chairperson of the board.
- xii. **Deliberation and Voting.** After the hearing, the board will deliberate and then determined whether or not a majority of the members believe the accused student violated the Community Standards of Conduct.
- xiii. **Standard of Required Proof.** The board's determination will be made on the basis of whether it is more likely than not that the accused student violated the Community Standards of Conduct, which is equivalent to the "preponderance of the evidence" standard.
- xiv. **Reopening of Hearing on Question of Sanctions.** If the board finds that the accused student committed one or more violations of the Community Standards of Conduct, the board may recall the parties, and any other witnesses, to receive evidence or statements about the appropriateness of disciplinary sanctions. Such evidence may include testimony of character witnesses on behalf of the accused student, evidence of prior acts of misconduct, and/or a survivor's impact statement.
- xv. **Disciplinary Sanctions.** Based on its findings of violations, or the lack of violations, and its information about the appropriateness of sanctions, the hearing board will determine

the disciplinary sanctions to be recommended to the Vice President for Student Development for imposition against the accused student. If the accused is found to be in violation of the Sexual Assault policy, then the minimum sanction is *Immediate Suspension* for one year, plus evidence of successful counseling prior to readmission; and the maximum sanction is *Dismissal*, meaning permanent separation from the University. For a complete list of possible sanctions refer to section V, B of the student handbook.

**Announcement of Decision.** Upon conclusion of its deliberations, the board will unconditionally inform both parties of its findings and any sanctions simultaneously in writing. Both the complainant and the accused student may appeal the hearing board decision to the University Appeals Board.

## **Sex Offender Registry**

In accordance with the *Campus Sex Crimes Prevention Act of 2000*, which amends the *Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act*, the *Jeanne Clery Act*, and the *Family Educational Rights and Privacy Act of 1974*, the Evangel University Northwest University Kirkland Campus provides a link to publicly accessible Internet web sites containing the *King County Sex Offender Registry* and the *King County Sex Offender List*. This law also requires sex offenders, who already are required to register in a state, to provide notice of each institution of higher education in that state at which the person is employed or enrolled as a student.

Individuals included on the web sites are included solely by virtue of their conviction record and state law. The primary purpose of providing this information is to make the information easily available and accessible, not to warn about any specific individual. Anyone who uses this information to commit a criminal act against another person is subject to criminal prosecution.

Follow the link below to access the *King County Sex Offender Registry* website. The King County Sheriff's Office is responsible for maintaining this registry:

**<http://www.kingcounty.gov/safety/sheriff/Services/Offender.aspx>**

Follow the link below to access the *King County Sex Offender List* website. The King County Sheriff's Office is responsible for maintaining this registry:

**<http://www.icrimewatch.net/index.php?AgencyID=54473>**

## **Alcoholic Beverages**

All students, faculty, and staff, while on or off University property, are expected to refrain from the possession or use of alcoholic beverages. Providing, purchasing, attempting to purchase, or facilitating the purchase of alcoholic beverages is likewise prohibited. “Use” includes consumption by any means. Students are considered “in possession” and responsible for alcoholic beverages that have been determined to be on their person or in their residence or vehicle. The University prohibits the use or possession of an alcohol beverage vaporizer. The University reserves the right to check for compliance with this alcohol policy by various means, including active and passive alcohol sensors. For a complete statement on Evangel’s policy regarding alcohol use, see “Alcohol and Drugs” in Section VI, University Policies.

It is unlawful to sell furnish, or provide alcohol to anyone under age. The possession of alcohol, including possession by consumption, by anyone under age is illegal. Individuals violating these policies may be subject to sanctions by Evangel University, criminal prosecution, fine and imprisonment.

## **Illegal Drug Possession**

Everyone in the Evangel University community (including employees, resident students, commuter students, and graduate/professional studies students), while on or off University property, is expected to refrain from the manufacture, possession, use or distribution of illegal drugs. Purchasing, attempting to purchase, or facilitating the purchase of illegal substances is likewise prohibited. Students are considered “in possession” and responsible for illegal substances found on their person or in their residence or vehicle. Possession of drug paraphernalia is prohibited. If an illegal substance is suspected, the university policy is to call police and secure the area until their arrival. Individuals violating these policies may be subject to sanctions by Evangel University, criminal prosecution, fine and imprisonment. For a complete statement on Evangel’s policy regarding drug use, see “Alcohol and Drugs” in Section VI, University Policies.

## **Drug and Alcohol Abuse Prevention Program**

### **Preamble**

Evangel University is affiliated with the Assemblies of God, a community of churches that emphasizes the importance of surrendering our lives to Christ and living lives which, by the power of the Holy Spirit, demonstrate God's call for us to be Christ-like in all that we do. As a result of this affiliation and commitment to God’s call, and in compliance with the *Drug Free Schools and Communities Acts Amendments of 1989*, Evangel University defines in this policy the lifestyle expectations and requirements for students that relate to the manufacture, possession,

use, or distribution of illegal drugs, alcoholic beverages, and tobacco products as well as the abuse of prescription and nonprescription medications.

