

8-0 STUDENT AFFAIRS

8-1.0 VICE PRESIDENT FOR STUDENT AFFAIRS

The office of the vice president for student affairs has general responsibilities for all student affairs including, ADA and Student Assistance, Athletics, Career Development Center, D.A.P.P.E.R., Financial Aid, Health and Counseling Center, Residence Living, Samuelson Union Building, Student Activities, Women's Resource Center, advising the Associated Students of Central Washington University, student discipline, maintenance of student affairs student records, and administration of the academic retention policy. The vice president and the staff coordinate the work of committees dealing with student personnel policies, student discipline, and student academic grievances.

8-1.1 Career Services

Career Services provides a central planning and placement service for the assistance of graduating students and alumni seeking new positions. It also offers career planning information and assistance to undergraduates. A job research service provides continuous, accurate information regarding current and anticipated employment conditions to students and to academic departments and programs. The center brings together employers and qualified candidates (campus interviews and direct job notification); provides career information conferences by business, industry, government, and educational institutions; and provides a depository for senior and alumni personal and confidential references.

8-1.2 Director of Operations & Resource Management

The director of Operations & Resource Management is responsible for the overall management and administration of housing and dining services, the university store, the conference program, and campus vending machines. The director is assisted by the director of dining services, the university store manager, the director of residential services, the conference center manager, and the staffs in each of the respective areas.

8-1.2.1 Conference Program The CWU conference program is part of the student affairs division. The conference center manager is responsible for the administration of the conference program, planning and coordinating the various conferences held on the CWU campus, and for scheduling the use of conference facilities.

While the apartments and residence halls service the residential students, faculty and staff, the conference center housing offers a means for the university to provide its service in Ellensburg to individuals, organizations, groups, and others throughout the state of Washington on a year-round basis. With income from the conference program, lower rates are maintained for Central's full-time students.

Those who may stay in the conference center are limited to conference participants, guests of the university, prospective students, students, faculty and staff of Central, and others involved with a program of Central. Also eligible are faculty and students of another school who are involved in a program of that institution which is conducted on Central's campus or in the Ellensburg area. The general public is housed during Labor Day weekend, in cases of emergency road closures, and occasionally when all motels are filled because of local activities.

8-1.2.2 **Residential and Dining Services** The residential and dining service system is a self-supporting operation with all revenue derived from the use of its facilities and the building use fee. No state-appropriated funds are used to construct, equip, maintain or operate its facilities. Rates for room, board, rents, and other services are established with the intent of meeting the financial commitments of the university made for the residential and dining service system.

The residential and dining service system of Central Washington University includes residence halls, single adult apartments, family housing, conference center housing and dining services, the Holmes and Tunstall Dining Halls, and the Depot Deli in the Student Village. The director of operations and resource management together with the residential and dining service departments have the responsibility of providing satisfactory living and dining facilities and services at the lowest possible costs, while seeking to respond to the changing physical, social, and cultural needs of its clients.

Residence hall staff (LGA's and hall managers) facilitate extensive activities and learning experiences for resident students. These activities support the development of a community environment which values student diversity, having numerous cultural and educational events, in addition to many social and recreational ventures. Residence hall student behavioral problem intervention is also initiated by residence living and hall staff working with the student affairs office to provide students with resources and assistance. The residence programs - new student enrichment and augmented services program (for transfer and continuing students), are administered by residence living.

8-1.2.2.1 **Residence Halls** To reside in a residence hall one must be enrolled as a student of Central, be a full-time staff person of Central, or be involved in a university program. Also eligible are faculty and students of another school who are involved in a program of that institution which is conducted on Central's campus or in the Ellensburg area.

8-1.2.2.2 **Apartments** Only students, staff, and those involved in a university program are eligible to live in Central's apartments. Students must enroll in and maintain a minimum of seven credit hours each quarter during the academic year. They are not required to enroll during the summer session if they will be enrolled the following fall quarter. Occasionally, if circumstances require a student to be enrolled in fewer hours or not enrolled, their staying in the apartment during this time may be approved. Those involved in a university program include staff, students, persons working on a thesis and who are not enrolled, and those working on a project with a department of the university. Also eligible are visiting faculty and students of another school who are involved in a program of that institution which is conducted on Central's campus or in the Ellensburg area.

8-1.2.2.3 **Dining Services** The issuance of meal tickets is limited to students and staff of Central and the participants of the conference program. Guests of those living in our residence hall are always welcome. Also eligible are faculty and students of another school who are involved in a program of that institution which is being conducted on Central's campus or in the

Ellensburg area. While the general public may, at any time, dine in our dining halls, this is not solicited and very few do. Special dining accommodations are made to the general public in case of extreme emergencies (e.g., the eruption of Mt. St. Helens).

8-1.2.2.4 CWU Dining Services Catering Policy The university dining services department, which includes the dining hall food services and the food services offered in the Samuelson Union Building as a part of their catering functions, may provide special banquets, regular meals, and other types of food service as follows:

- a) To all functions which are held on the university premises;
- b) To functions which are not held on the university premises when requested by one of the following:
 - 1) Groups which are university related or university sponsored.
 - 2) Departments of the university.
 - 3) Residents of university housing.
 - 4) Participants in the university conference and workshop program.
 - 5) Public service events sponsored by non-profit organizations with the event open to the general public.
 - 6) Exceptions to this policy may be approved by the vice president for business and financial affairs; however, such exceptions must serve the purpose and educational mission of Central Washington University. Charges will include as a minimum, cost of food, cost of labor (plus benefits), supplies, and overhead (use of equipment, etc.).

8-1.2.2.5 Student Health and Counseling Center The staff of the student health and counseling center provide a comprehensive program of outpatient health care, counseling, and education for students.

The center provides routine office visits, emergency services, diagnostic laboratory and x-ray facilities. The center also provides educational, vocational and personal counseling for students of the university. Various types of group counseling and experiences, as well as individual counseling, are provided. A series of outreach programs on nutrition, sexual decision-making, eating disorders, physical fitness, and other health promotion topics are offered. The center maintains several ongoing programs relating to the academic, career and personal development of students. The initiation and development of new

and innovative programs are included in the responsibilities of the center. In addition, the center serves as a resource on student development to interested persons on campus.

