



University of Hawai'i

Windward Community College



Hale Ākoakoa--“The place to come together, to assemble”

2016 Annual Security Report

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INTRODUCTION

Commitment to Safety and Security

Windward Community College (WCC) is firmly committed to providing a safe and secure campus environment. Our institution's policies and procedures are designed to ensure that best practices are followed to protect persons and property.

We believe in being proactive in matters of campus safety and security; and we encourage you to familiarize yourself with the content of this Annual Security Report (Report). This Report provides information about our Campus Security Department, procedures for reporting crimes, emergency procedures, safety and security programs, important policy statements, and crime statistics—all of which are intended to assist you in making sound decisions about your own personal safety and security.

An annual security report is a requirement of all institutions of higher education that participate in Title IV Student Financial Aid programs. As a part of our performance obligations under the federal Clery Act, we have published this document in accordance with the guidelines set forth in *The Handbook for Campus Safety and Security Reporting* (U.S. Department of Education, 2016 Edition).

Campus Description and Clery Geography

Windward Community College is a 2-year public institution that offers both liberal arts and vocational education programs. The campus is located at 45-720 Kea'ahala Road in the town of Kāne'ōhe on the island of Oahu.

Eighteen buildings (plus open space lawn areas and parking lots) occupy on-campus property which is delineated by a single, two-way roadway that surrounds the entire campus. The building inventory includes: Hale Kuhina, Hale Alaka'I, Hale Kako'o, Hale A'o (5-structures), Hale Mana'opono, Hale Uluwehi, Hale 'Imiloa, Hale La'akea, Hale Hōkūlani, Hale Pālanakila, Maintenance Warehouse, Lanihuli Observatory, Hale 'Iolani, Hale Manaleo, Hale Na'auao, and Hale 'Ākoakoa. This campus does not have buildings or properties classified as non-campus.

A public bus stop is located at the upper portion of Kea'ahala Road where it meets the campus roadway. The approximate 100-foot section of Kea'ahala Road is designated as public property for the purposes of gathering and reporting crime statistics.

A campus map has been included in the Appendix section of this Report. The map depicts Windward Community College's Clery geography which consists of on-campus property plus adjacent public property.

CRIME STATISTICS AND CRIME LOG

Crime Statistics Disclosure Requirements

The Clery Act requires a campus to publicly disclose ITS annual crime statistics. The crime statistics in this Report reflect data for the years 2015, 2014, and 2013 (from January 1 to December 31 of each year). The three sources of crime statistics for this Annual Security Report come from the Campus Security Department, from Campus Security Authorities, and from local law enforcement agencies.

Campus Security Authorities

In addition to security or campus police personnel, the Clery Act requires an institution to identify individuals or offices with significant responsibility for student and campus activities. These people/offices are referred to as Campus Security Authorities (CSAs).

Twice a year, before each semester, the campus list of CSAs is reviewed and updated. All CSAs receive initial training on their roles and responsibilities; and, as a part of their training, they are provided with a crime reporting form. The Safety and Security Manager is responsible for collecting crime reports from CSAs—whether in person or delivered via Campus Security Officers.

A printed list of Windward Community College's CSAs is available at the Campus Security Department at the Campus Security Department at Hale Alaka'i, Room 125. We ask that you call the Campus Security Department in advance at (808) 235-7355, as all personnel may be out of office conducting tasks. The list can also be downloaded from the Campus Security Department website at: <https://windward.hawaii.edu/security/>

Crime Statistics from Law Enforcement Agencies

The Safety and Security Manager is responsible for coordinating activities related to the collection of annual crime statistics. Although the primary source of statistical data comes from the Campus Security Department, some crimes are reported directly to law enforcement. To ensure accurate crime statistics, good-faith effort is made to obtain data from the:

- Honolulu Police Department-City and County of Honolulu (designated first responder for all state and local jurisdictions)
- Department of Public Safety-Sheriffs Division-State of Hawaii (designated support responder to police; lead agency for outreach programs for state jurisdictions)
- Department of Land and Natural Resources, Division of Conservation and Resource Enforcement-State of Hawaii (designated support responder to police; lead agency for outreach programs for certain protected state jurisdictions)

NOTE: Only the statistics are collected. No identifiable information on the victim or subject/suspect is disclosed.

Daily Crime Log

All crimes that are reported to the Campus Security Department are entered into a Daily Crime Log. The Windward Community College Safety and Security Manager is responsible for the update of the Crime Log (Log) which is maintained in electronic format; but, printed for public view. Campus Security Officers receive training on the proper Log requirements, maintenance, and update.

The Log (hardcopy format) is available for public inspection at the Campus Security Department at Hale Alaka'i, Room 125. We ask that you call the Campus Security Department in advance at (808) 235-7355, as all personnel may be out of office.

The Log contains information such as the crime classification, a reference number, the date/time the offense was reported, the date/time the offense occurred, the general location of the incident, and the disposition of the case. This Log does not depict any personal, identifying information.

There is an exception that would cause an entry not to appear in the Log. The following are the conditions of that exception:

- If the entry were to jeopardize an ongoing investigation;
- If the entry were to jeopardize the safety of an individual;
- If the entry were to cause a suspect to flee or evade detection; or,
- If the entry would result in the destruction of evidence.

Once the Vice Chancellor for Administrative Services receives information that confirms there no longer exists any harmful effect by the act of entering information into the Crime Log, the entry shall be made. This procedure is consistent with *The Handbook for Campus Safety and Security Reporting* (U.S. Department of Education, 2016 Edition).

Review of Crime Statistics

Crime statistics, from all available sources are regularly reviewed for indicators of crime patterns and crime trends. These statistics are useful in the development of new crime prevention programs or systems (or, to enhance existing programs and systems).

THE ANNUAL SECURITY REPORT (ASR)

Annual Security Report Publishing and Dissemination

The Campus Safety and Security Manager coordinates the data collection, publishing, and dissemination of the Windward Community College 2016 ASR. Email notification is sent to all current students, faculty, and staff on the availability of the ASR in either in electronic form or a hardcopy version; and, where to obtain them. Additionally, a PDF document is attached to the email for download.

New students and new employees are informed about the availability of the ASR during orientation sessions. Prospective students, prospective employees, and the general public may request either an electronic version or a hard copy of the ASR from the Campus Security Department. Information on the current ASR is also included in general correspondence for external inquiries about Windward Community College programs. The following are other methods of distribution:

- Posting on the Campus Security Department website; a public link to download the entire document: <https://windward.hawaii.edu/security/>
- Hardcopy from the Campus Security Department office located in Hale Alaka'i, Room 125 from 8:00 am to 4:00 pm, Monday through Friday. We highly recommend that you call in advance as the Department's personnel may be out of the office. Phone (808) 235-7355.

ASR Point of Contact Information

All communication related to this ASR are to be addressed in writing to the following office:

Windward Community College
Attention: Safety and Security Manager
Hale Alaka'i, Room 125
45-720 45-720 Kea'ahala Road
Kaneohe, Hawaii 96744

NOTE: Should there be any amendment to this ASR, an email notification will be sent to the campus community with the amended PDF document attached. The first page will reflect the text: "Revised as of [Date]." The revised version will also be posted on the campus website for public download.

EMERGENCY RESPONSE AND EVACUATION PROCEDURES

Campus Response to Emergency Incidents

For emergency incidents within the Clery Act geographical boundaries/jurisdiction, Campus Security Officers are the primary points of contact to report crimes and emergencies and will generally do either of the following based on the information received.

- Respond to the scene to conduct an initial assessment to determine if there is a significant emergency or dangerous situation involving an immediate threat to health or safety of the campus community; and, to determine if first responders and/or additional campus actions are required.
- Initiate an immediate call to the appropriate first responder agency based on the information provided; make a determine if there is a significant emergency or dangerous situation involving an immediate threat to the health or safety of the campus community; and, determine if additional campus actions are required.

The Campus Security Authorities (CSAs) are the secondary points of contact to report crimes and emergencies; however, they may on occasion, based on their function, be the first available persons that a victim or reporting party can locate. The CSAs will record as much information as possible and will do either of the following based on the information received.

- If there appears to be a significant emergency or dangerous situation involving an immediate threat to health or safety of the campus community, call 911 first; then, call Campus Security personnel so that they can meet the first responders and guide them to the victim/reporting party's location quickly. Based on the situation, Campus Security may need to initiate a call for additional campus actions such as a timely warning.
- Call the Safety and Security Manager or deliver the CSA report immediately as there may be issues that require urgent attention.
- Call Campus Security personnel who will submit the CSA report to the Safety and Security Manager.