### **A. Policy**

Maintaining our personal health and mental well-being is an essential part of our commitment at Evangel University to serve Christ. As a demonstration of that commitment, we expect everyone in the Evangel University community (including employees, resident students, commuter students, and graduate/professional studies students), while on or off University property, to refrain from the manufacture, possession, use or distribution of illegal drugs, synthetic drugs (K2 and other synthetic cannabinoids, bath salts, or products used in a similar manner), alcoholic beverages and tobacco products, and to avoid the abuse of prescription or nonprescription drugs.

This policy also applies to all guests while visiting on our campus or attending University sponsored events outside of the campus. As Christians, we believe that this commitment to abstinence is a responsible way to avoid the alcohol and drug abuse problems that cause such great damage and cost to our society and its families.

### **B. Support Services**

We offer support services to students and employees who may be struggling with this area of their commitment to a Christian lifestyle. They can seek professional Christian counseling services and health services at the Student Union Wellness Center (865-2815 ext. 7280). There is no charge for these short-term counseling and health services, and confidentiality is guarded carefully. No information is shared with anyone without the client's permission. Students or employees needing long-term therapy generally are referred to professionals off campus at their own expense. The campus pastor is available for pastoral counseling. Students are encouraged also to seek prayer, guidance and encouragement from members of the faculty and Student Development staff.

Off-campus community counseling and treatment services are available from the following organizations at a potential cost to the student:

Al-Anon/Alateen  
[www.al-anon.org](http://www.al-anon.org)  
206-625-0000

Alcoholics Anonymous  
[www.alcoholics-anonymous.org](http://www.alcoholics-anonymous.org)  
425-454-9192

Narcotics Anonymous  
[www.na.org](http://www.na.org)  
206-790-8888  
\*will provide info on local meeting locations



Catholic Community Services  
100 23 rd Ave S  
Seattle, WA 98144  
[www.ccsww.org](http://www.ccsww.org)  
206-328-5097  
\*treatment for chemical dependency

Sound Mental Health  
Alcohol/Drug 24-Hour Help Line  
[www.adhl.org](http://www.adhl.org)  
206-722-3700  
1-800-562-1240  
\*will refer you to appropriate program

Therapeutic Health Services  
1412 140th Place Northeast  
Bellevue, WA 98007  
[www.therapeutichearlth.org](http://www.therapeutichearlth.org)  
425.747.7892  
\*sliding scale available, service to 18+

Alpha Center for Treatment, Inc. - Bothell (ACT)  
10614 Beardslee Boulevard, Suite D  
Bothell, WA 98011  
425.483.4664  
\*private insurance or fee for service

Lakeside-Milam Recovery Center  
10322 Northeast 132nd Street  
Kirkland, WA 98034  
[www.lakesidemilam.com](http://www.lakesidemilam.com)  
425.823.3116  
\*private facility, fee for service

Associated Behavioral Health Care  
1800 112th Avenue Northeast Suite 150  
Bellevue, WA 98004  
[www.abhc.com](http://www.abhc.com)  
425.646.7279  
\*sliding scale available, service to 18+

Residence XII  
12029 113th Avenue Northeast  
Kirkland, WA 98034  
[www.residencexii.org](http://www.residencexii.org)  
425.823.8844

\*low cost: state funded and scholarship available,  
service to 18+

Meier Clinics (Christian/Biblical Based)  
22010-17th Avenue Southeast, Suite A  
Bothell, WA 98021  
www.meierclinics.org  
425.487.3885

\*sliding scale available, service to under 18 and 18+

### **C. Consequences for Violations of this Policy**

For a few, it is sometimes necessary to be confronted and to experience consequences before they recognize that their actions and habits are detrimental to their Christian witness, their own health, and the well-being of the community. In compliance with our own standard as well as the laws of the land, we advise both traditional and nontraditional students as well as employees that the following consequences will occur when the policy is violated:

1. Students or employees who violate city ordinances or state or federal statutes law regarding the manufacture, possession, use or distribution of illegal drugs, synthetic drugs (K2 and other synthetic cannabinoids, bath salts, or products used in a similar manner), alcoholic beverages, tobacco products or medications will be reported to the legal authorities.
2. Those who violate University standards, city ordinances or state or federal statutes regarding (a) the manufacture, possession, use or distribution of illegal drugs, synthetic drugs (K2 and other synthetic cannabinoids, bath salts, or products used in a similar manner), alcoholic beverages or tobacco products or (b) the abuse of medications will be subject to disciplinary action, including discharge for employees and dismissal for students.
3. If found to be in violation of University standards but permitted to continue as a part of the community on probationary status, the student may be subject to mandatory counseling (on or off campus), periodic inspections and/or supervised, random drug tests at a medical facility over a given period of time. The student will be responsible solely for costs of the drug screens and off-campus counseling.
4. Any member of the Evangel University community who refuses to take a field sobriety test and/or a Breathalyzer test, when asked to submit to either or both by an Evangel staff member for reasonable cause, shall be considered to be in violation of the University's standards prohibiting the possession, use, or distribution of alcohol. "Reasonable cause" includes the odor of alcohol on a person's breath, slurred speech, glassy eyes, being unsteady or unstable on a person's feet, and/or similar observations.