8-1.2.2.6 University store The university store, located in the Samuelson Union Building, provides many services to the students and staff of Central Washington University.

The university store strives to maintain a sufficient inventory of all required and recommended textbooks, workbooks, and associated study aids, and materials as requested by the class instructors.

A large general reading book section is featured in the university store.

Aside from the textbook and general reading materials sections of the store, large selections of art supplies, recreational equipment and supplies, computers, physical education clothing, student living needs, and many other sundry items are available in the store. The sale of items other than books not only fills the needs and desires of the university store customers, but also makes it possible to have a larger selection of books. Books with their uniqueness and low markup do not normally provide adequate margins to operate on a self-supporting basis.

The sale of computers is limited to full-time students and staff of Central. The purchaser must attest the computer is being purchased solely for their personal non-commercial use and not for resale. The purchasers must agree in writing that should they resell the computer within one year or purchase, they will be subject to liquidation damages to the university in the amount of \$750.

The university store inventories are determined by the following criteria: (1) are these items required (e.g., textbooks, lab supplies, art supplies, etc.); (2) are these items something the students or the staff expect us to stock; (3) are these items unique to university life; (4) are these items highly priced in the local market; and (5) are these items unavailable on the local market. If any of these qualifiers apply to an item or group of items and they are salable at a sufficient margin, they will be made available for sale.

Service to the university community is a major effort of the university store. Among the services offered are departmental charge accounts, check-cashing service, printing copy service, special books and supplies ordering, mail drop, postage stamps, and photo finishing.

The university store is an entirely self-supporting operation with all revenue derived from the sale of merchandise. No appropriated state funds are used to construct and equip its facilities or to maintain the store's operations or its staffing. The university store sells merchandise at a markup sufficient only to cover its costs of operation, replacement of equipment and working capital.

8-1.3 Samuelson Union Building

The (SUB) is the community center of the university, and its organization and program exist to serve students, faculty, and staff of the institution. The SUB provides services, conveniences, and amenities university community members may utilize for informal association outside the classroom. The director of the SUB is responsible for management of the Samuelson Union Building and its programs/boards. Operational divisions include maintenance, engineering, custodial services, accounting, various food services, games room, information and ticket booths, university store lease, and university scheduling center. The building houses various student affairs offices and student government headquarters. The building also contains two ballrooms, fourteen conference rooms, study lounges, and food service facilities that can be scheduled for use by eligible on- and off-campus groups.

8-1.3.1 Scheduling center. The scheduling center is the office through which facilities arrangements for campus activities, other than regularly scheduled academic classes, are coordinated.

8-1.4 ADA Affairs and Student Assistance (ADAASA)

The purpose of the Office of ADA Affairs and Student Assistance is, 1) to ensure that students with disabilities are provided equal access to the university's educational programs and facilities, and, 2) to work with faculty and staff to maintain an environment sensitive to the needs of persons with disabilities. Students work with the director of ADAASA to assess the impact of their disabilities on the educational process and identify appropriate accommodations which will minimize the functional limitations of the disability/disabilities. Examples of accommodations include print materials in alternative formats, sign language interpreters, adaptive equipment, classroom access, alternative testing methods, assistance with identification of note takers, and lecture taping.

8-1.5 Student Activities

The director of student activities is responsible for the management of the student activities program. The student activities division provides a full range of university cocurricular and extracurricular student experiences through social activities and current issues programs, multicultural events, special programs and leisure activities, competitive sports, facilities management, leadership training and advisement, daycare/preschool direction, and administration of other special services.

8-1.5.1 Recreation and Intramurals. Recreation and intramurals is responsible for a diverse program in leisure activity for students and the university community. Outdoor programs, equipment rental for outdoor use, leisure education, intramural team sports for men and women, special events support to university programs and sports facilities management for leisure use are provided.

8-1.5.2 Student Activities Programs. Student activities programs include leadership training and staff development, clubs and organization advisement, special programs implementation for events such as parents' weekend, homecoming, wildcat (new student) week, festival of the arts, multicultural and nontraditional student programs and advertising, promotion and publications of student activities events and programs.

8-1.5.3 Daycare/Preschool. The university daycare/preschool facility and program provides university childcare service for student parents and educational

opportunities through university practicum experience. The children of CWU students are given first priority, but the program is open to nonstudents on a space-available basis only.

8-1.6 D.A.P.P.E.R. (Drug Abuse Prevention Program Education and Referral)

This program functions as a comprehensive, institution-wide substance abuse prevention/education program. It is open to involvement with any college entity interested in prevention programming. This program is also active in creating alternative activities, intervention, planning, education, and referral.

8-1.7 Women's Resource Center

The women's resource center serves a threefold purpose: to establish and maintain an information clearinghouse and referral service; to sponsor programs on topics of concern about women; and to provide a facility and environment which promotes women's support groups and networking. Based on theory and research in student development, the women's resource center addresses specific needs of re-entry women students, age twenty-five and older.

8-2.0 COMMITTEES

8-2.1 Board of Academic Appeals and Academic Standing

The board serves as a final appeals board for students who have been suspended from the university for academic difficulties. Further, the board provides for the airing and redress of academic grievances, with due procedural guarantees, for any student against any other student or member of the faculty, staff, or administration, or any faculty member against any student. Written procedure on addressing academic deficiency or on filing a grievance before the board of academic appeals may be obtained from the office of student affairs and enrollment management.

8-2.2 Campus Judicial Council

The council is the highest adjudication council for student misconduct or unlawful behavior by Central Washington University students. It may conduct hearings in situations that have not been adjudicated elsewhere or hear cases upon appeal. The functions and procedures of the campus judicial council are described in section 106-120-050 and 051 of the Washington Administrative Code (part 9 of this manual).

8-2.3 Parking Violation Appeals Board

Reviews written and verbal information with regard to a parking violation and decides to either uphold the ticket, dismiss the ticket, or reduce the fine.

8-2.4 Samuelson Union Board

The board functions as a sounding board for matters pertaining to the operation of the building. The board develops union policy and submits said policies to the SUB director for approval. Changes or modifications to the existing policies and procedures may either be initiated by the appointed membership or by the SUB director.