In the event a situation arises (outside the campus boundaries/jurisdiction), the Campus Security Officers (or Campus Security Authorities) will conduct an assessment based on the information provided; initiate a call to the appropriate first responder agency if needed; and, if asked to do so by the victim/complainant, assist in contacting family, friends, or other campus personnel.

If the incident involves an assailant who is a student, faculty, or staff member, the Vice Chancellor for Administrative Services (VCAS) will be notified by the Safety and Security Manager (or designee). The VCAS will, in turn, notify the applicable department, office, or individual who is responsible for conduct and/or disciplinary action.

Timely Warning

Windward Community College will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing the notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

Campus Security personnel are authorized to verify and assess the elements of a situation and to make recommendations for the issuance of a timely warning to the first available Campus Crisis Management Team (CCMT) member on the call list. The CCMT member may convene other available team members to include those with skills in developing timely warning messages. The Campus Crisis Management Team member(s) will determine:

- The appropriate segment(s) of the campus community to receive the notification;
- The content of the notification; and,

- By what means the notification is to be disseminated.

The timely warnings for Windward Community College can be issued through any or all of the available means as follows:

- University of Hawai'i System "UH Alert System" (with SMS/text and emergency email capabilities); Students, faculty, and staff are encouraged to sign up for the UH Alert System (at no charge) to receive text or email notification of security issues. To sign up, go to: <https://www.hawaii.edu/alert/>
- Communication by Campus Security personnel; in person or by phone
- Phone-tree calls to designated Campus Security Authorities who will notify other programs or offices in person or by phone
- Windward Community College broadcast email
- Posting on social media such as Facebook

If the circumstance of the incident appears to have the potential to affect areas outside the campus geographical boundaries, the CCMT will also ensure that information is provided to the appropriate first responder agency, neighboring agencies and organizations, and/or the greater community by way of established call lists.

Under the topic "The Campus Security Department" (page 12) is a detailed description of how Windward Community College has developed and maintained a collaborative relationship between and state and local law enforcement. These relationships in addition to the desire for all to maintain open communication ensures their cooperation in keeping our campus informed of crimes—especially those crimes for which the campus has an obligation to issue a timely warnings.

The Campus Crisis Management Team (CCMT)

TITLE	OFFICE LOCATION	PHONE
Chancellor	Hale Alaka'i, Room 119A	(808) 235-7402
Vice Chancellor for Academic Affairs	Hale Alaka'i, Room 121D	(808) 235-7443
Vice Chancellor for Student Affairs	Hale `Ākoakoa, Room 202	(808) 235-7370
Vice Chancellor for Administrative Services	Hale Alaka'i, Room 120	(808) 235-7403
Dean for Academic Affairs, Division I	Hale Alaka'i, Room 121B	(808) 235-7443
Dean for Academic Affairs, Division II	Hale Alaka'i, Room 121C	(808) 235-7416
Director, Career & Continuing Education	Hale Kuhina, Room 103A	(808) 235-7361
Facilities Manager	Hale Alaka'i, Room 125A	(808) 235-7369
Safety and Security Manager	Hale Alaka'i, Room 125	(808) 235-7343

Evacuation and Sheltering Procedures

Evacuation

If an evacuation from a structure is required (e.g., a fire incident), the fire detection system will sound an alarm. Upon hearing this alarm, follow the posted exiting guide as well as instructions provided to you by Campus Security and/or faculty and staff.

Evacuation locations are dependent on many factors which can only be made at the time of report of the situation; therefore, be especially alert to instructions provided to you by campus officials and act quickly upon their guidance and direction.

From time to time, the campus will conduct a fire drill to test the readiness of both the campus response personnel and the campus community. It is important that these drills are taken seriously; and, that you actively participate in the evacuation processes. Drills provide valuable information on issues that can arise during evacuation.

Sheltering

Should there be an incident that requires seeking shelter or sheltering in place (e.g., an incident involving a person with a knife), the Campus Crisis Management Team will, based on the assessment of Campus Security or other Campus Security Authority personnel, initiate a timely warning notification as described under the topic of “Timely Warning.”

If you are confronted with a dangerous situation (such as an armed suspect) before a timely warning is issued, Windward Community College recommends that the campus community utilize the “run, hide, fight” concept that has been adopted by the U.S. Department of Homeland Security (DHS).

To learn more about your personal security options during such confrontations, contact the Campus Security Department for a hardcopy presentation; or, go to the internet to view a DHS informational video on an active shooter scenario:

<http://www.youtube.com/watch?v=oI5EoWBRYmo&feature=youtu.be>

Although the video scenario is for an active shooter incident, the “run, hide, fight” concept can be applied to other situations involving a threatening person.

Annual Exercises to Test the Validity of Emergency Plans

Windward Community College operates on the sound emergency planning philosophy of the Federal Emergency Management Agency which advocates a cyclical approach (respond, recover, mitigate, plan and improve for the next response, etc.). Our campus’ Emergency Response and Evacuation Plan undergoes annual review and testing (or more frequently as needed).

Testing the validity of plans takes the form of annual exercises and drills to not only determine readiness; but, to determine capabilities and identify any process gaps that need to be improved. These events can be announced or unannounced.

On June 2, 2016, the Windward Community College held a functional exercise involving an active shooter scenario. Planning personnel as well as patrol officers from the Honolulu Police Department (City and County of Honolulu) were among the participants, which also included Campus Security personnel, Campus Security Authorities, maintenance and operations staff, library personnel, business office personnel, and students.

This campus-wide scenario provided participants with first-hand experience of an active shooter scenario; and, the realities of campus life and the effects that personnel availability has on the ability to respond according to plans. A major outcome of the exercise was a clear understanding of the need to plan, in advance, for contingencies.

Windward Community College follows prescribed exercise planning processes and protocols to ensure that all activities meet the performance requirements for emergency preparedness functions under the Clery Act. One of the prescribed processes included several, scheduled notifications to the campus community (via campus-wide email) regarding information about the exercise: The exercise description, what part of the emergency plans are being tested/validated, the participants, the scenario, what the campus community can expect prior to, during, and after the exercise, and where to find a current copy of the campus emergency plan (public version).

To assist our campus community in conducting personal emergency planning, an Emergency Response Guidebook can be viewed/downloaded from the Campus Security Department website at: <https://windward.hawaii.edu/security/>

Testing of Emergency Notification and Safety Systems

Throughout the year, the campus tests its various emergency notification systems such as the fire alarm and the UH Alert systems; and, safety systems such as fire hydrants, emergency power and lighting units.

The majority of the testing is scheduled such that it minimizes disruption to the campus community. However, there may be occasions where an audible alarm must be activated in order to test and/or conduct maintenance.

The campus community will receive advance notice from the Campus Security Department of any scheduled testing. The notification will provide information on what will be tested, the testing duration, what to expect, and a point of contact.

THE CAMPUS SECURITY DEPARTMENT

Campus Security Administration

The Office of the Vice Chancellor for Administrative Services is responsible for the executive oversight of Campus Security Department functions for Windward Community College. A full-time Safety and Security Manager oversees the day-to-day security operations in addition to compliance activities related to safety, security, and emergency management. This employee is also the designated “Clery Compliance Officer” for Windward Community College.

The Security Workforce

The Campus Security Department consists of uniformed, state-employed University Campus Security Officers (UCSOs) who are non-sworn/unarmed personnel. UCSOs are authorized to enforce safety-, security-, and emergency management-related policies and procedures of Windward Community College, of the Community Colleges System, and the University of Hawai'i System. UCSOs are also authorized to take appropriate actions in support of federal/state/local laws, ordinances, and executive orders and directives.

In order to maintain safety as well as maintain order until the arrival of law enforcement, emergency medical services, or other appropriate response professionals, UCSOs are authorized to (as examples) identify any person on campus jurisdiction, conduct field interviews, maintain the custodial integrity of property that could be classified as evidence, or detain persons until the arrival of law enforcement who will make the final determination for subsequent, formal arrest or remand for campus disciplinary referral.

Security Workforce Training

UCSOs are licensed professionals with the State of Hawai'i, Department of Commerce and Consumer Affairs, in accordance with the Hawai'i Revised Statute (HRS) Chapter 463-10.

In addition to completing the training requirements for licensure, UCSOs must also complete initial certification and, thereafter, regular recertification/refresher training on cardiopulmonary resuscitation, first aid, automated external defibrillator, defensive tactics training, safe operation of motorized vehicles, safety measures to mitigate against blood borne pathogen exposure, and safety measures in response to hazardous materials exposure.