5. Any member of the Evangel University community who refuses to submit to a drug test or refuses to provide written consent permitting Evangel University to be apprised of the testing results, shall be considered to be in violation of the University's illegal drug policy. Reasonable grounds for drug testing may include, but are not limited to: incoherent, erratic or violent behavior; repeated tardiness and/or absenteeism; drug-related odors on person, clothing, room or vehicle; sudden unexplainable drop in academic or work performance; possession of drug paraphernalia; previous positive drug screen results; being cited for substance abuse violations by University or municipal authorities; a report that is provided by a reliable and credible source regarding use of illegal substance.
6. Student organizations are under the same legal requirements as individuals concerning local, state, and federal laws. Any violation of these laws in conjunction with a student organization activity constitutes a violation of University policy. Violations of policy could result not only in disciplinary action against the individual(s) involved, but also in suspension or loss of University recognition of the organization.

#### **D. Special Obligations of Employees and the University**

1. Employer's statement:  
All University employees are notified hereby that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the University workplace and that a violation of this prohibition shall result in immediate disciplinary action up to and including discharge.
2. Conditions of employment:  
As a condition of employment, all University employees must: (1) abide by the terms of the prohibition referred to in the preceding paragraph; and (2) notify the University of any criminal drug statute conviction for a violation occurring in the workplace no later than 5 days after such conviction.
3. Employer's obligations:
  - a. Notification of agency  
The University will notify the appropriate law enforcement agency within 10 days after receiving the 5-day notice from an employee referred to in the preceding paragraph or upon otherwise receiving actual notice of such a conviction.
  - b. Responsive action  
Within 30 days of receiving notice from an employee of a criminal drug statute conviction for a violation occurring in the workplace, the University shall, with respect to any employee who is so convicted: (1) take appropriate personnel action against such an employee, up to and including termination; or (2) require such employee to participate satisfactorily in a drug abuse

assistance or a rehabilitation program approved for such purposes by a federal, state or local health, law enforcement, or other appropriate agency.

## **E. Definitions**

1. "University activities" are defined as those activities that are sponsored by a University department or are sponsored by a recognized student organization.
2. "University property" is defined as University-owned or leased grounds, facilities, or vehicles.

## **F. Description of Local, State and Federal Legal Sanctions**

1. State sanctions—Washington statutes prohibit the following acts:

- a. Alcohol offenses:

(1) Every person under the age of twenty-one years who purchases or attempts to purchase liquor shall be guilty of a violation of this title. This section does not apply to persons between the ages of eighteen and twenty-one years who are participating in a controlled purchase program authorized by the liquor control board under rules adopted by the board. Violations occurring under a private, controlled purchase program authorized by the liquor control board may not be used for criminal or administrative prosecution.

(2) An employer who conducts an in-house controlled purchase program authorized under this section shall provide his or her employees a written description of the employer's in-house controlled purchase program. The written description must include notice of actions an employer may take as a consequence of an employee's failure to comply with company policies regarding the sale of alcohol during an in-house controlled purchase.

(3) An in-house controlled purchase program authorized under this section shall be for the purposes of employee training and employer self-compliance checks. An employer may not terminate an employee solely for a first-time failure to comply with company policies regarding the sale of alcohol during an in-house controlled purchase program authorized under this section.

(4) Every person between the ages of eighteen and twenty, inclusive, who is convicted of a violation of this section is guilty of a misdemeanor punishable as provided by RCW 9A.20.021, except that a minimum fine of two hundred fifty dollars shall be imposed and any sentence requiring community restitution shall require not fewer than twenty-five hours of community restitution. (RCW 66.44.290)

Any person who transfers in any manner an identification of age to a minor for the purpose of permitting such minor to obtain alcoholic beverages shall be guilty of a

misdemeanor punishable as provided by RCW 9A.20.021, except that a minimum fine of two hundred fifty dollars shall be imposed and any sentence requiring community restitution shall require not fewer than twenty-five hours of community restitution: PROVIDED, That corroborative testimony of a witness other than the minor shall be a condition precedent to conviction. (RCW 66.44.325)

No person may forge, alter, counterfeit, otherwise prepare or acquire and supply to a person under the age of twenty-one years a facsimile of any of the officially issued cards of identification that are required for presentation under \*RCW 66.16.040. A violation of this section is a gross misdemeanor punishable as provided by RCW 9A.20.021 except that a minimum fine of two thousand five hundred dollars shall be imposed. (RCW 66.44.328)

b. Illegal drug offenses:

(1) Except as authorized by this chapter, it is unlawful for any person to manufacture, deliver, or possess with intent to manufacture or deliver, a controlled substance.