8-2.5 Services and Activities Fee Committee

The services and activities (S & A) fee committee reviews budget requests from S & A fee users, e.g., Samuelson Union Building, athletics, and the ASCWU board of directors

(BOD). A preliminary budget is recommended to the vice president for student affairs who confers with the BOD before sending the budget via the president to the board of trustees for review and approval.

8-2.6 The Student Financial Aid Committee

The student financial aid committee facilitates procedures in processing student applications for loans, scholarships, and work assignments.

8-3.0 STUDENT GROUPS

8-3.1 Student Judiciary Boards

There exist in the university a number of offices and agencies for the settlement and resolution of complaints against organized student groups and their activities and against the conduct of individual students. Students living in residence halls and student groups operating a student activity program participate in the formulation of rules in the prevention of disturbances and misconduct, and in the adjudication of complaints arising within the environs of their residence or facility. The residence hall arbitration council (RHAC) has major responsibility in matters pertaining to student misconduct and unlawful behavior which takes place in the residence hall system or unlawful behavior on the part of residence hall residents in other facilities or grounds of the university. The responsibilities of the RHAC range from preventive planning, to investigating instances of alleged misconduct, to taking appropriate actions on violations of university policy.

8.3.2 Tutorial Services to Students

Students needing individual tutoring should request the instructor or department to find instructors or other students to give the necessary assistance. The student needing help is responsible for negotiating a working relationship with such persons, recognizing that there may be charges for such services.

8-3.3 Students on Search Committees

Student representatives may serve on selected search committees for Central Washington University faculty and administrators. The following procedures will apply:

- 1) The person or group organizing the search committee shall determine if student representatives are needed on it.
- 2) The person appointing the members of the search committee shall request the nomination by the student board of directors of one or more student representatives to serve on the search committee.
- 3) The student nominees shall be nominated by the board of directors following guidelines approved by the affirmative action office.
- 4) The student nominees shall be informed of the potential for legal action against search committee members.
- 5) The student nominees may agree to serve on the search committee if appointments are offered.

8-4.0 STUDENT RIGHTS AND RESPONSIBILITIES POLICY

Central Washington University is a community that exists for the generation, acquisition, diffusion, and preservation of knowledge, the growth of all its members, and the general well being of society. Free inquiry and free expression are indispensable to the attainment of these goals. All members of the university community are encouraged to develop the capacity for critical judgment and to engage in a sustained and independent search for truth in an atmosphere of academic freedom. Freedom to teach and freedom to learn are inseparable facets of academic freedom. The freedom to learn depends upon appropriate opportunities and conditions in the classroom as well as elsewhere on campus. The responsibility to secure and to respect general conditions conducive to the freedom to learn is shared by all members of the university community.

The university has developed policies and procedures which provide and safeguard this freedom, within the framework of general standards, and with the broadest possible participation of the members of the university community. The student rights and responsibilities policy articulates the general policies that provide for the academic freedom of students in this university community and forms the basis on which the more specific policies, the Student Judicial Code, rules on student records, etc., have been formulated and adopted. Copies of the student rights and responsibilities, the judicial code, and the student records policy are available in the office of the vice president for student affairs.

8-5.0 General Student Affairs Policies

8-5.1 Hazing by Individuals and Organizations (President's Cabinet 8/15/96)

8-5.1.1 Purpose and Rationale.

This policy is established to meet the requirements of Substitute Senate Bill 5075, *Hazing Prohibited*, enacted by the Legislature and effective July 25, 1993. The university vice presidents shall develop procedures for implementation of the provisions of this policy.

For a number of years hazing has been perceived by many as a collegiate rite of passage. Varying levels of hazing exist and all can be categorized as varying from bad to worse. Generally, hazing is a mean-spirited act which has the demeaning of a person as its intended outcome. This runs counter to the intended purpose of the college experience, which is to raise to a higher plane the intellect and social consciousness of students. Too often that which is intended to be "good clean fun," or a minor prank, results in serious physical or emotional injury, or death.

Central Washington University is responsible for the higher development of each student's intellect and social consciousness. It has a second and equally significant role, however; the responsibility to assist each student in developing a code of ethics and a set of values in which high regard for self and others is an integral part. It is with these concerns in mind and with this hope that Central Washington University establishes this policy to deter and eliminate hazing where possible.

8-5.1.2 Hazing Defined.

Hazing is a misdemeanor punishable as provided under RCW 9A.20.021. Hazing includes any method of initiation into a student organization or living group, or any pastime or amusement engaged in with respect to such organization or living group, that causes, or is likely to cause, bodily danger or physical harm or serious mental or emotional harm, to any student or

other person attending CWU. The term does not include customary athletic events or other similar contests or competitions.

8-5.1.3 Hazing by Individuals.

Any individual student who engages in the hazing of any other student, or conspires with others to haze another student, shall be subject to the procedures and sanctions stipulated in the *Student Judicial Code*.

8-5.1.4 Hazing and Organizations.

1. Any organization, association, or student living group that knowingly permits hazing is strictly liable for harm caused to persons or property resulting from hazing. If the organization, association, or student living group is a corporation, whether for profit or nonprofit, the individual directors of the corporation may be held individually liable for damages.
2. Behaviors such as, but not limited to, embarrassment, ridicule, sleep deprivation, verbal abuse, or personal humiliation of others, do not fall specifically under the definition of hazing. However, no organization, association, or student living group shall engage in such conduct associated with initiation, or any pastime or amusement engaged in with respect to an organization or living group.
3. Any organization, association, or student living group that engages in hazing, as defined, or in activities noted in section (2) above shall be referred to the office of the vice president for student affairs for disciplinary action.

8-5.1.5 Hazing and Staff Knowledge and/or Participation.

Any member of the university staff who knowingly participates, encourages, permits, or condones hazing shall be subject to such action as shall be deemed appropriate and necessary by the vice president of staff member's division.

8-5.2 Service & Activities Fee Guidelines

8-5.2.1 Authority

8-5.2.1.1 Board of Trustees.

