
Academic Quality and Student Success Committee Agenda

- | | <u>Page</u> |
|---|-------------|
| 1. Call to Order/Roll/Declaration of a Quorum (Noon) <i>Chair Brown</i> | |
| 2. Consent Agenda - none | |
| 3. Action Items - none | |
| 4. Discussion Items | |
| 4.1 Degree Approval Process Update
(10 min) <i>Provost/VP Kuleck</i> | |
| 4.2 Proposed Degrees and Those Under Review
(12:10pm) (5 min) <i>Provost/VP Kuleck</i> | |
| 4.3 International Student Offerings
(12:15pm) (20 min) <i>Associate Director Hudspeth via Skype</i> | |
| 4.4 Honors Program
(12:35pm) (20 min) <i>Professor Syrnyk</i> | |
| 4.5 Athletics
(12:55pm) (25 min) <i>Interim Athletic Director Stewart</i> | |
| 4.6 Clery Reports (Klamath Falls and Wilsonville)
(1:20pm) (15 min) <i>VP/Dean Foley</i> | 1 and 51 |
| 4.7 Identification of Future Agenda Items
(1:35pm) (20 min) <i>Chair Brown</i> | |
| 5. Other Business/New Business (1:55pm) (5 min) <i>Chair Brown</i> | |
| 6. Adjournment (2:00pm) | |



2017 Campus Security and Fire Safety Annual Report

Including Crime Statistics for the 2013, 2014, 2015 and 2016 Calendar Years

Oregon Institute of Technology

Campus Safety Department

Emergency: 541.885.0911

Office: 541.885.1117

Patrol and Information Services: 541.885.1111

Risk Management

Office: 541.885.1225

Partners for a Safe Campus

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2017 Klamath Falls Campus Annual Security Report

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Campus Crime Awareness and Campus Security Act

This annual report summary is provided in compliance with the federal Campus Crime Awareness and Campus Security Act of 1990 (Title II, Public Law 101-542, Nov. 1990) and the Higher Education Opportunity Act of 2008. Information is reviewed and updated on an annual basis. A complete listing by category can be obtained on the Oregon Tech Campus Safety web page. If you have information for inclusion, or questions, comments or remarks, contact Campus Safety or the Vice President for Student Affairs.



The Annual Security and Fire Safety Report



Annual Security Report (ASR)

Introduction

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the Clery Act), requires that post-secondary schools participating in the Title IV Student Financial Aid Programs publish a statistical report of crimes occurring on or near the institution's campus and provide information about security policies, procedures and programs. The intent of the report is to inform you of the extent of reported crimes occurring in the four previous calendar years. The report also includes data from three years prior to the most recent year. In the case of this particular report you will see data for calendar years 2013, 2014, 2015 and 2016.

Preparation and Disclosure of Annual Crime Statistics

Oregon Tech Campus Safety with assistance from Risk Management generates this report annually to comply with the Jeanne Clery Disclosure of Campus Security and Crime Statistics. The report is also prepared with cooperation from the Klamath 911 Emergency Communications District. Klamath 911 provides statistics for off-campus and adjacent-to-campus reported crimes. The statistics provided are a culmination of crime reporting by the local Oregon State Police office, the Klamath Falls police department and the Klamath County Sheriff's office. Campus crime, arrest and referral statistics include those reported to the Campus Safety department, the Dean of Students, Residence Life, Student Health, Campus Life, Athletics, the Title IX Coordinator along with other designated campus officials and local law enforcement agencies.

Confidentiality of Victim/Survivors: These data, when recorded and compiled by the Clery Coordinator for the purposes of Clery reporting, contain information specific to and necessary for Clery reporting requirements only, specifically: date, location and crime. When collecting and compiling statistics, the Clery Coordinator does not request or record any identifying information about a victim, as such information is not required for Clery crime disclosure. The Clery Coordinator is the Custodian of Records for all Clery-associated records. These records include the crime log, available to the public at the Campus Safety office in paper copy format at 231 Cornett Hall, and Clery-reportable crime statistics which are provided to the public and the Department of Education annually, for the current and prior two years. The institution is required to keep Clery-associated records for seven years.

Distribution and Availability of the Current ASR

Each year, an e-mail notification is made to all enrolled students along with current faculty and staff members. The e-mail provides the web site to access this ASR report. Paper copies of the report may also be obtained at the Campus Safety office located in the Cornett Hall building, room 231. You can also call 541.885.1117 to request a copy of this report. All prospective employees may obtain a copy of this report from Human Resources in the Snell Hall Administrative building, room 111 or by calling 541.885.1074.

Reportable Crimes

The Clery Act requires that participating schools collect data on a specific list of crimes. These crimes are listed within this document and are defined by the current Clery and VAWA standard. In the case of liquor, drug and weapon offenses, the numbers are tallied in two groups. The first set of numbers is for those who were referred for disciplinary actions by Oregon Tech and the second is for those individuals who were arrested. This is not a distinction between breaking the law and not breaking the law, the numbers in both groups are the result of a violation of the law. Rather it is an attempt to reflect the actual impact of liquor, drug and weapons violations occurring in the campus community even when the incident does not result in an arrest. Although the District Attorney may choose not to prosecute an individual for one of these offenses because there is insufficient evidence to reach a conviction, Oregon Tech may still sanction the individual because the standard for a conviction in a civil proceeding is less than what is required for conviction in criminal proceedings.