(2) Any person who violates this section with respect to:

(a) A controlled substance classified in Schedule I or II which is a narcotic drug or flunitrazepam, including its salts, isomers, and salts of isomers, classified in Schedule IV, is guilty of a class B felony and upon conviction may be imprisoned for not more than ten years, or (i) fined not more than twenty-five thousand dollars if the crime involved less than two kilograms of the drug, or both such imprisonment and fine; or (ii) if the crime involved two or more kilograms of the drug, then fined not more than one hundred thousand dollars for the first two kilograms and not more than fifty dollars for each gram in excess of two kilograms, or both such imprisonment and fine;

(b) Amphetamine, including its salts, isomers, and salts of isomers, or methamphetamine, including its salts, isomers, and salts of isomers, is guilty of a class B felony and upon conviction may be imprisoned for not more than ten years, or (i) fined not more than twenty-five thousand dollars if the crime involved less than two kilograms of the drug, or both such imprisonment and fine; or (ii) if the crime involved two or more kilograms of the drug, then fined not more than one hundred thousand dollars for the first two kilograms and not more than fifty dollars for each gram in excess of two kilograms, or both such imprisonment and fine. Three thousand dollars of the fine may not be suspended. As collected, the first three thousand dollars of the fine must be deposited with the law enforcement agency having responsibility for cleanup of laboratories, sites, or substances used in the manufacture of the methamphetamine, including its salts, isomers, and salts of isomers. The fine moneys deposited with that law enforcement agency must be used for such clean-up cost;

(c) Any other controlled substance classified in Schedule I, II, or III, is guilty of a class C felony punishable according to chapter 9A.20 RCW;

(d) A substance classified in Schedule IV, except flunitrazepam, including its salts, isomers, and salts of isomers, is guilty of a class C felony punishable according to chapter 9A.20 RCW; or

(e) A substance classified in Schedule V, is guilty of a class C felony punishable according to chapter 9A.20 RCW.

(3) The production, manufacture, processing, packaging, delivery, distribution, sale, or possession of marijuana in compliance with the terms set forth in RCW 69.50.360, 69.50.363, or 69.50.366 shall not constitute a violation of this section, this chapter, or any other provision of Washington state law. (WA 69.50.401)

(1) It is unlawful for any person to possess a controlled substance unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of his or her professional practice, or except as otherwise authorized by this chapter.

(2) Except as provided in RCW 69.50.4014, any person who violates this section is guilty of a class C felony punishable under chapter 9A.20 RCW.

(3) The possession, by a person twenty-one years of age or older, of useable marijuana or marijuana-infused products in amounts that do not exceed those set forth in RCW 69.50.360(3) is not a violation of this section, this chapter, or any other provision of Washington state law. (WA 69.50.4013)

Except as provided in RCW 69.50.401(2)(c), any person found guilty of possession of forty grams or less of marihuana is guilty of a misdemeanor. (WA 69.50.4014)

(1) It is unlawful to compensate, threaten, solicit, or in any other manner involve a person under the age of eighteen years in a transaction unlawfully to manufacture, sell, or deliver a controlled substance.

(2) A violation of this section is a class C felony punishable according to chapter 9A.20 RCW. (WA 69.50.4015)

(1) It is unlawful for any person:

(a) Who is subject to Article III to distribute or dispense a controlled substance in violation of RCW 69.50.308;

(b) Who is a registrant, to manufacture a controlled substance not authorized by his or her registration, or to distribute or dispense a controlled substance not authorized by his or her registration to another registrant or other authorized person;

(c) Who is a practitioner, to prescribe, order, dispense, administer, supply, or give to any person:

(i) Any amphetamine, including its salts, optical isomers, and salts of optical isomers classified as a schedule II controlled substance by the commission pursuant to chapter 34.05 RCW; or

(ii) Any nonnarcotic stimulant classified as a schedule II controlled substance and designated as a nonnarcotic stimulant by the commission pursuant to chapter 34.05 RCW;

except for the treatment of narcolepsy or for the treatment of hyperkinesia, or for the treatment of drug-induced brain dysfunction, or for the treatment of epilepsy, or for the differential diagnostic psychiatric evaluation of depression, or for the treatment of depression shown to be refractory to other therapeutic modalities, or for the treatment of multiple sclerosis, or for the clinical investigation of the effects of such drugs or compounds, in which case an investigative protocol therefor shall have been submitted to and reviewed and approved by the commission before the investigation has been begun: PROVIDED, That the commission, in consultation with the medical quality assurance commission and the osteopathic disciplinary board, may establish by rule, pursuant to chapter 34.05 RCW, disease states or conditions in addition to those listed in this subsection for the treatment of which Schedule II nonnarcotic stimulants may be prescribed, ordered, dispensed, administered, supplied, or given to patients by practitioners: AND PROVIDED, FURTHER, That investigations by the commission of abuse of prescriptive authority by physicians, licensed pursuant to chapter 18.71 RCW, pursuant to subsection (1)(c) of this section shall be done in consultation with the medical quality assurance commission;

(d) To refuse or fail to make, keep or furnish any record, notification, order form, statement, invoice, or information required under this chapter;

(e) To refuse an entry into any premises for any inspection authorized by this chapter; or

(f) Knowingly to keep or maintain any store, shop, warehouse, dwelling, building, vehicle, boat, aircraft, or other structure or place, which is resorted to by persons using controlled substances in violation of this chapter for the purpose of using these substances, or which is used for keeping or selling them in violation of this chapter.