These guidelines shall govern the funding of programs supported by service and activities fees, and shall provide procedures for budgeting and expending such revenue. It is the intent of the legislature that the board of trustees ensure that students have a strong voice in recommending budgets for services and activities fees. The board shall adhere to the principle that the desires of a services and activities fees committee shall be given priority consideration on funding items that do not fall into the categories of preexisting contractual obligations, bond covenant agreements, or stability for programs affecting students.

8-5.2.1.2 Student Government Association.

The Associated Students of Central Washington University (ASCWU) Board of Directors (BOD) are elected through a process approved by the student body. They represent the interest of the students in both institutional policy and operations. The board of directors is recognized by the Central Washington University board of trustees.

8-5.2.1.3 The Services and Activities Fees Committee.

Responsibility for proposing to the administration and the board of trustees program priorities and budget levels for that portion of program budgets that derive from service and activities fees shall reside with the services and activities fees committee which shall prepare initial recommendations on a biennial schedule to correspond to the biennial budget cycle of the university. At the conclusion of the first year of the biennium, the vice president for student affairs shall review all budgets for use in accordance with the biennial request.

Committee membership is six students, three faculty members, and one dean. Five student members who shall reflect the diversity of the student body and diverse interests shall be recommended by the BOD. The selected students shall serve one- year terms and may be reappointed. Three faculty members shall be recommended by the Faculty Senate and shall serve terms as determined by the Faculty Senate. A dean selected by the provost and serving at the pleasure of the provost shall sit on the committee as a nonvoting member. The executive vice president of the ASCWU BOD shall sit on the service and activities fees committee as a voting ex officio member.

8-5.2.1.4 Student Programs and Activities Funded.

1. The legislature recognizes that institutional governing boards have a responsibility to manage and protect institutions of higher education. This responsibility includes ensuring certain lawful agreements for which revenues from services and activities fees have been pledged. Such lawful agreements include, but are not limited to, bond covenant agreements and other contractual obligations, e.g., acquisition of real property and funding of capital projects for the purpose of student programs and activities, and debt service on such projects. The board of trustees is also expected to protect the stability of programs that benefit students.
2. The legislature recognized that services and activities fees are paid by students for the express purpose of funding student services and programs including but not limited to the following:
 - a. Social events, seminars, workshops, retreats, and conferences; student governmental organizations; clubs and societies; musical, dramatic, and artistic presentations of an extracurricular nature; student publications; intramural and intercollegiate sports.
 - b. Equipment, supplies, materials and professional consulting fees required for the operation of student programs and activities.
 - c. Travel and per diem for students and professional staff members participating in student programs and activities.
 - d. Salaries and compensation to students and institutional staff involved with the administration and operation of student programs and activities.

8-5.2.2 Committee Procedures

- 8-5.2.2.1 Guidelines and procedures for reviewing budget requests, allocating available funds, and conducting budget hearings shall be established by the services and activities fees committee.**
- 8-5.2.2.2 Procedures to be followed for funding requests shall be widely publicized in a timely manner to the campus community. Notification procedures shall include:**
- 1. Sending notice of scheduled budget proposal hearings to each service and activities fees user.**
 - 2. Placing an invitation to submit new proposals in the campus newspaper.**
 - 3. Inviting recognized student organizations in off-campus extended degree programs to submit proposals.**
- 8-5.2.2.3 The services and activities fees committee shall provide an opportunity for all viewpoints to be heard at public meetings during its consideration of the funding of student programs and activities.**
- 8-5.2.2.4 Information on debt services and activities fees anticipated from predicted enrollments shall be provided to members of the services and activities fees committee by the budget office through the vice president for student affairs.**
- 8-5.2.2.5 Having given first priority to the retirement of debts already incurred, the services and activities fees committee shall allocate no less than 20% of the remaining service and activities fees income for athletics; music activities, for the marching band and student music group travel; and theatre arts activities and shall make recommendation on the distribution of the funds within the three areas after the budget request presentations. This procedure shall be reviewed one biennial cycle after its inception.**
- 8-5.2.2.6 Giving first priority to the retirement of debts already incurred, the services and activities fees committee shall evaluate existing and proposed programs and submit budget recommendations for the expenditure of those services and activities fees with supporting documents simultaneously to the board of trustees and administration.**
- 8-5.2.2.7 The committee may allocate a portion of the available funds to the Samuelson Union Building Reserve Fund with the union board having a strong voice in the utilization of the fund.**
- 8-5.2.2.8 The committee may allocate a portion of the available funds to the Services and Activities Reserve Fund which may be appropriated through a supplemental procedure to services and activities uses by action of the services and activities fees committee and with the concurrence of the President. Any dispute shall be settled by a dispute resolution committee. (Shall be referred to the dispute resolution committee.)**
- 8-5.2.2.9 The university administration shall review the services and activities fees committee budget recommendations and publish a written response to the committee. This response shall outline potential areas of difference between the committee recommendations and the administration's**

proposed budget recommendations. This response, with supporting documentation, shall be submitted to the services and activities fees committee in a timely manner to allow adequate consideration.

8-5.2.3 Procedures for Resolution of Disputes

8-5.2.3.1 In the event of a dispute or disputes involving the services and activities fees committee recommendations, the university administration shall meet with the services and activities fees committee in a good faith effort to resolve such dispute or disputes prior to submittal of final recommendations to the board of trustees.

8-5.2.3.2 If said dispute is not resolved within fourteen days, a dispute resolution committee shall be convened by the chair of the services and activities fee committee within fourteen days.

- 1.** The dispute resolution committee shall be selected as follows: The university administration shall appoint two nonvoting advisory members; the board of trustees shall appoint three voting members; and the services and activities fees committee chair shall appoint three student members of the services and activities fee committee who will have a vote, and one student representing the services and activities fee committee who will chair the committee and be nonvoting. The committee shall meet in the good faith, and settle by vote any and all disputes. In the event of a tie vote, the chair of the dispute resolution committee shall vote to settle the dispute.
- 2.** The board of trustees may take action on those portions of the services and activities fees budget not in dispute in accordance with the customary budget approval timeline established by the board. The board of trustees shall consider the results, if any, of the dispute resolution committee and shall take action.