UCSOs also are trained on their responsibilities as they relate to the federal Clery Act; and, are required to complete courses in the National Incident Management System (NIMS) and the Incident Command System (ICS) which are utilized by all first responder agencies statewide. As a public institution, Windward CC is considered part of a recognized branch of State of Hawai'i government and must meet the same U.S. Department of Homeland Security performance requirements as any other government agency.

Jurisdiction

Law enforcement jurisdiction for Windward Community College falls under the State Public Safety Department's law enforcement arm (the State Sheriff Division). Meaning, although authorized to protect State property, the State Sheriffs are under agreement with the State Law Enforcement Coalition to delegate their initial first responder authority to the Honolulu Police Department for incidents occurring within both State and local jurisdictions. The Sheriffs do, however, have jurisdiction in providing programmatic support (e.g., crime reduction initiatives and joint outreach programs).

The Campus Security Department response jurisdiction is limited to campus-owned and operated property. The Honolulu Police Department is called upon for all law enforcement functions to include traffic citations (an example is parking in a handicap stall without a permit).

Nearby buildings which are owned by Windward Community College; but, leased and wholly controlled by the lessor will fall under the response jurisdiction of the HPD. However, as a best practice, Campus Security personnel will communicate with HPD officers in the event the situation should escalate and migrate onto campus jurisdiction.

Relationships with Law Enforcement Agencies

Though no formal memorandums of understanding or agreements exist with law enforcement agencies, Windward Community College, has established relationships through joint exercises, statewide planning, and special events.

The University of Hawai'i, as a whole, is identified in local-, state- and federal-level emergency management plans along with law enforcement agencies. Those agencies which include local police, the State Sheriff, the State Attorney General, and the Department of Land and Natural Resources are also identified in those plans as members of the State Law Enforcement Coalition (SLEC). Each year, members of the SLEC volunteer their time to support Windward Community College's "Ho'olaule'a" event (an annual cultural and community fair).

These cooperative and collaborative opportunities have strengthened this institution's relationship with its law enforcement partners upon whom this campus depends for both on- and off-campus intelligence, crime/criminal trends, and information on other adverse activities that may affect the campus community and campus operations. Additionally, this relationship ensures their cooperation in keeping Windward Community College informed of those specific crimes for which the campus has an obligation to issue a timely warning.

Security Services

Windward Community College offers comprehensive security services on a 24-hour, 7-day-a-week, year-round basis. Major service areas include, but, are not limited to:

- General campus information, guidance, and direction;
- Initial campus response to emergencies and crisis situations;
- Campus response to other incidents and issues requiring security personnel assistance;
- Facilities opening and closures;
- Preventive patrols (on foot and/or by motorized vehicle);
- Safety escorts from/to specified campus locations.

Security can be reached at (808) 235-7355 or by dialing "355" from an internal phone unit.

CRIME PREVENTION PROGRAMS

Windward Community College's crime prevention programs are based on the dual concept of eliminating or minimizing opportunities to commit crime by: 1) Instituting crime prevention and service programs that encourage students, faculty, and staff to take logical precautions for their

own safety and the safety of others; and 2) Installing security systems to monitor and to provide notification of security issues.

Windward Community College's Crime Prevention and Security Service Programs:

- **Campus Relations** – The campus community is a good source for gathering information about crime and other activities that are inconsistent with campus policy and codes of student and faculty/staff conduct. As a part of their regular patrol regimen, officers conduct walk-throughs of various departments and offices to maintain rapport with faculty and staff. In addition to obtaining “intelligence” from this activity safety issues and security concerns are also gathered. These issues and concerns are promptly reported to the proper campus department for corrective action (e.g., burned out light bulb, door does not lock, etc.).
- **Windward Community College Campus Safety Committee** – This committee is coordinated by the Safety and Security Manager and is comprised of representative personnel from various sectors of the campus community. This committee meets on a regular basis throughout the year to review and discuss issues and concerns related to crime trends and Clery Act compliance. This committee expects to convene at least once a quarter.
- **Security Escort Services** – Campus Security personnel will provide a security escort service for anyone on campus en route from/to campus facilities or to/from a vehicle parked on campus. This service is available year-round, 24 hours a day, 7 days a week. Security can be reached at (808) 235-7355 to arrange an escort. If possible, please provide advance notice for after-hour escort requests so that security personnel can adjust their shift duties to ensure quicker arrival to your location.
- **Safety and Security Awareness** – Campus Security personnel participate in biennial events and activities to promote safety and security concepts (e.g., Administrative Services Day and Convocation). At the beginning of the fall semester of each year, a “Frosh Camp” is held for new students. Safety and security is one of the topics covered on the agenda. The Campus Security Department website offers downloadable files with safety, security, and crime prevention information—one of which is an “Emergency Response Guidebook” which provides information on who to call and what to do (based on various threats). The website is: <https://windward.hawaii.edu/security/>

Windward Community College's Safety and Security Systems:

- **Intrusion Alarm System** – Alarm systems are monitored by a third-party company during non-operational hours. Information of any detected unauthorized access is relayed to the campus' on-duty security personnel.
- **Duress Notification System** – Certain offices have the capability of initiating a duress notification which is sent directly to the Campus Security Department.

- Fire Detection System – Required by law, all campuses have fire systems installed. Upon activation of the system, campus security personnel will respond to the site, conduct an assessment, and call the fire department if required.
- UH Alert System – The UH Alert System (UH Alert) is managed by the University of Hawai'i System's Information Technology Services Department. UH Alert has the capability to send timely emergency information in the form of text messages and/or email directly to subscribers who possess a University of Hawai'i user account. Students, faculty, and staff are encouraged to sign up for the UH Alert System (at no charge) to receive text or email notification of security issues. Please note that your UH Alert subscription will be terminated upon termination of your relationship with the University.

ACCESS TO CAMPUS FACILITIES

Opening and Closing of Campus Facilities

Most Windward Community College facilities are open to students, faculty, and staff during the day and evening hours when classes are in session. The general public is welcome to attend cultural and recreational events on campus; however, their access into certain facilities will be limited to the designated areas under a facilities use agreement.

During the times when the campus is officially closed, all buildings are locked and access is limited to only faculty, staff, and authorized students.

Facilities are secured according to schedules developed by the department responsible for the buildings' activities. Security regularly patrols the campus grounds and conducts internal checks of each building to monitor activity. Based on building activity/occupancy the hours for locking doors may vary at different times of the year.

Access control for electronic key cards/FOBs are controlled by Facilities Department personnel. Business Office personnel oversee controls over hard keys. Additionally, all locking devices/mechanisms on campus meet pre-approved standards. Any non-standard hasp, padlock, or other privately supplied locking devices are prohibited. Non-standard devices will be removed and the department or individual responsible will be charged for any costs incurred for the removal.

Campus Facilities and Safety Measures

Windward Community College Campus Security Officers also serve as safety officers and takes note of hazards that are an issue to health and safety; and, refers the issue to the proper authorities. Security works closely with maintenance and facility personnel to place warning signage and barricades where needed.

The campus community is urged to abide by the signage and barricades. Although sometimes inconvenient, the resulting detours are in the best interest of your health and safety.

REPORTING AN EMERGENCY OR CRIME

Reporting Options

There are several ways to report an emergency or to report a crime. Windward Community College Campus Security Department operates 24 hours per day, 7 days a week.

By Phone

To reach Campus Security by phone, **call (808) 235-7355**. If you are calling from a campus phone, you can dial 355. You will be connected directly to a University Campus Security Officer or, on occasion, a campus official. Should the circumstances require the immediate need for police, firefighters, or emergency medical services, please **call 911** first; then, take an extra 10 seconds to call security. Our officers will prepare to meet and guide the responders to your location as quickly as possible.

In Person

Security personnel can also be reached in person. The Campus Security Department office is located in Hale Alaka'i, Room 125. However, it is recommended that you call the phone number, first. At any given time, the on-duty officer may be located anywhere on the campus.

Reporting Emergencies and Crimes to Campus Security Authorities

Emergencies and crimes can also be brought to the attention of Campus Security Authorities (CSAs). The list of CSAs can be obtained from the Campus Security Department. The list of CSAs can also be downloaded from the Campus Security website: <https://windward.hawaii.edu/security/>

We Encourage Prompt Reporting of Crimes

If you are a victim or a witness to a crime, please call Campus Security immediately at (808) 235-7355 from an external phone; or, 355 from a campus phone unit.