(2) Any person who violates this section is guilty of a class C felony and upon conviction may be imprisoned for not more than two years, fined not more than two thousand dollars, or both. (RCW 69.50.402)

(1) It is unlawful for any person knowingly or intentionally:

(a) To distribute as a registrant a controlled substance classified in Schedules I or II, except pursuant to an order form as required by \*RCW 69.50.307;

(b) To use in the course of the manufacture, distribution, or dispensing of a controlled substance, or to use for the purpose of acquiring or obtaining a controlled substance, a registration number which is fictitious, revoked, suspended, or issued to another person;

(c) To obtain or attempt to obtain a controlled substance, or procure or attempt to procure the administration of a controlled substance, (i) by fraud, deceit, misrepresentation, or subterfuge; or (ii) by forgery or alteration of a prescription or any written order; or (iii) by the concealment of material fact; or (iv) by the use of a false name or the giving of a false address;

(d) To falsely assume the title of, or represent herself or himself to be, a manufacturer, wholesaler, pharmacist, physician, dentist, veterinarian, or other authorized person for the purpose of obtaining a controlled substance;

(e) To make or utter any false or forged prescription or false or forged written order;

(f) To affix any false or forged label to a package or receptacle containing controlled substances;

(g) To furnish false or fraudulent material information in, or omit any material information from, any application, report, or other document required to be kept or filed under this chapter, or any record required to be kept by this chapter;

(h) To possess a false or fraudulent prescription with intent to obtain a controlled substance; or

(i) To attempt to illegally obtain controlled substances by providing more than one name to a practitioner when obtaining a prescription for a controlled substance. If a person's name is legally changed during the time period that he or she is receiving health care from a practitioner, the person shall inform all providers of care so that the medical and pharmacy records for the person may be filed under a single name identifier.

(2) Information communicated to a practitioner in an effort unlawfully to procure a controlled substance or unlawfully to procure the administration of such substance, shall not be deemed a privileged communication.

(3) A person who violates this section is guilty of a class C felony and upon conviction may be imprisoned for not more than two years, or fined not more than two thousand dollars, or both. (RCW 69.50.403)

(1) Any person eighteen years of age or over who violates RCW 69.50.401 by distributing a controlled substance listed in Schedules I or II which is a narcotic drug or methamphetamine, including its salts, isomers, and salts of isomers, or flunitrazepam, including its salts, isomers, and salts of isomers, listed in Schedule IV, to a person under eighteen years of age is guilty of a class A felony punishable by the fine authorized by RCW 69.50.401(2) (a) or (b), by a term of imprisonment of up to twice that authorized by



RCW 69.50.401(2) (a) or (b), or by both.

(2) Any person eighteen years of age or over who violates RCW 69.50.401 by distributing any other controlled substance listed in Schedules I, II, III, IV, and V to a person under eighteen years of age who is at least three years his or her junior is guilty of a class B felony punishable by the fine authorized by RCW 69.50.401(2) (c), (d), or (e), by a term of imprisonment up to twice that authorized by RCW 69.50.401(2) (c), (d), or (e), or both. (RCW 69.50.406)

(1) Except as authorized by this chapter it is a class C felony for any person to sell for profit any controlled substance or counterfeit substance classified in Schedule I, RCW 69.50.204, except leaves and flowering tops of marihuana.

For the purposes of this section only, the following words and phrases shall have the following meanings:

(a) "To sell" means the passing of title and possession of a controlled substance from the seller to the buyer for a price whether or not the price is paid immediately or at a future date.

(b) "For profit" means the obtaining of anything of value in exchange for a controlled substance.

(c) "Price" means anything of value.

(2)(a) Any person convicted of a violation of subsection (1) of this section shall receive a sentence of not more than five years in a correctional facility of the department of social and health services for the first offense.

(b) Any person convicted on a second or subsequent cause, the sale having transpired after prosecution and conviction on the first cause, of subsection (1) of this section shall receive a mandatory sentence of five years in a correctional facility of the department of social and health services and no judge of any court shall suspend or defer the sentence imposed for the second or subsequent violation of subsection (1) of this section.

(3)(a) Any person convicted of a violation of subsection (1) of this section by selling heroin shall receive a mandatory sentence of two years in a correctional facility of the department of social and health services and no judge of any court shall suspend or defer the sentence imposed for such violation.

(b) Any person convicted on a second or subsequent sale of heroin, the sale having transpired after prosecution and conviction on the first cause of the sale of heroin shall receive a mandatory sentence of ten years in a correctional facility of the department of social and health services and no judge of any court shall suspend or defer the sentence imposed for this second or subsequent violation: PROVIDED, That the indeterminate sentence review board under RCW 9.95.040 shall not reduce the minimum term imposed

for a violation under this subsection.

(4) Whether or not a mandatory minimum term has expired, an offender serving a sentence under this section may be granted an extraordinary medical placement when authorized under \*RCW 9.94A.728(4).