8-5.2.4 Presentation to the Board

8-5.2.4.1 The President or his/her designee recommends the university services and activities fees budget to the board of trustees who will provide an opportunity for the chair of the services and activities fees committee to present his/her view, including any remaining differences between its proposal and the final recommendation to the trustees.

8-5.2.4.2 Student representatives from the services and activities fees committee and representatives of the university administration shall have an opportunity to address the board before board decisions on services and activities fees budgets and dispute resolution actions are made.

8-5.2.4.3 Any supporting documentation which was submitted with the early proposal by the services and activities fees committee will also accompany the recommendation to the board of trustees by the president.

8-5.2.4.4 The board of trustees, after due consideration, shall adopt the budget.

8-5.2.5 Administration of Funds

8-5.2.5.1 Services and activities fees and revenue generated by programs and activities funded by such fees shall be deposited and expended through the office of the vice president for business and financial affairs.

8-5.2.5.2 Services and activities fees and revenue generated by programs and activities funded by such fees shall be subject to the applicable policies, regulations, and procedures of the university and the budget and Accounting Act, chapter 43.88 RCW.

8-5.2.5.3 All information pertaining to the services and activities fees committee budgets shall be made available to interested parties.

8-5.2.6 Transfer of Funds

8-5.2.6.1 With the exception of any funds needed for bond covenant obligations, once the budget for expending service and activities fees is approved by the board of trustees, funds shall not be shifted from funds budgeted for associated or departmentally related categories or the reserve fund until:

1. The administration provides written justification to the services and activities fees committee and the board of trustees, and
2. The board of trustees and the services and activities fees committee give their express approval.

8-5.2.6.2 In the event of a fund transfer dispute among the services and activities fees committee, the administration, or the board of trustees, said dispute shall be resolved pursuant to Section III, B, 1 & 2.

8-5.2.6.3 Any section and activities fees collected which exceed initially budgeted amounts are subject to Sections I through VI.

8-5.3 Student Sexual Assault Response Policy (PAC approved 11/17/04, BOT approved 12/3/04 motion 04-54)

8-5.3.1 University Policy

8-5.3.1.1 Introduction

Central Washington University will not tolerate sexual assault or sexual misconduct in any form. The university affirms respect, responsibility, and caring among all persons within the community. Federal law requires specific policies and procedures to address sexually assaultive behavior on the part of students. Allegations of sexual assault by students should be addressed through this policy, administered by the office of the Vice President for student Affairs and Enrollment Management.

The university is committed to preventing all forms of sexual assault, and to providing accessible, responsive services for dealing with such offenses. Sexual assault on the part of any student is clearly inconsistent with Central Washington University values, and is considered a form of sexual harassment in violation of the university

Student Rights and Responsibilities Policy, as well as a violation of state and federal law.

Individuals are responsible for their behavior when they are consuming alcohol or other controlled substances, and such consumption is not an excuse for unacceptable behavior. Sexual assault often occurs in the context of the use of alcohol or other controlled substances. Under these circumstances, individuals put themselves at increased risk for being a victim of sexual assault or of being accused as a perpetrator. Lack of consent can exist if a person is too intoxicated and/or is unable to freely agree to sexual intercourse or sexual contact.

8-5.3.1.2 Sexual Assault Statistics

Rape is crime of power and control. It reflects a total disregard for the rights and feelings of others. No one should be forced or intimidated to have sex under any circumstances.

Rape, sexual harassment, and other sexual violations can happen anywhere, at any time, to anyone. Based on a recent study conducted by the National Institute of Justice, it is estimated that a college enrolling 10,000 female students could experience more than 350 rapes per year (U.S. Department of Justice, December 2000). For current CWU crime statistics, please refer to www.cwu.edu/~police/stats.html.

8-5.3.1.3 Definitions

For the purposes of this policy, in addition to the ordinary definition of intercourse, sexual assault also means any unwanted touching of the sexual or other parts of a person done for the purpose of gratifying sexual desire of either party.

1. **Sexual assault** at CWU includes but is not limited to:
 - a. Spousal rape, non-stranger rape and other forced and/or nonconsensual sexual activity. Nonconsensual refers to all sexual acts carried out without the consent of one of the parties and includes vaginal or anal penetration with any object or body part. Marriage or co-habitation does not automatically imply consent. Sexual assault and relationship violence are attacks not only on a person's body but also on a person's dignity. Sexual assault is not about sex; it is a crime of violence.
 - b. Threats, coercion, physical force, intimidation and stalking
 - c. Recklessly engaging in conduct which creates a substantial risk of physical harm to another person.
2. **Consent** requires an agreement between the parties involved to share some type of sexual activity and must include the following elements:
 - a. It must be informed. Parties must be able to effectively communicate and agree on the type of sexual activities that will be shared. Either partner has the right to change his/her mind, at any time, and is responsible for communicating that change to his/her partner.

- b. Either partner in a relationship may modify, or terminate, agreements at any time.
- c. Consent is a free choice if it has been granted without the use of force(real or imagined), threats, intimidation, coercion, or fraud.
- d. It is the responsibility of the person that initiates any type of sexual activity to obtain the other persons' consent.
- e. Consent to one type of sexual act does not imply consent to other forms of sexual activities.
- f. Silence, or a previous relationship, or a present relationship with the person who initiates the sexual activity, should not be interpreted as consent.
- g. Consent is not implicit in a person's manner of dress.
- h. Accepting an invitation for a meal or date is not consent, nor does it imply consent.
- i. Consent will not be effective when it is obtained from a person whose capacity to consent is diminished. Consumption of alcohol or drugs is never an excuse or justification for sexual assault.

8-5.3.1.4 Reporting and Assistance

The university's highest concern is for the emotional and physical well being of sexual assault victims. The victim shall have access to the full complement of university services that can help students maintain emotional and psychological well-being and provide for the safety of the victim. These include, but are not limited to, assistance in changing academic and living arrangements if these changes are reasonably available. The university sexual assault response coordinator/director of wellness center will be the official first point of contact (963-3214), other than police, for facilitating victim access to all needed services. Other departments, if contacted first, will make a referral to the sexual assault response coordinator.