If there is an urgent need for a first responder, call 911 first; then, call Campus Security so they can guide the first responders quickly to the proper location. Your prompt action could save a life as well as assist us in issuing a timely warning if the situation merits such a warning.

CONFIDENTIAL REPORTING

Respecting the Victim's Rights

Windward Community College will respect your rights as a victim (or reporting party). If you are victim of a crime and do not want to pursue formal action within the institution's judicial system or with the criminal justice system, you may still want to consider filing a confidential report.

The reason for encouraging confidential reporting is so that the campus administration can, both, comply with the desire to protect educational interests, while enabling the administration to take specific measures to ensure the future safety of the victim and others while on campus.

When asked to do so, Campus Security Department personnel or Campus Security Authorities can file a confidential report which will restrict identity information to only those who have direct roles and responsibilities in campus safety and security processes.

We encourage all reports be filed as quickly as possible. If the situation deems necessary, the campus administration can act swiftly to initiate a warning notification to the campus community of potential or imminent danger. No personal identifying information will be disclosed; only sufficient information that would assist someone in making informed personal decisions for their own safety and security.

Pastors and Professional Counselors are Encouraged to Inform Victims of Confidential Reporting Options

Although the Clery Act does not require pastoral and professional counselors to be designated as Campus Security Authorities, they are encouraged, if and when they deem it appropriate, to inform the persons they are counseling of Windward Community College's procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

Windward Community College has designated, trained personnel who fully understands the victim's right to confidential reporting. Below is a list of campus personnel who can be contacted to submit a confidential report:

By-Stander Reporting is Encouraged

If you see something, please say something. By-standers, who witness or know of an emergency situation or crime, are encouraged to report it to the Campus Security Department. Safety and security at Windward Community College begins with YOU.

We encourage you to say something:

- If someone is injured or ill;
- If you see or smell smoke or fire;
- If you see or hear of any sexual misconduct, domestic or dating violence or stalking;

- If you see someone being hurt, harassed, or bullied;
- If you see a crime in progress such as someone stealing, causing damage, driving while under the influence of any substance that impairs their ability to safely operate a vehicle;
- If you see someone place a substance in someone else's drink;
- If you see something that does not look right to you;
- If you see someone that appears suspicious to you.

By-standers should avoid assuming that someone else has made or will contact the police or Campus Security. The others could be assuming the same thing. Every call—even with partial information—is important. Each call could be the piece of a big puzzle and could provide a critical piece of information for the first responders and security personnel.

Most importantly, consider your own safety and security. Windward Community College has personnel who are trained and experienced in handling crisis intervention. We do not recommend that a by-stander undertake any physical confrontation.

If you see or know of something, please call Campus Security immediately at (235) 7355 from an external phone; or, 355 from a campus phone unit. If there is an urgent need for a first responder, call 911 first; then, call Campus Security so they can guide the first responders quickly to the proper location. Your prompt action could save a life as well as assist us in issuing a timely warning if the situation merits such a warning.

IMPORTANT CONTACT INFORMATION

Windward Community College Program Services

Campus Security Department
Security Services
Hale Alaka'i 125
Phone: (808) 235-7355

Brian Pactol
Title IX Coordinator
Hale Alaka'i 120
Phone: (808) 235-7403, Email: pactol@hawaii.edu

Amy Rozek
Deputy Title IX Coordinator for Students
Hale `Ākoakoa 202A
Phone (808) 235-7370, Email: amyrozek@hawaii.edu

(Additional contact information on the next page)

Karen Cho,
Deputy Title IX Coordinator for Employees
Hale Alakai 120
Phone: (808) 235-7404, Email: kcho@hawaii.edu
45-720 Kea`ahala Road, Kane`ohe, HI 96744

Karla Silva-Park
Title IX Confidential Resource and
Mental Health Services for Counseling
Hale Kako`o 101
Phone: (808) 235-7468, Email: karlas@hawaii.edu
45-720 Kea`ahala Road, Kane`ohe, HI 96744

Community Assistance Programs and Resources

AGENCY OR ORGANIZATION	CONTACT NUMBERS
Police, Fire, or Emergency Medical Services	911
Ala Kuola (victim assistance in obtaining a TRO)	(808) 545-1880
Alcoholics Anonymous	(808) 946-1438
ASK Aloha United Way (statewide referral service)	211
Child Welfare Services and Child Abuse or Neglect	(808) 832-5300
Domestic Violence Action Center (victim legal representation)	(808) 531-3771
Domestic Violence Resources	1-800-799-7233
	TTY: 1-800-787-3224
	Hearing impaired video: 1-855-812-1001
Family Peace Center (victim/survivor component)	(808) 585-7944
Hawaii Immigrant Justice Center	(808) 536-8826
Legal Aid Society of Hawaii	(808) 536-4302
Mental Health Services for Counseling	(808) 235-7468
Sex Abuse Treatment Center Hotline	(808) 524-7273
TRO Hotline (Family Court)	(808) 954-8090
Volunteer Legal Services Hawaii	(808) 528-7046
Windward Spouse Abuse Shelter	(808) 528-0606

Where to Find Information on Registered Sex Offenders

The walk-in location to obtain information on registered sex offenders is: Hawai'i Criminal Justice Data Center, Kekuanaoa Building, 465 S. King Street, Rm. 102, Honolulu, Hawai'i 96813. Office hours are 7:45 am to 4:30 pm HST; Monday through Friday, except State Holidays. Phone: (808) 587-3100 for directions or other information.

For on-line access to the search site, go to:

<http://sexoffenders.ehawaii.gov/sexoffender/search.html>

IMPORTANT POLICY STATEMENTS

Student Conduct Code

In order to preserve a positive learning environment for all, Windward Community College's Campus Security personnel may request identification of students and staff; and, as deemed necessary, may require cooperation in receiving guidance and direction.

Windward Community College's Office of Student Affairs follows the Student Conduct Code published by the Office of Student Affairs, University of Hawai'i at Mānoa.

Section IV. Proscribed Conduct-B.8 addresses student interaction with campus officials and law enforcement. This section describes the following violation which may result in student disciplinary proceedings: "Failure to comply with any directions of UH officials or law enforcement officers acting in performance of their duties and/or failure to provide identification to these persons when requested to do so." Campus security personnel are employed in an administrative capacity to enforce policies/procedures that are intended to ensure the preservation of the educational environment.

Additionally, Section IV. Jurisdiction of the UH Student Conduct Code states that the UH Student Conduct Code also applies to UH sponsored activities, distance/on-line courses and events, and to off-campus conduct that affects the campus community and/or the pursuit of its objectives. It further states that conduct applies from the time of application for admission through the actual awarding of a degree, before classes begin or after classes end, and during periods between terms of actual enrollment (and even if his/her conduct is not discovered until after a degree is awarded).

Students are encouraged to review the extent of the UH Student Conduct Code to avoid any possibility of compromising their and others' educational opportunities. To access the UH Student Conduct Code, go to: http://studentaffairs.manoa.hawaii.edu/policies/conduct_code/
The Faculty and staff should review their respective provisions for conduct as identified by their respective employee union agreements.

Alcoholic Beverages Policy

The purchase, possession, or consumption of alcoholic beverages is regulated by Hawai'i State law, no one under the age of 21 may purchase, possess, or consume alcoholic beverages.

Consumption of alcoholic beverages is forbidden on Windward Community College (Windward CC) property. This policy includes all buildings/facilities and all public and common areas within the property. An exception to the restriction is an approval for the use of alcoholic beverages. This exception requires the approval of the Chancellor.

Students, employees, and others found in violation of this policy may be subject to criminal prosecution in addition to any institutional disciplinary procedures.

Illegal Drug and Controlled Substances Policy

As prohibited by state and federal law, Windward CC students, employees, and others are not permitted to be under the influence of, possess, manufacture, distribute, or sell illicit drugs at campus-sponsored or approved events, on Windward CC property, or in buildings contracted for use by Windward CC.

Windward Community College encourages students, faculty, and staff to seek assistance in overcoming drug or alcohol abuse. Early recognition and treatment are important for successful rehabilitation. Students may contact the Vice Chancellor of Student Services ((808) 235-7370) for assistance regarding counseling and treatment referral services. Faculty and staff may contact their supervisors for assistance and referral services.

Students, employees, and others found in violation of this policy may be subject to arrest. Conviction may result in probation, fines, and imprisonment. Those found in violation are also subject to disciplinary action under their respective conduct codes/contracts.