(5) In addition to the sentences provided in subsection (2) of this section, any person convicted of a violation of subsection (1) of this section shall be fined in an amount calculated to at least eliminate any and all proceeds or profits directly or indirectly gained by such person as a result of sales of controlled substances in violation of the laws of this or other states, or the United States, up to the amount of five hundred thousand dollars on each count.

(6) Any person, addicted to the use of controlled substances, who voluntarily applies to the department of social and health services for the purpose of participating in a rehabilitation program approved by the department for addicts of controlled substances shall be immune from prosecution for subsection (1) offenses unless a filing of an information or indictment against such person for a violation of subsection (1) of this section is made prior to his or her voluntary participation in the program of the department of social and health services. All applications for immunity under this section shall be sent to the department of social and health services in Olympia. It shall be the duty of the department to stamp each application received pursuant to this section with the date and time of receipt.

(7) This section shall not apply to offenses defined and punishable under the provisions of RCW 69.50.401 through 69.50.4015.

(1) It is unlawful for any person to use drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance other than marijuana. Any person who violates this subsection is guilty of a misdemeanor.

(2) It is unlawful for any person to deliver, possess with intent to deliver, or manufacture with intent to deliver drug paraphernalia, knowing, or under circumstances where one reasonably should know, that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance other than marijuana. Any person who violates this subsection is guilty of a misdemeanor.

(3) Any person eighteen years of age or over who violates subsection (2) of this section by delivering drug paraphernalia to a person under eighteen years of age who is at least three years his junior is guilty of a gross misdemeanor.

(4) It is unlawful for any person to place in any newspaper, magazine, handbill, or

other publication any advertisement, knowing, or under circumstances where one reasonably should know, that the purpose of the advertisement, in whole or in part, is to promote the sale of objects designed or intended for use as drug paraphernalia. Any person who violates this subsection is guilty of a misdemeanor.

(5) It is lawful for any person over the age of eighteen to possess sterile hypodermic syringes and needles for the purpose of reducing blood-borne diseases. (RCW 69.50.412)

2. Federal sanctions--United States Code prohibits the following acts:

- a. Alcohol offenses: Legal sanctions for the unlawful possession or distribution of alcohol are found primarily in state and local law.
- b. Illegal drug offenses:
  - (1) Simple possession. It is illegal for any person to knowingly or intentionally possess a controlled substance unless obtained by a valid prescription. 21 U.S.C. ~844.
  - (2) Violations of this section are punishable by imprisonment for up to 1 year, a minimum fine of \$1,000, or both. After a prior conviction for any drug offense, the violator shall be imprisoned for a term of at least 15 days and not more than 2 years and fined a minimum of \$2,500. A third conviction carries a penalty of imprisonment for at least 90 days but no more than 3 years and a minimum fine of \$5,000. A person convicted under this subsection for the possession of a mixture or substance which contains cocaine base shall be imprisoned not less than 5 years and not more than 20 years, and fined a minimum of \$1,000, if the conviction is a first conviction under this subsection and the amount of the mixture or substance exceeds 5 grams.
  - (3) Where a person at least 18 years of age distributes a controlled substance to any person under 21 years of age, or where a person possesses with intent to distribute, distributes or manufactures a controlled substance in or on, or within 1000 feet of a public or private elementary, secondary, vocational or public or private college, junior college or university, or playground or housing facility owned by a public housing authority, or within 100 feet of a youth center, public swimming pool or video arcade facility, the punishment shall be twice the maximum punishment provided in 21 U.S.C. 841 , which provides in part 1, such person shall be sentenced to a term of imprisonment which may not be less than 10 years or more than life and if death or serious bodily injury results from the use of such substance shall be not less than 20 years or more than life, a fine not to exceed the greater of that authorized in accordance with the provisions of title 18 or \$4,000,000 if the defendant is an individual or \$10,000,000 if the defendant is other than an individual, or both.
  - (4) Any person convicted of a drug offense under these federal laws shall forfeit to the government any property derived from or obtained directly or indirectly as a result of the violation, or any property used to commit or facilitate the violation. 21 U.S.C. ~853.
  - (5) Ineligibility to receive or purchase a firearm. 18 U.S.C. ~922(g).

- (6) Miscellaneous: Revocation of certain federal licenses and benefits, e.g. pilot licenses, public housing tenancy, are vested within the authority of individual federal agencies.

## **G. Health Risks Associated with Use of Illegal Drugs and Abuse of Alcohol**

### **1. Alcohol:**

- a. Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increases the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.
- b. Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations and convulsions. Alcohol withdrawal can be life threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition can also lead to permanent damage to vital organs such as the brain and the liver.
- c. Infants and children develop fetal alcohol syndrome (FAS) as a result of maternal alcohol intake during pregnancy. In severe cases, children with FAS are born with physical abnormalities and mental retardation. But central nervous system damage leading to learning problems, lack of impulse control, hyperactivity and emotional/social difficulties in children can occur with even small amounts of maternal alcohol intake. There is no safe level of alcohol consumption during pregnancy. [Paragraph 1.c. revised 10-12-04.]