Central Washington University encourages all members of the campus community who believe they are victims of sexual assault to immediately report the incident to the police agency of jurisdiction. Although reporting is not required, it is encouraged. If the assault occurs in the residence halls or apartments, the office of residential services and campus police should be contacted, as well as the sexual assault response coordinator (director of the wildcat wellness center). Immediate reporting to the police is an important factor in successful investigation and prosecution of sexual assault cases. Victims are not required to pursue prosecution just because they report a crime to a police agency. However, the reporting of sexual assault to the police agency may prevent others from being victims.

8-5.3.1.5 Legal Recourse and Disciplinary Actions

Where there is sufficient evidence to believe that the university regulations prohibiting sexual assault have been violated, the university may pursue disciplinary action through its Student Rights and Responsibilities Policy (please see the undergraduate catalogue on the WEB) that is administered through the vice president for student affairs and enrollment management. Sanctions for persons found in violation of these policies may include discipline up to and including suspension

and/or expulsion from the university. Education, including violence prevention and awareness may be required of the perpetrator. The university, specifically the vp for student affairs and enrollment management, reserves the right to pursue disciplinary action in the case of an off-campus incident, when the alleged perpetrator is a student and the behavior involved threatens the health, safety, and/or property of the university and its staff and students.

When proceedings are conducted on-campus in cases of alleged sexual assault the accuser and the accused are entitled to (a) the same opportunity to have an advocate present, and (b) be informed of the outcome of the proceeding. For a detailed description of due process see the student judicial code, sections V and VI or go to www.cwu.edu/~catalogs/01_appendix.html#rights.

No victim of sexual assault shall be penalized or retaliated against in any way for his or her participation in the university's complaint process.

8-5.3.1.5.1 University Police

A victim has the right to avoid face-to-face interaction with the offender during any campus judicial hearings. She/he also has the right to appeal the findings of investigation conducted by the office of the vice-president of student affairs.

A victim of sexual assault or misconduct has legal recourse outside the university, if he/she chooses. Campus authorities will assist victims in notifying proper law enforcement authorities, including university police and local police. It is the victim's right to decide whether or not to file a complaint. Legal and medical advocacy is freely available through ASPEN, the local domestic violence/sexual assault agency.

8-5.3.2 The Role of the University Sexual Assault Response Coordinator

8-5.3.2.1 The sexual assault response coordinator will neither investigate nor adjudicate complaints of sexual assault. In the event of a sexual assault complaint, the sexual assault response coordinator/director of wellness center ensures appropriate services are made available. This includes:

1. Crisis counseling to the victim/survivor.
2. Appropriate medical referral.
3. Direct referral to ASPEN (Abuse Support & Prevention Education Now) for medical and legal advocacy.
4. Referral to the health and counseling center to meet with a counselor who will provide additional emotional support and assist victims in sorting out feelings associated with the assault.
5. Provide advice on the university's discrimination complaint procedures, disciplinary action against the accused, alternative housing assignments, academic assistance, and the role of the ASPEN advocate in other procedures.
6. Make every effort to contact victims within 24 hours and, while respecting whatever decision they have made, encouraging them to get some type assistance.

8-5.3.2.2 The sexual response coordinator coordinates the process of reporting incidents by:

1. Encouraging victims to report the occurrence to the university police for investigation and/or prosecution.
2. Notifying the following offices as appropriate and with the victim's consent: vice president for student affairs and enrollment management (if the accused is a student), office for equal opportunity (if the accused is an employee), office of residential services (if either accused or the victim is living in the residential community), student health and counseling center, academic services (if the victim needs to alter course schedule), and international programs (if either the victim or the accused is involved in that program).

8-5.3.2.3 The sexual assault coordinator maintains and provides appropriate statistical information by:

1. Maintaining generic statistical information and providing data to the university police as required under the Clery Act (the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act – for information see <http://www.ed.gov/admins/lead/safety/campus.html>).
2. Maintaining confidentiality at the informal-advice level with the exception of the mandated statistical summaries required by the Clery Act.

8-5.3.2.4 Other duties of the sexual assault response coordinator include:

1. Coordinating campus resources and educational efforts.
2. Advising Students for an Assault Free Environment (SAFE), a student organization providing educational programming for students.
3. Working closely with the sexual violence commission

8-5.3.3 Assisting Victims of Sexual Assault

8-5.3.3.1 Individuals who are contacted by a victim of sexual assault at Central Washington University should encourage the victim to:

1. Contact university police
2. Secure advocacy services available through the domestic violence/sexual assault program at comprehensive mental health (ASPEN)
3. Talk with the university's sexual assault response coordinator

8-5.3.3.2 If the victim wishes to speak only to you:

1. Ascertain whether or not the victim needs immediate medical assistance. If the victim needs medical attention, refer him/her to the emergency room, Kittitas Valley Community Hospital or the university's health and counseling center. Always encourage the victim to seek medical attention.
2. Find out the victim's most critical concerns and respond in a non-judgmental way. Recommend appropriate resources for the victim

and feel free to consult with the sexual assault coordinator for additional guidance.

3. Remember, the victim may wish to do nothing further, other than have this conversation.
4. Report the incident to campus police (names of victims are not required) so that the university can comply with legal reporting requirements.

8-5.3.4 Education for Prevention

8-5.3.4.1 Central Washington University is committed to providing effective education on preventing, coping with and responding to sexual assault and rape for all members of the university community. The sexual violence commission oversees the development and implementation of a comprehensive, systematic and coordinated campus prevention and education program. The commission is comprised of a cross section of students, staff, faculty, and community; the commission chair is appointed by the president. The commission remains current on issues of sexual assault through biennial campus wide surveys that assess the nature and incidence of unwanted sexual experiences of CWU students.

8-5.3.4.1 Prevention education addresses the sociological underpinnings of sexual violence, how to respond to victims including campus and community referral resources, and helpful precautions in preventing sexual assault. Prevention education is delivered through academic instruction, workshops, seminars, or other specially designed co-curricular activities. This information is offered to faculty, staff and students and will be supported by the university administration.