Weapons Policy

The possession or use of lethal weapons on Windward Community College's premises is strictly prohibited. Lethal weapons include, but are not limited to, firearms, ammunition, spear guns, explosives, and dangerous substances. Also prohibited are replica firearms, pellet/air/water guns, and toy guns as this can easily be mistaken for a real weapon.

Students, employees, and others found in violation of this policy are subject to criminal prosecution and/or college disciplinary procedures.

Policy on Dating Violence, Domestic Violence, Sexual Assault, and Stalking

Comprehensive System-wide Policy

The University of Hawai'i Executive Policy EP 1.204 "Interim Policy and Procedure on Sex Discrimination and Gender-Based Violence" is an over-arching, system-wide policy that identifies roles and responsibilities in addition to administrative processes related to crimes and violations such as sex discrimination, sexual harassment, gender-based harassment (which includes harassment based on actual or perceived sex, gender, sexual orientation, gender identity, or gender expression), sexual exploitation, dating violence, domestic violence, sexual assault, and stalking.

Institutional Responsibilities

Responsible Employees

Responsible Employees are all Executive and Managerial employees, and those individuals and departments designated as Reporting Options. This includes, for example, the President, Vice Presidents, Associate Vice Presidents, Chancellors, Vice Chancellors, Associate and Assistant Vice Chancellors, Deans/Director, Associate and Assistant Deans/Directors, Human Resources Directors, Chief Personnel Officers, and the Chief of the Public Safety Office.

Note that Confidential Resources are not considered to be Responsible Employees. Responsible Employees will safeguard an individual's privacy, but are required by the University to immediately share all details about a complaint with the Title IX Coordinator, or the EEO/AA Office, by telephone, electronically, or by email. Such reporting ensures timely support for all parties and enables an effective and consistent institutional response.

All Other University Employees

All employees of the University (who are not designated as Confidential Resources) should immediately report alleged prohibited behavior to a Title IX Coordinator.

University of Hawaii Office of Institutional Equity

The University of Hawaii Office of Institutional Equity is responsible for overseeing a centralized program for preventing, reporting, and responding to sex-based discrimination and gender-based violence across all campuses and centers at the University of Hawaii.

Campus Responsibilities

Title IX Coordinator

Each campus shall have a designated Title IX Coordinator who is responsible for complying with and carrying out the responsibilities under this Policy. In accordance with EP 1.204, Windward Community College (WCC) has a designated Title IX Coordinator who is responsible for complying with and carrying out program activities. Any person believing that they have been subjected to any of the above crimes and violations should report the prohibited behavior immediately to the Windward Community College's Title IX Coordinator. WCC strictly prohibits these acts; and, is committed to ensuring that the proper actions will be taken to uphold victim rights.

All members, guests and visitors at Windward Community College are protected by Executive Policy EP1.204 "Interim Policy and Procedure on Sex Discrimination and Gender-Based Violence" regardless of their sexual orientation or gender identity. The University has jurisdiction over all acts of sexual misconduct involving members of the campus community, no matter where they occur, whether on- or off-campus. All victims are entitled to receive information about their rights and reporting options in writing.

Reporting Prohibited Behavior

You may contact any of the following individuals and offices:

Brian Pactol
Title IX Coordinator
Hale Alaka'i 120
Phone: (808) 235-7403, Email: pactol@hawaii.edu

Amy Rozek
Deputy Title IX Coordinator for Students
Hale 'Ākoakoa 202A
Phone (808) 235-7370, Email: amyrozek@hawaii.edu

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Karen Cho,
Deputy Title IX Coordinator for Employees
Hale Alakai 120
Phone: (808) 235-7404, Email: kcho@hawaii.edu
45-720 Kea`ahala Road, Kane`ohe, HI 96744

Karla Silva-Park
Title IX Confidential Resource and
Mental Health Services for Counseling
Hale Kako`o 101
Phone: (808) 235-7468, Email: karlas@hawaii.edu
45-720 Kea`ahala Road, Kane`ohe, HI 96744

Campus Security Department
Security Services
Hale Alaka`i 125
Phone: (808) 235-7355

Windward Community College will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in Section 16 of Title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the campus against a student who is the alleged perpetrator of such crime or offense.

If the alleged victim is deceased as a result of such crime or offense the next of kin of such victim shall be treated as the alleged victim for the purposes of this policy statement.

Primary Prevention and Awareness Program

All new students, faculty, and staff must, upon their appointment at Windward Community College complete mandatory prevention and awareness training which covers Title IX, the Violence Against Women Act, and executive policies related to sexual harassment, sexual assault, domestic/dating violence and stalking. The training is a computer-based training session that satisfies the training requirements of Act 208 legislation (State of Hawaii, 2016). Training is provided both online and in person each academic year.

Ongoing Prevention and Awareness Program

Windward Community College offers an information booklet entitled *Title IX Resource Guide*. This publication was produced by the University of Hawaii Office of the Vice President for Community Colleges in partnership with the University of Hawai`i System Office of Institutional Equity. This guide serves as both a prevention and awareness piece; and, also serves as a written piece to provide to victims. The booklet contains information to assist a victim in understanding reporting procedures, reporting options, victim rights, available victim assistance resources, the importance of preserving evidence, the standard of evidence used by the campus during disciplinary processes, and final determination processes (outcomes of campus judiciary action).

Awareness information is also included in Windward Community College's 2015 – 2017 Course Catalog which is made available in both hardcopy and in electronic format. The Catalog can be downloaded at: https://windward.hawaii.edu/catalogs_schedules/wcc_catalog_current.pdf

Confidentiality Limitations

While the University recognizes the importance of privacy and confidentiality in these matters, only Confidential Resources can maintain confidentiality as described above. All other University personnel and programs will uphold the privacy of all parties to the extent practicable, but once the University has notice of alleged prohibited behavior, the Title IX Coordinator, the EEO/AA Office, and/or other appropriate University office is obligated to take appropriate action.

Interim Measures

Windward Community College may take interim measures on a temporary basis after receiving notice of a Complaint and before any outcomes have been determined. These measures may be instituted to preserve the Reporting Party's educational and/or work experience, ensure the safety of all parties and the broader University community, maintain the integrity of the investigative and/or resolution process, and deter retaliation.

Processes

Informal Resolution

The Title IX Coordinator shall attempt to resolve any Complaint at the earliest stage possible with the cooperation of all parties involved. Informal Resolution may include an inquiry into the facts, but typically does not include a formal investigation. All Informal Resolution Agreements shall be provided in writing to both parties.

Formal Investigation and Resolution

Formal investigation consists of the following processes:

1. Notice of Charge. A Notice of Charge shall be issued by a Title IX Coordinator when:
 - i. An Informal Resolution has not been accomplished
 - ii. The Reporting Party requests a Formal Investigation or files a written complaint; or
 - iii. Because of the frequency or severity of the allegations, the Title IX Coordinator determines a University-initiated investigation is warranted.
2. A Notice of Charge shall be provided to all parties to the Complaint and provide:
 - a. A summary of the allegations;
 - b. A copy of the complaint procedures;
 - c. A confidentiality statement;
 - d. A non-retaliation statement;
 - e. A request that the Respondent respond in writing to the allegations by a specified response deadline;
 - f. The named parties to the Complaint, unless the Reporting Party requests to remain anonymous for University-initiated investigations.

Prohibited Behavior and Definition

Note: The following prohibited behavior definitions are included in Executive Policy EP 1.204 “Interim Policy and Procedure on Sex Discrimination and Gender-Based Violence” for the purposes of policy implementation. The policy definitions are consistent with the laws governing the jurisdiction of Windward Community College; and, are consistent with Clery Act definitions for statistical reporting purposes.

1. Sex Discrimination

Sex discrimination is any unlawful distinction, preference, or detriment to an individual as compared to others that is based on an individual’s sex or gender and is sufficiently serious to unreasonably interfere with or limit:

- a. A student’s or admission applicant’s ability to participate in, access, or benefit from educational programs, services, or activities (e.g. admission, academic standing, grades, assignment, campus housing);
- b. An employee’s or applicant for employment’s access to employment or conditions and benefits of employment (e.g. hiring, advancement, assignment);
- c. An authorized volunteer’s ability to participate in a volunteer activity; or,
- d. A guest’s or visitor’s ability to participate in, access, or benefit from the University’s programs.