### **2. Cannabis:**

- a. All forms of cannabis have negative physical and mental effects. Several regularly observed physical effects of cannabis are a substantial increase in the heart rate, bloodshot eyes, a dry mouth and throat and increased appetite.
- b. Use of cannabis may impair or reduce short-term memory and comprehension, alter sense of time and reduce ability to perform tasks requiring concentration and coordination, such as driving a car. Research also shows that students do not retain knowledge when they are "high." Motivation and cognition may be altered, making the acquisition of new information difficult. Marijuana can also produce paranoia and psychosis.
- c. Because users often inhale the unfiltered smoke deeply and then hold it in their lungs as long as possible, marijuana is damaging to the lungs and pulmonary system. Marijuana smoke contains more cancer-causing agents than tobacco smoke.

- d. Long-term users of cannabis may develop psychological dependence and require more of the drug to get the same effect. The drug can become the center of their lives.
3. Inhalants:
- a. The immediate negative effects of inhalants include nausea, sneezing, coughing, nosebleeds, fatigue, and lack of coordination and loss of appetite. Solvents and aerosol sprays also decrease the heart and respiratory rates and impair judgment. Amyl and butyl nitrates cause rapid pulse, headaches and involuntary passing of urine and feces. Long-term use may result in hepatitis or brain damage.
  - b. Deeply inhaling the vapors, or using large amounts over a short time, may result in disorientation, violent behavior, unconsciousness, or death. High concentrations of inhalants can cause suffocation by displacing the oxygen in the lungs or by depressing the central nervous system to the point that breathing stops.
  - c. Long-term use can cause weight loss, fatigue, electrolyte imbalance and muscle fatigue. Repeated sniffing of concentrated vapors over time can permanently damage the nervous system.
4. Cocaine:
- a. Cocaine stimulates the central nervous system. Its immediate effects include dilated pupils and elevated blood pressure, heart rate, respiratory rate and body temperature. Occasional use can cause a stuffy or runny nose, while chronic use can ulcerate the mucous membrane of the nose.
  - b. Injecting cocaine with contaminated equipment can cause AIDS, hepatitis and other diseases.
  - c. Preparation of freebase, which involves the use of volatile solvents, can result in death or injury from fire or explosion.
  - d. Cocaine can produce psychological and physical dependency, a feeling that the user cannot function without the drug. In addition, tolerance develops rapidly.
  - e. Crack or freebase rock is extremely addictive and its effects are felt within 10 seconds. The physical effects include dilated pupils, increased pulse rate, elevated blood pressure, insomnia, loss of appetite, tactile hallucinations, paranoia and seizures.
  - f. The use of cocaine can cause death by cardiac arrest or respiratory failure.
5. Other stimulants:
- a. Stimulants can cause increased heart and respiratory rates, elevated blood pressure, dilated pupils and decreased appetite. In addition, users may experience sweating, headaches, blurred vision, dizziness, sleeplessness and anxiety. Extremely high doses can cause a rapid or irregular heartbeat, tremors, loss of coordination and even physical collapse.
  - b. An amphetamine injection creates a sudden increase in blood pressure that can result in stroke, very high fever, or heart failure.

- c. In addition to the physical effects, users report feeling restless, anxious and moody. Higher doses intensify the effects.
  - d. Persons who use large amounts of amphetamines over a long period of time can develop an amphetamine psychosis that includes hallucinations, delusions and paranoia. The symptoms usually disappear when drug use ceases.
6. Depressants:
- a. The effects of depressants are in many ways similar to the effects of alcohol. Small amounts can produce calmness and relaxed muscles, but somewhat larger doses can cause slurred speech, staggering gait and altered perception. Very large doses can cause respiratory depression, coma and death. The combination of depressants and alcohol can multiply the effects of the drugs, thereby multiplying the risks.
  - b. The use of depressants can cause both physical and psychological dependence. Regular use over time may result in a tolerance to the drug, leading the user suddenly stop taking large doses, they may develop withdrawal symptoms ranging from restlessness, insomnia and anxiety to convulsions and death.
  - c. Babies born to mothers who abuse depressants during pregnancy may be physically dependent on drugs and show withdrawal symptoms shortly after they are born. Birth defects and behavioral problems also may result.
7. Hallucinogens:
- a. Phencyclidine (PCP) interrupts the functions of the neocortex, the section of the brain that controls the intellect and keeps instincts in check. Because the drug blocks pain receptors, violent PCP episodes may result in self-inflicted injuries. The effects of PCP vary, but users frequently report a sense of distance and estrangement. Time and body movements are slowed down. Muscular coordination worsens and senses are dulled. Speech is blocked and incoherent. Chronic users of PCP report persistent memory problems and speech difficulties. Some of these effects may last 6 months to a year following prolonged daily use. Mood disorders--depression, anxiety and violent behavior--also occur. In later stages of chronic use, users often exhibit paranoid and violent behavior and experience hallucinations. Large doses may produce convulsions and coma, as well as heart and lung failure.
  - b. Lysergic acid (LSD), mescaline and psilocybin cause illusions and hallucinations. The physical effects may include dilated pupils, elevated body temperature, increased heart rate and blood pressure, loss of appetite, sleeplessness and tremors. Sensations and feelings may change rapidly. It is common to have a bad psychological reaction to LSD, mescaline and psilocybin. The user may experience panic, confusion, suspicion, anxiety and loss of control. Delayed effects, or flashbacks, can occur even after use has ceased.
8. Narcotics:

- a. Narcotics initially produce a feeling of euphoria that often is followed by drowsiness, nausea and vomiting. Users also may experience constricted pupils, watery eyes and itching. An overdose may produce slow and shallow breathing, clammy skin, convulsions, coma and possible death. Tolerance to narcotics develops rapidly and dependence is likely.
  - b. The use of contaminated syringes may result in disease such as AIDS, endocarditis and hepatitis. Addiction in pregnant women can lead to premature, stillborn, or addicted infants who experience severe withdrawal symptoms.
9. Designer drugs:
- a. Illegal drugs are defined in terms of their chemical formulas. To circumvent these legal restrictions, underground chemists modify the molecular structure of certain illegal drugs to produce analogs known as designer drugs. These drugs can be several hundred times stronger than the drugs they are designed to imitate.
  - b. Many of the so-called designer drugs are related to amphetamines and have mild stimulant properties but are mostly euphorants. They can produce severe neuro-chemical damage to the brain. The narcotic analogs can cause symptoms such as those seen in Parkinson's disease: uncontrollable tremors, drooling, impaired speech, paralysis and irreversible brain damage. Analogs of amphetamines and methamphetamines cause nausea, blurred vision, chills or sweating and faintness. Psychological effects include anxiety, depression and paranoia. As little as one dose can cause brain damage. The analogs of phencyclidine cause illusions, hallucinations and impaired perception.

*Description of Health Risks was obtained from "What Works: Schools without Drugs," United States Department of Education, 1989.*

#### **H. Program Review**

The University will conduct a biennial review of this program to determine its effectiveness, make changes where necessary and ensure that it is consistently followed.

#### **I. Program Notification**

Every student receives a copy of this policy annually in conjunction with registration for classes and every employee of the University shall receive a copy of the Drug and Alcohol Abuse Prevention Program annually through the campus mail. Additional copies of the program can be obtained from the office of the Vice President for Student Development.

Offenses	On Campus			Residential facilities*			Non-Campus			Public Property			Totals		
	2011	2012	2013	2011	2012	2013	2011	2012	2013	2011	2012	2013	2011	2012	2013
Murder/ Non-negligent manslaughter	-	-	0	-	-	0	-	-	0	-	-	0	-	-	0
Negligent Manslaughter	-	-	0	-	-	0	-	-	0	-	-	0	-	-	0
Rape	-	-	0	-	-	0	-	-	0	-	-	0	-	-	0
Forcible Fondling	-	-	0	-	-	0	-	-	0	-	-	0	-	-	0
Statutory Rape	-	-	0	-	-	0	-	-	0	-	-	0	-	-	0
Incest	-	-	0	-	-	0	-	-	0	-	-	0	-	-	0
Dating Violence	**	**	0	**	**	0	**	**	0	**	**	0	**	**	0
Domestic Violence	**	**	0	**	**	0	**	**	0	**	**	0	**	**	0
Stalking	**	**	0	**	**	0	**	**	0	**	**	0	**	**	0
Robbery	-	-	0	-	-	0	-	-	0	-	-	0	-	-	0
Aggravated Assault	-	-	0	-	-	0	-	-	0	-	-	0	-	-	0
Burglary	-	-	0	-	-	0	-	-	0	-	-	0	-	-	0
Motor Vehicle Theft	-	-		-	-	0	-	-	0	-	-	0	-	-	0
Arson	-	-	0	-	-	0	-	-	0	-	-	0	-	-	0
Liquor law Arrests	--	-	0	-	-	0	-	-	0	-	-	0	-	-	0
Liquor Law violations referred for disciplinary action	-	-	0	-	-	0	-	-	0	-	-	0	-	-	0
Drug law Arrests	-	-	0	-	-	0	-	-	0	-	-	0	-	-	0
Drug Law violations referred for disciplinary action	-	-	0	-	-	0	-	-	0	-	-	0	-	-	0
Illegal Weapons Possession Arrests	-	-	0	-	-	0	-	-	0	-	-	0	-	-	0
Illegal Weapons Possession referred for disciplinary action	-	-	0	-	-	0	-	-	0	-	-	0	-	-	0
<b>Total</b>	<b>-</b>	<b>-</b>	<b>0</b>	<b>-</b>	<b>-</b>	<b>0</b>	<b>-</b>	<b>-</b>	<b>0</b>	<b>-</b>	<b>-</b>	<b>0</b>	<b>-</b>	<b>-</b>	<b>0</b>
** These categories were added for the 2014 ASR and were not collected for the two previous years															
Evangel University acquired this location in 2013 as a separate campus.															



## **Hate Crime Statistics**

There were no hate crimes reported in 2011, 2012, and 2013.