8-5.3.5 Resources

Sexual Assault Response Coordinator/Director or Wellness-509/963-3214
Wellness Center/SAFE- 509/963-3213
ASPEN-509/925-9384
CWU Public Safety and Police Services-509/963-2958
VP for Student Affairs & Enrollment Management-509/963-1515
Office for Equal Opportunity-509/963-2205
Center for Student Empowement-509/963-2127
Student Health & Counseling Center-509/963-1391
Crisis Line-Lower County-509/925-4168
Crisis Line-Upper County-509/674-2881
Central Washington Comprehensive Mental Health-509/925-9861
Kittitas Valley Community Hospital-509/962-9841
Disability and Support Services-509/963-2171

8-5.3.5.1 Emergency room, Kittitas Valley Community Hospital. The victim may wish to go directly to the local hospital for medical help and/or a forensics analysis. That medical center is one of two places in Kittitas county where evidence necessary for medical and /or forensic evaluation and court testimony can be collected. The sexual assault nurse examiner will also provide services at planned parenthood in Ellensburg. The victim should not shower, bathe, or change clothing prior to going to the emergency room as this will destroy important physical evidence. For physical evidence to be useful, it is best collected within 12-24 hours and no later than 5 days after the assault.

The collection of medical evidence does not presume that charges will be pressed against the assailant. As part of the evidence collection, the emergency room involves testing for pregnancy and sexually transmitted diseases. The emergency room personnel automatically call ASPEN and the victim can determine the extent to which she/he wishes to use the advocate services.

8-5.3.5.2 Central Washington University Student Health and Counseling Services. The health service clinicians will follow a formal sexual assault medical protocol including (a) tests for sexually transmitted diseases, and (b) in the case of a female victim, a pregnancy test and counseling regarding the availability of the morning-after pill. A counselor will be available to help with considerable alternatives for action when appropriate and to help with the emotional healing necessary following a trauma.

8-5.3.5.3 Crisis Line: Ask for the domestic violence/sexual assault (DV/SA) advocate. This advocacy serves Ellensburg and the CWU community. ASPEN has a 24-hour access line, see list of resources above.

8-5.4 Central Washington University Student Rights and Responsibilities Policy
(See WAC 106-120 for complete code or Appendix B in the CWU Undergraduate Catalog.)

8-5.4.1 Introduction and Purpose.

The students of Central Washington University are responsible for complying with policies, standards, rules, and requirements for academic and social behavior formulated by the university for the maintenance of orderly and responsible functioning of the university community. At the same time, students have protection through orderly procedures against arbitrary or capricious actions or decisions by university authorities. Due process is recognized as essential to the proper enforcement of university rules. The purpose of this document is to provide a procedure and rules by which a student will be afforded due process in the matter of alleged violations of university standards, rules, and requirements governing academic and social conduct of students.

The university recognizes a responsibility to resolve behavior problems before they escalate into serious problems requiring the application of these rules. Therefore, the office of the Vice President for Student Affairs shall generally review and/or investigate student behavioral problems which are referred by university community members or any subsidiary judicial agencies to the Campus Judicial Council, or which otherwise come to the attention of the office of the Vice President for Student Affairs through Campus Police reports or other official university reports. The office of the Vice President for Student Affairs shall be as proactive as is possible concerning the resolution of student behavioral problems and use reasonable arbitration and conflict resolution methods in order to prevent such problems from further interfering with the university community or the student's own educational progress.

The office of the Vice President for Student Affairs shall provide for due process for students throughout the behavioral problem-solving intervention by following the proper steps related to the initiation, investigation, and disposition of complaints against a student which are outlined in Section III of the Student Rights and Responsibilities Policy. Any student is subject to these rules; independent of any other status the individual may have with the university. Any action taken against a student under these rules shall be independent of other actions taken by virtue of another relationship with the university in addition to that of student.

8-5.4.2 Cooperation with Law Enforcement Agencies.

Central Washington University distinguishes its responsibility for student conduct from the controls imposed by the larger community beyond the university, and of which the university is a part. The university does not have the responsibilities of a parent for the conduct of students, and is not responsible for the conduct of students off campus. When students are charged with violations of laws of the nation or state, or ordinances of the county or city, the university will neither request nor agree to special consideration for students because of their status as students, but the university will cooperate with law enforcement agencies, courts, and any agencies in programs for rehabilitation of students.

Central Washington University reserves the right to impose the provisions of this policy and apply further sanctions before or after law enforcement agencies, courts, and other agencies have imposed penalties or otherwise disposed of a case.

For additional clarification/information see Washington Administrative Code 106-120.

8-5.4.3 Washington State Definitions and Laws (See Chapter 9A.44 RCW)

8-5.4.3.1 Definitions.

1. "Sexual Intercourse":
 - (a) Has its ordinary meanings and occurs upon any penetration, however slight, and
 - (b) Also means any penetration of the vagina or anus, however slight, by an object, when committed on one person by another, whether such persons are of the same or opposite sex, except when such penetration is accomplished for medically recognized treatment or diagnostic purposes, and
 - (c) Also means any act of sexual contact between persons involving the sex organs of one person and the mouth or anus of another whether such persons are of the same or opposite sex.
2. "Sexual Contact" means any touching of the sexual or other intimate parts of a person done for the purpose of gratifying sexual desire of either party.
3. "Married" means one who is legally married to another, but does not mean a person who is living separate and apart from his or her spouse and who has filed in an appropriate court for legal separation or dissolution of the marriage.
4. "Mental incapacity" is that condition existing at the time of the offense which prevents a person from understanding the nature or consequences of the act of sexual intercourse whether that condition is produced by illness, defect, the influence of a substance, or from some other cause.
5. "Physically helpless" means a person who is unconscious or for any other reason is physically unable to communicate unwillingness to an act.
6. "Forcible compulsion" means physical force which overcomes resistance, or a threat, express or implied, that places a person in fear of death or physical injury to herself or himself or another person, or in fear that she or he or another person will be kidnapped.

7. "Consent" means that at the time of the act of sexual intercourse there are actual words or conduct indicating freely given agreement to have sexual intercourse.
8. "Significant relationship" means a situation in which the perpetrator is:
 - (a) A person who undertakes the responsibility, professionally or voluntarily, to provide education, health, welfare, or organized recreational activities principally for minors; or
 - (b) A person who in the course of his or her employment supervises minors.
9. "Abuse of a supervisory position" means a direct or indirect threat or promise to use authority to the detriment or benefit of a minor.