2. Sexual Harassment

Sexual Harassment is unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- a. Submission to or rejection of the conduct is either an explicit or implicit term or condition of an individual’s employment, education, or participation in a University program, activity, or service;
- b. Submission to or rejection of the conduct by an individual is used as a basis in decisions affecting that individual’s employment, education, or participation in a University program, activity, or service; or
- c. When such conduct is unwelcome to the person to whom it is directed or to others directly aware of it, and when such conduct is:
 - i. Severe or pervasive; and
 - ii. Has the purpose or effect of either:
 - (1) Unreasonably interfering with the employee’s work performance or student’s academic performance; or
 - (2) Creating an intimidating, hostile, or offensive work or educational environment.

3. Gender-Based Harassment

Gender-based harassment is a form of sex-based harassment and refers to unwelcome conduct based on an individual’s actual or perceived sex. Gender-based harassment involves verbal, physical, or electronic conduct based on sex, gender, sexual orientation, or sex-stereotyping that creates a hostile, intimidating or abusive environment, even if those acts do not involve conduct of a sexual nature. Gender-based harassment also includes harassment for exhibiting what is perceived as a stereotypical characteristic for one’s sex or for failing to conform to stereotypical notions of masculinity and femininity, regardless of the actual or perceived sex, gender, sexual orientation, gender identity, or gender expression of the individuals involved.

4. Sexual Exploitation

Sexual Exploitation is violating the sexual privacy of another, or taking unjust or abusive sexual advantage of another, without Consent, and when such behavior does not otherwise constitute Sexual Assault.

Sexual Exploitation includes but is not limited to:

- Photographing or taping someone involved in sexual activity, sexual intercourse/penetration, or in a state of undress, without their knowledge or Consent
- Sharing photographs or video/audio of someone involved in sexual activity, intercourse/penetration, or in a state of undress, without their knowledge or Consent
- Watching someone currently involved in sexual activity without their knowledge or Consent
- Allowing others to watch sexual activity without knowledge or Consent from all parties involved
- Exposing one's intimate parts, such as genitalia, groin, breast and/or buttocks to someone without their Consent.
- Engaging in sexual activity in public and being witnessed by a non-consenting person.
- Tampering with a drink, intending to impair a person's ability to withhold Consent or knowingly Consent to sexual activity, regardless of whether sexual activity actually takes place

5. Sexual Assault

Sexual Assault is the act of committing unwanted physical contact of a sexual nature, whether by an acquaintance or by a stranger. Such contact is unwanted when it occurs:

- a. Without the Consent of at least one of the individuals; or
- b. When at least one of the individuals is incapacitated or otherwise incapable of giving Consent.

6. Domestic Violence

Domestic Violence is physical, sexual, emotional, financial, or psychological abuse or threats of abuse against another person who is a family or household member.

7. Dating Violence

Dating violence is physical, sexual, emotional, financial, or psychological abuse or threats of abuse against another person who is or has been in a social relationship of a romantic or intimate nature with the alleged abuser; and where the existence of such a relationship shall be determined based on a consideration of the following factors:

- a. The length of the relationship;
- b. The type of relationship; and
- c. The frequency of interaction between the persons involved in the relationship.

Domestic Violence or Dating Violence, as defined above, may include but is not limited to:

- Physical or emotional abuse;
- Controlling/possessive behavior;
- Changing your normal behavior, like making you have to call your friends in secret;
- Preventing you from hanging out with your family.

8. Stalking

Stalking is two or more acts of unwanted and harassing behavior, directed at a specific person that is sufficiently serious to cause physical, emotional, or psychological fear or to create a hostile, intimidating or abusive environment. The conduct must be both objectively and subjectively perceived as hostile, intimidating or abusive. That is, the reporting party must view the conduct as hostile, intimidating or abusive, and a reasonable person with the same fundamental characteristics as the reporting party (e.g., actual or perceived sex, age, race, gender, sexual orientation, gender identity, or gender expression) must also view the conduct as hostile, intimidating or abusive if they were in similar circumstances.

Stalking may occur:

- In person or through mail, electronic mail, text messaging, instant messaging, telephone, facsimile, social websites (Facebook, Twitter, MySpace, Tumblr, Instagram, etc.), or other internet communications.
- For several days or for many years.

Related Definitions include:

1. Sexual Contact

Sexual contact is intentional touching or penetration of another person's clothed or unclothed body, including, but not limited to, the mouth, neck, buttocks, anus, genitalia, or breast, by another with any part of the body or any object in a sexual manner. Sexual contact also includes causing another person to touch their own or another body in the manner described above.

2. Consent

Consent is affirmative, conscious, and voluntary agreement to engage in agreed upon forms of sexual contact. A person cannot give Consent if the person is under the age of consent for sexual contact, the person is developmentally or intellectually disabled, or the person is mentally incapacitated or physically helpless. (Note: In Hawaii, the age of consent is sixteen (16) generally, or the age of consent is between fourteen (14) and fifteen (15) when either the other person is less than (5) years older or when the other person is legally married to the person between the ages of fourteen (14) and fifteen (15). See Haw. Rev. Stat. § 707-732)

Lack of protest or resistance cannot be interpreted as Consent. Silence cannot be interpreted as Consent. Consent must be ongoing throughout any sexual contact and can be revoked at any time.

The existence of a dating relationship, domestic partnership or marriage between the persons involved, or the existence of past sexual relations between the persons involved, is never by itself an indicator of Consent.

3. Incapacitation or Incapacitated

Incapacitation is a mental or physical state in which a person lacks the ability to understand the consequences of their actions and, therefore, cannot make a rational, reasonable decision. An individual who is incapacitated is unable to give Consent to sexual contact. States of incapacitation includes sleep, unconsciousness, intermittent consciousness, or any other state where the individual is unaware that sexual contact is occurring. Incapacitation may also

exist because of a mental or developmental disability that impairs the ability to Consent to sexual contact.

Alcohol or drug use is one of the prime causes of incapacitation. Because the impact of alcohol or other drugs varies from person to person, evaluating whether an individual is incapacitated, and therefore unable to give Consent, requires an assessment of whether the consumption of alcohol or other drugs has rendered the individual physically helpless or substantially incapable of:

- a. Making decisions about the potential consequences of sexual contact;
- b. Apprising the nature of one's own conduct;
- c. Communicating consent to sexual contact; or
- d. Communicating unwillingness to engage in sexual contact.

An individual's intoxication is never an excuse for or a defense to committing sexual or gender-based harassment, sexual assault, sexual exploitation, or sexual violence.

4. University Computer/Networks

Any use of the University's computing and network resources from campus property or a remote location, including but not limited to accessing email accounts, will be deemed to have occurred within the scope of this Policy.

5. Standard of Review

Preponderance of the Evidence. The Preponderance of the evidence will be utilized in determining whether alleged behavior violates this Policy. The University will consider the totality of the facts and circumstances involved in the incident, including the nature of the alleged behavior and the context in which it occurred, and determine whether it is more likely than not that the alleged prohibited behavior occurred.

6. Jurisdiction

In circumstances involving third parties or conduct that occurred outside of a University-sponsored program or activity, the University will decide whether this Policy applies to a reported incident or complaint on a case-by-case basis.

Retaliation Is Prohibited

The University prohibits and will not tolerate retaliation. Retaliation is adverse actions taken against a person because of his/her good faith participation in the following types of protected activities:

1. Seeking advice or assistance about a discrimination concern or possible incident of sexual violence;
2. Opposing or filing an informal or formal complaint against conduct reasonably believed to constitute discrimination or sexual violence; or
3. Testifying, assisting, or participating in an investigation or other proceeding related to a complaint of discrimination or sexual violence.

Sanctions

For Employees

Sanctions or appropriate administrative actions may be imposed in accordance with the applicable collective bargaining agreements. Possible sanctions may include disciplinary action up to and including termination.

For Students

If the Decision Maker determines, based on the Preponderance of the Evidence Standard, that a student violated this Policy, then Sanctions shall be imposed based on the severity of the prohibited behavior, as well as the Responding Party's past record.