8-5.4.4 State Codes

8-5.4.4.1 Rape in the First Degree (Class A Felony)

Any person who:

1. Engages in sexual intercourse by forcible compulsion;
2. The perpetrator or an accessory:
 - a. Uses or threatens to use a deadly weapon; or
 - b. Kidnaps the victim; or
 - c. Inflicts serious physical injury; or
 - d. Feloniously enters into the building or vehicle where the victim is situated.

8-5.4.4.2 Rape in the Second Degree (Class A Felony)

Any person who:

1. Under circumstances not constituting rape in the first degree;
2. Engages in sexual intercourse by forcible compulsion or when the victim is incapable of consent by reason of being physically helpless or mentally incapacitated, or
3. When the victim is developmentally disabled and the perpetrator is a person who is not married to the victim and who has supervisory authority over the victim.

8-5.4.4.3 Indecent Liberties (Class B Felony)

Any person who:

1. Knowingly causes another person, not his spouse,
2. To have sexual contact with him or another,
 - a. By forcible compulsion; or
 - b. When another person is incapable of consent by reason of being notably defective, mentally incapacitated, or physically helpless; or
 - c. When the victim is developmentally disabled and the perpetrator is a person who is not married to the victim and who has supervisory authority over the victim.

8-5.4.4.4 Rape in the Third Degree (Class C Felony)

Any person who:

1. Under circumstances not constituting rape in the first or second degree,
2. Engages in sexual intercourse with another person, not married to the perpetrator:
 - a. Victim did not consent or such lack of consent was clearly expressed by the victim's words or conduct, or
 - b. There is threat of substantial harm to property rights of the victim.

8-5.4.5 Members of the Central Washington University community at all levels work with or come in contact with children as a part of their university roles. Background checks are conducted prior to employment of individuals who supervise children under the age of sixteen years. The following are Washington State Codes regarding sexual assault of minor children:

8-5.4.5.1 Sexual Misconduct with a Minor, First Degree (Class C Felony)

1. Sexual intercourse with another,
2. Who is at least 16 years old but less than 18 years old and not married to the perpetrator, if the perpetrator is at least 60 months older than the victim, is in a significant relationship with the victim, and abuses a supervisory position within the relationship in order to engage in sexual intercourse with the victim.

8-5.4.5.2 Sexual Misconduct with a Minor, Second Degree (Gross Misdemeanor)

1. Sexual contact with another,
2. Same conditions as sexual misconduct with a minor, first degree.

8-5.4.5.3 Rape of a Child, First Degree (Class A Felony)

1. Sexual intercourse
2. Child less than 12, not married to the perpetrator; perpetrator at least 36 months older than victim.

8-5.4.5.4 Rape of a Child, Second Degree (Class A Felony)

1. Sexual intercourse
2. Child at least 12 but less than 14, not married to perpetrator; perpetrator at least 36 months older than victim.

8-5.4.5.5 Rape of a Child, Third Degree (Class C Felony)

1. Sexual intercourse
2. Child at least 14 but less than 16, not married to perpetrator; perpetrator at least 48 months older than victim.

8-5.4.5.6 Child Molestation, First Degree (Class B Felony), Second Degree (Class B Felony) and Third Degree (Class C Felony)

1. Sexual contact
2. Same age ranges as outlined in rape of a child.

8-5.5 Policy on Immunization

8-5.5.1 The presence in our society of individuals who have not been immunized for MMR (Mumps, Measles, Rubella) and DT (Diphtheria, Tetanus) creates a significant health risk. On the advise of the Kittitas County Health Department and the Student Health and Counseling Center, Central Washington University adopts the position that identifiable groups of its students and employees should be required to submit an immunization for MMR and DT.

The following policy shall apply to students and employees who are born after a date established periodically by the university with the advice of the Kittitas County Health Department and the Student Health and Counseling Center:

8-5.5.1.1 These individuals should demonstrate proof they have had two MMR after 12 months of age and after 1968; demonstrate proof of one MMR prior to enrollment or employment and obtain a second within a period of time established by the university; or sign a waiver for an exemption from immunization. Such exemption may be allowed for religious, personal, or

medical reasons. Individuals must be able to demonstrate proof of a DT immunization within the last ten years.

8-5.5.1.2 Students or employees who fail to demonstrate appropriate proof of immunizations of immunity; or fail to obtain immunizations; or otherwise sign a waiver for exemption may be subject to disenrollment or disciplinary action, respectively.

8-5.5.1.3 All individuals who enroll as students of the university and all individuals accepting positions of employment at the university, after the effective date of this policy, shall be required to complete a immunization report form prior to enrollment or commencement of employment. The immunization report form to be completed shall include documentation of immunization dates or immunity; or a signed waiver of exemption due to religious, personal, or medical reasons.

8-5.5.1.4 Adults who are born prior to December 31, 1956, are considered to have been infected naturally and need not be considered susceptible to MMR; therefore, they need not be immunized for MMR but do need to have the DT immunization within the last ten years. Others must meet one of the four following conditions:

8-5.5.1.4.1 All other individuals must have received two doses of the MMR vaccine. The immunizations must have been received after 12 months of age. The immunizations must have been received after 1968. The first of these immunizations must be obtained prior to enrollment or employment; the second within a time period established by the university.

or

8-5.5.1.4.2 The individual must present a formal record of a physician documented case of the measles.

or

8-5.5.1.4.3 The individual must present evidence of actual measles immunity by presenting high positive results from a blood test.

or

8-5.5.1.4.4 The individual must sign a waiver for an exemption from immunizations. Such an exemption may be allowed for religious, personal, or medical reasons.

8-5.6 Communicable Disease Outbreak Policy

It is the policy of Central Washington University to be ever vigilant in identification of a potential communicable disease outbreak. The Student Health and Counseling Center, as required by law, will report any suspected or known communicable disease to the Kittitas County Health Department. Following identification of a communicable disease outbreak and confirmation by the Kittitas County Health Department, the Student Health and Counseling Center, in cooperation with state and county health departments, will implement the Communicable Disease Outbreak Plan.