For violations of this Policy, students are subject to several kinds of sanctions, as listed:

- Warning, which is a formal written admonition.
- Disciplinary probation, which is assigned for a definite amount of time. It implies that any future violation, of whatever kind, during that time, may be grounds for suspension, suspension with conditions, or in especially serious cases, expulsion from the University of Hawaii.
- Suspension from membership in, or employment by, the University for a specified period of time.
- Suspension with conditions from membership in, or employment by, the University for at least the period of time specified by the suspension, with the suspension to continue until certain conditions, stipulated by the appropriate body applying this sanction, have been fulfilled. These conditions may include, but are not limited to, restitution of damages, formal apology, or counseling.
- Withholding of degree for a specified period of time.
- Expulsion from the campus or employment discharge
- Expulsion/Discharge is permanent removal from membership in, or employment by, the University. Relevant information remains on a student's permanent record at the campus and may be disclosed in response to requests for which the student has given permission or as otherwise legally required.
- Censure can be added to any of the other sanctions listed above to indicate the campus's desire to underscore the seriousness of the violation and to convey that seriousness in response to future authorized inquiries about the given individual's conduct.
- University housing restrictions where a person may be removed from University housing or relocated within University housing.
- Restrictions of access to space, resources, and activities including restriction to access to space and/or resources or on participation in activities so as to limit opportunities for contact among the parties.
- Other sanctions. The Decision Maker may also impose other sanctions, such as work assignments, essays, and/or service to a University campus; counseling; participation in alcohol or other drug education programs; restorative justice activities; or other assignments that the Decision Maker deems appropriate.
- Educational refreshers. When appropriate, an employee or student may be required to participate in educational refresher programs. While ordinarily considered as training and not considered as a Sanction, Educational Refresher Programs may be required as part of the University's goal to prevent the recurrence of inappropriate conduct.

Right to Appeal - Student

Both parties have equal rights to an impartial appeal under the Reporting and Investigation Procedures. During the appeal process, all imposed restrictions and interim measures and disciplinary sanctions will remain in place pending the outcome of the appeal.

The appropriate method for filing an appeal will be contained in the Outcome Report. If either party files an appeal, the University will notify the other party in writing.

If an appeal is properly filed, the appropriate Appeal Officer will examine the information presented. The Appeal Officer may then decide within 7 calendar days to uphold the original decision, grant the appeal if the clear weight of the evidence shows the determination was erroneous, remand the case because of substantial relevant information that was not presented (and reasonably could not have been presented during the investigation), or remand the case because of procedural unfairness. The decision upon appeal rendered under this section of the policy shall be final and binding within Windward Community College.

Right to Appeal - Employee

Employees who are Reporting Parties have rights to appeal equivalent to students' rights to appeal, as stated above. For all included Responding Parties covered by collective bargaining, appeals of disciplinary actions shall be filed in accordance with the applicable collective bargaining agreement. For all excluded Responding Parties, appeals of disciplinary actions shall be filed in accordance with the University's Administrative Procedure A9.110. During the appeal process, all imposed restrictions, interim measures, and disciplinary actions will remain in place pending the outcome of the appeal, and subject to the provisions of any applicable collective bargaining agreement.

Timing

The University will seek to complete the investigation and any resulting disciplinary process within sixty (60) calendar days from the date of receipt of the Complaint. The campus will notify the Reporting and Responding parties in writing of any extension of the timeframes for good cause, and the reason for the extension.

Participation

Participation in the investigatory process is entirely voluntary and the University recognizes that an individual may be reluctant to participate in the process. However, if an individual chooses to limit their participation, certain circumstances may require the University to continue with an investigation; and, and the campus will issue any sanctions deemed appropriate.

Outcomes

Title IX Requirement

Both the Reporting and Responding Party shall be informed in writing of the outcome of a Formal Investigation. This includes sanctions imposed that directly relate to the Reporting Party.

Clery Act Requirement

In any Formal Investigation involving sexual violence, both parties shall be informed of the outcome and the sanctions imposed.

CLERY ACT CRIME DEFINITIONS

The following definitions are from *The Handbook for Campus Safety and Security Reporting* (U.S. Department of Education, 2016 Edition); and, are utilized in crime classification for the purposes of reporting crime statistics.

Primary Crimes

Murder and Non-Negligent Manslaughter

The willful (non-negligent) killing of one human being by another; includes any death caused by injuries received in a fight, argument, quarrel, assault or the commission of a crime.

Manslaughter by Negligence

The killing of another person through gross negligence; includes any death caused by the gross negligence of another. In other words, it's something that a reasonable and prudent person would not do.

Sexual Assault

Any sexual act directed against another person without consent of the victim, including instances where the victim is incapable of giving consent; includes attempted sexual assault.

Rape. The penetration, no matter how slight of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim; includes the rape of both males and females

Fondling. The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Incest. Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape

Sexual intercourse with a person who is under the statutory age of consent.

Robbery

The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and or by putting the victim in fear.

Aggravated Assault

An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

Burglary

The unlawful entry of a structure to commit a felony or a theft.

Motor Vehicle Theft

The theft or attempted theft of a motor vehicle; any self-propelled vehicle that runs on land surface and not on rails; includes trail bikes, mopeds, all-terrain vehicles, self-propelled motor homes, snowmobiles, golf carts, and motorized wheelchairs.

Arson

Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

VAWA Offenses

Dating Violence

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, and the frequency of interaction between the persons involved in the relationship.

Domestic Violence

A felony or misdemeanor crime of violence committed—

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
- 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 the jurisdiction in which the crime of violence occurred.

Stalking

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

- Fear for the person's safety or the safety of others; or
- Suffer substantial emotional distress

Arrests and Referrals for Disciplinary Action

Weapons: Carrying, Possessing, Etc.

The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

Drug Abuse Violations

The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.

Liquor Law Violations

The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.

Hate Crimes

A Hate Crime is defined under the Clery Act as an offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim based on the following: Race, Religion, Sexual Orientation, Gender, Gender Identity, Ethnicity, National Origin, Disability. For the purposes of reporting Hate Crimes, additional statistics shall be reflected in statistics for the following crimes: Larceny-Theft, Simple Assault, Intimidation, Destruction/Damage/Vandalism of Property.

If any of the below listed crimes have elements of "Hate," the crimes must be included in the Annual Security Report crime statistics.

Larceny

The unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another.

Simple Assault

An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

Intimidation

Is to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

Destruction/Damage/Vandalism of Property

Is to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Windward Community College Annual Security Report Crime Statistics

PRIMARY CRIMES

OFFENSE	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY	UNFOUNDED INCIDENT
Murder / Non-Negligent Manslaughter	2015	0	0	N/A	0	0
	2014	0	0	N/A	0	0
	2013	0	0	N/A	0	0
Negligent Manslaughter	2015	0	0	N/A	0	0
	2014	0	0	N/A	0	0
	2013	0	0	N/A	0	0
Rape	2015	0	0	N/A	0	0
	2014	0	0	N/A	0	0
	2013	0	0	N/A	0	0
Fondling	2015	0	0	N/A	0	0
	2014	0	0	N/A	0	0
	2013	0	0	N/A	0	0
Incest	2015	0	0	N/A	0	0
	2014	0	0	N/A	0	0
	2013	0	0	N/A	0	0
Statutory Rape	2015	0	0	N/A	0	0
	2014	0	0	N/A	0	0
	2013	0	0	N/A	0	0
Robbery	2015	0	0	N/A	0	0
	2014	0	0	N/A	0	0
	2013	0	0	N/A	0	0
Aggravated Assault	2015	0	0	N/A	0	0
	2014	0	0	N/A	0	0
	2013	0	0	N/A	0	0
Burglary	2015	5	0	N/A	0	0
	2014	0	0	N/A	0	0
	2013	1	0	N/A	0	0
Motor Vehicle Theft	2015	0	0	N/A	0	0
	2014	2	0	N/A	0	0
	2013	1	0	N/A	0	0
Arson	2015	0	0	N/A	0	0
	2014	0	0	N/A	0	0
	2013	0	0	N/A	0	0

Comments: This campus has no residential housing facilities

VIOLENCE AGAINST WOMEN ACT OFFENSES

OFFENSE	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY	UNFOUNDED INCIDENT
Domestic Violence	2015	0	0	N/A	0	0
	2014	2	0	N/A	0	0
	2013	1	0	N/A	0	0
Dating Violence	2015	0	0	N/A	0	0
	2014	0	0	N/A	0	0
	2013	0	0	N/A	0	0
Stalking	2015	3	0	N/A	0	0
	2014	2	0	N/A	0	0
	2013	0	0	N/A	0	0

Comments: None

ARRESTS AND DISCIPLINARY REFERRALS

OFFENSE	YEAR	ON-CAMPUS PROPERTY	ON-CAMPUS HOUSING	NON-CAMPUS PROPERTY	PUBLIC PROPERTY	UNFOUNDED INCIDENT
ARRESTS: Liquor Law Violations	2015	0	0	N/A	0	0
	2014	0	0	N/A	0	0
	2013	0	0	N/A	0	0
ARRESTS: Drug Law Violations	2015	0	0	N/A	0	0
	2014	0	0	N/A	0	0
	2013	0	0	N/A	0	0
ARRESTS: Weapons Law Violations	2015	0	0	N/A	0	0
	2014	0	0	N/A	0	0
	2013	0	0	N/A	0	0
DISCIPLINARY: Weapons Law Violations	2015	0	0	N/A	0	0
	2014	0	0	N/A	0	0
	2013	0	0	N/A	0	0
DISCIPLINARY: Weapons Law Violations	2015	0	0	N/A	0	0
	2014	0	0	N/A	0	0
	2013	0	0	N/A	0	0
DISCIPLINARY: Weapons Law Violations	2015	0	0	N/A	0	0
	2014	0	0	N/A	0	0
	2013	0	0	N/A	0	0

Comments: None

HATE CRIME INFORMATION

2015 There were no hate crimes reported.

2014 There were no hate crimes reported.

2013 There were no hate crimes reported.

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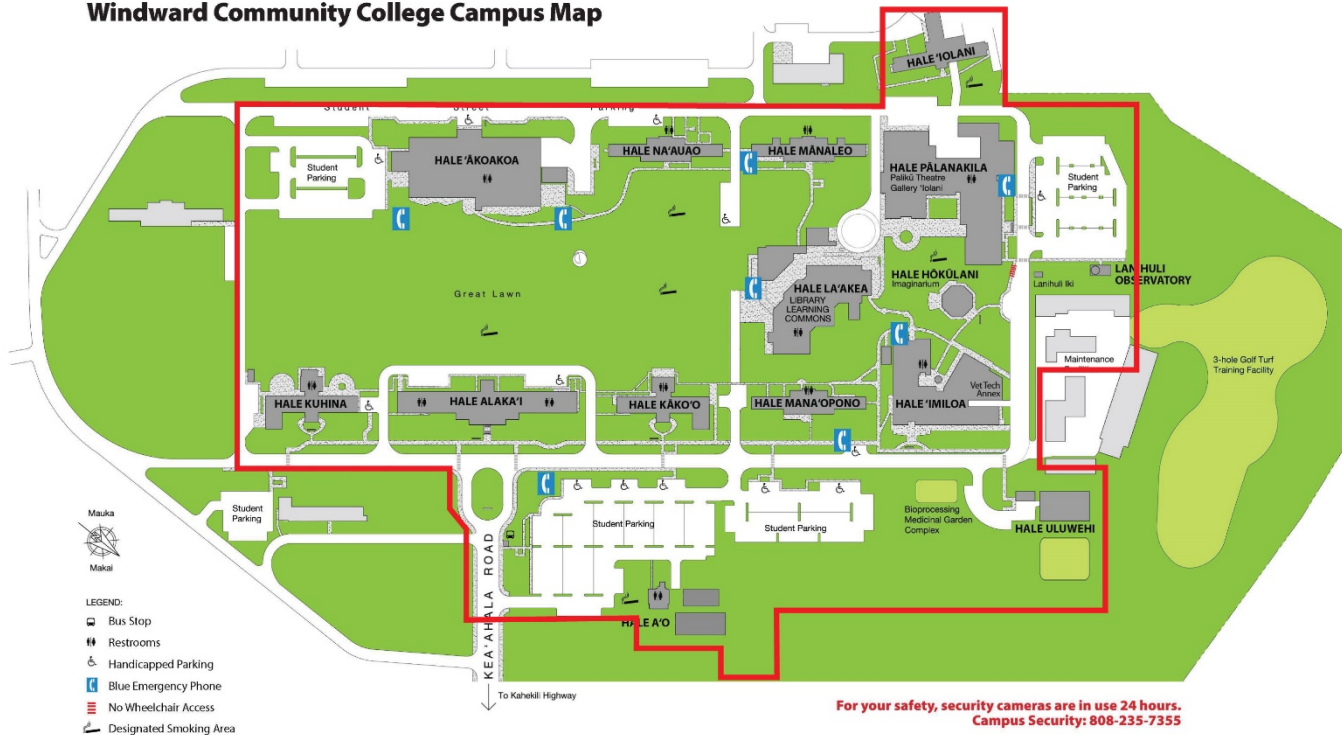
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YouTube: ushomelandsecurity; “Options for Consideration Active Shooter Training Video,” U.S. Department of Homeland Security, on-line: <http://www.youtube.com/watch?v=ol5EoWBRYmo&feature=youtu.be>, September 23, 2016.

APPENDIX A

CAMPUS GEOGRAPHICAL BOUNDARIES

Windward Community College Campus Map



Solid red line indicates the geographical boundaries in accordance with guidelines set forth in *The Handbook for Campus Safety and Security Reporting* (U.S. Department of Education, 2016 Edition).

APPENDIX B

Crime Prevention Tips

Windward Community College's safety and security measures are designed to address most areas of campus life, but a safe environment also depends on the awareness and cooperation of individual community members. Here are some common-sense steps you can take for personal safety and loss prevention:

- When walking the campus at night, stay within well-lit walkways. Avoid taking shortcuts through unknown areas.
- If you cannot avoid walking alone at night, call security for an escort at 808-235-7355
- Never prop doors open, even for a short period of time.
- Wallets, purses, book bags, backpacks should never be left unattended.
- Keep the doors and windows to your work areas locked when you are away, even if you will be gone for a short time.
- Keep car doors and windows locked. Check front and back seats and the cargo area before entering.
- Engrave your portable valuables, and do not keep them unattended.
- Laptops and iPods should never be left unattended.
- Do not put personal information on social networking sites
- Do not put an ID tag with your name, address, or license number on your key chain; if lost, the key chain could lead to theft.
- Keep your bicycle locked in a rack when not using it.
- Immediately call Campus Security at 808-235-7355 to report any criminal incidents or suspicious persons or emergency 9-1-1, on internal lines call 9-9-1-1.
- Carry only the cash and credit cards you need.
- Register your bike/moped. <http://www.co.honolulu.hi.us/dts/bikereg.htm>
- Let someone know that you are working odd hours or will be in the building after normal business hours.
- Carry a whistle or other means of making a loud noise.
- ***If You See Something; Say Something***

APPENDIX C

Be an Active Bystander

A bystander is someone who is a witness to an event but is not directly involved. An **ACTIVE BYSTANDER** is a witness to behavior that is violent or unfair and speaks up against it. Being an active bystander means you are making a commitment to speak out against violence and make a difference.

What to do when you witness violence first hand – tips for intervening

- Approach everyone as a friend
- Do not be antagonistic
- Avoid using violence
- Be honest and direct whenever possible
- Recruit help if necessary
- Keep yourself safe
- If things get out of hand or become too serious, contact the police

Need a plan for intervening in a situation potentially involving sexual assault, relationship violence, stalking, or cyberstalking? Think about trying some of these approaches:

Step in and separate the two people. Let them know your concerns and reasons for intervening. Be calm. Be a friend and let them know you are acting in their best interest. Make sure each person makes it home safe. Use a distraction to redirect the focus somewhere else: “Hey, I need to talk to you.” “Hey, this place (party/scene/etc) is lame. Let’s go somewhere else.” De-escalate the situation to allow the other person a way to avoid the situation or provide them a way out.

Evaluate the situation and people involved to determine your best move. You could directly intervene yourself, or alert friends of each person to come in and help. If the person reacts badly, try a different approach. Divert the attention of one person away from the other person. Have someone standing by to redirect the other person’s focus. Commit a party foul (i.e., spilling your drink) or pretend you are lost and need directions.

Things you should be aware of in being an **ACTIVE BYSTANDER**:

See violence for what it is – A lot of times we don’t want to admit that violence is happening. We often choose to ignore the situation, look away, or call it something else. It is important to remember that no one has the right to be violent, even if two people are dating.

Violence does not stop violence – use words! If someone is being abusive, threatening or trying to fight the abusive person is only going to make the situation worse. Instead, ask

questions like “Is everything okay?” while looking at BOTH people. It can be a way to interrupt the fight without causing more drama.

Do not silence or ignore the victim – Be sure that you do not put all the focus on the abuser. The victim’s voice should be heard and respected. Ignoring victims makes it seem like their feelings – and voice – do not matter.

Most importantly – learn from the situation. What could have been different? Did you respect the victim’s rights? Did you avoid violence? Talk to your peers and get their perspective on the situation.

Keep in mind that violence does not end after one action. If you are witnessing an emergency involving physical violence and/or someone in need of immediate medical attention CALL 911

As an ACTIVE BYSTANDER that witnesses something that you feel may be sex discrimination or gender-based violence (including sexual assault, sexual harassment, gender-based harassment, domestic violence, dating violence, or stalking) you may want to REPORT the incident to seek further guidance and support for the victim.