Excluded Crimes

In some cases an incident that is reported as a crime may not be included in the annual report. Each of the following five standards must be met for an incident to be included in the annual report:

1. **Reported to the Proper Authorities** – The incident must be reported to law enforcement or a person who, according to the Clery Act, is defined as a Campus Security Authority. A person designated as a Campus Security Authority includes more than individuals employed by the University security department. The

term is applied to any person who works for the University in a paid or volunteer status and has significant responsibilities for student activities. For example; professors, student advisors, resident advisors, coaches for university athletics and persons who perform security functions at campus recreational facilities are considered campus security authorities.

If you are someone whom a student reasonably believes that he or she can report a crime to and expect that the matter will be addressed directly through your intervention or that you will contact law enforcement for a response, then you are Campus Security Authority.

2. **Listed Crimes** – The crime must be one of those listed in the Clery Act as a reportable crime.
3. **Reportable Area** – The crime must have occurred in one of the reportable areas. Every reportable crime occurring within the boundaries of campus is in a reportable area. The two remaining areas are a little more difficult to define. Perimeter streets are described in the following way: “Sidewalk – Street – Sidewalk”. This means that a reportable crime occurring on the sidewalk on either side of a perimeter street is reportable as are incidents occurring in the street. But an incident occurring in a building (a privately owned store) on the distant side of a perimeter street would not be included. Unfortunately, most law enforcement agencies do not distinguish where a crime occurs with this degree of detail. Crimes are usually located by street and house numbers.
4. **Made in Good Faith** – For an incident to be included there must be a determination that the report is made in good faith. Supporting evidence makes this determination easy, but such evidence is not always available. In such a case the credibility of the person making the report is considered. When the incident is reported to us through a law enforcement agency, we assume that this determination has already been made.
5. **Not founded (unfounded)** – If in the case of a particular incident, law enforcement determines that the incident could not have occurred or did not occur, i.e., a false report, the crime would not be included in the annual report.

Security Policies, Procedures and Programs

In this report you will find information about security policies, how to report crimes, the jurisdiction and arrest authority of Campus Safety personnel and information about campus educational programs. These documents, which come from a number of campus departments, are gathered together here to assist you in your efforts to arrive at a more complete understanding of the campus climate as it relates to the issues of personal safety, crimes occurring on or near campus and the resources available to you as a student, faculty or staff member. The collection of data and the evaluation of the data in the preparation of this report is a lengthy process involving many on-campus departments and off-campus agencies. Our purpose is to provide you with the information and the understanding you need to make an informed and reasoned decision about your personal safety as it relates to your time at Oregon Tech.

Campus Environment

Oregon Institute of Technology serves students from all over the world. It is the only accredited public polytechnic university in the Northwest. The main campus—consisting of 190 acres, 19 buildings and a stadium—is located in Klamath Falls, Ore., a high-desert town on the eastern slope of the Cascade Mountains. The city’s metropolitan population including the outlying county communities is about 45,000. Oregon Tech maintains an “open campus” with no physical barriers between the university and the community.

Campus Safety is a Shared Responsibility

No university campus or community is totally risk free. Each person must contribute to fostering a safe learning environment by using common precautions and practicing crime prevention. These measures help reduce vulnerability as well as opportunities for criminal activity on campus.

Oregon Tech’s Campus Safety program, directed by the Vice President for Student Affairs through the Campus Safety Director, is a proactive approach to incorporating visibility, education, prevention and immediate response to campus incidents.

Campus safety at Oregon Tech involves students, faculty and staff. It is Oregon Tech's desire to create and promote an open environment that encourages learning and freedom among all who attend or visit the university. Safety is an important part of the educational and occupational experience.

If you see or suspect a crime in progress within the campus boundaries or adjacent properties, report it immediately to the Campus Safety department at **541.885.0911** or Klamath County 911 Emergency Services by calling 911. Everyone needs to be an active member of our campus community to report crimes and point out safety concerns to the appropriate departments or agencies. It is our collective responsibility in helping to keep our campus crime free. Whether a victim or bystander, everyone can play an important role in keeping our community safer.

Members of the campus community are encouraged to report concerns and all campus crimes to Campus Safety. Students may also report concerns to the Dean of Students, the Title IX Coordinator or to Housing and Residence Life director. An online campus incident report form is available through "MyOIT."

Campus Safety has a role in preserving an open environment where students, faculty and staff feel safe to academically explore the issues of the day. With this goal in mind, Oregon Tech is committed to providing a professional Campus Safety program, administered by a trained, professional staff. The program uses updated procedures to provide a "reasonably secure campus" for all members of the campus community.

Security Awareness and Crime Prevention Tips

Oregon Tech promotes the following information to students, faculty and staff:

Incident Reporting

- For emergencies or a crime being committed, call 9-1-1.
- Report all crimes, no matter how minor they may seem. Notify Campus Safety of all suspicious persons or activity at 541.885.1111.
- On campus, report any dim or unsafe-looking areas, or any malfunctioning lights, doors or windows, to Campus Safety at 541.885.1111.
- Online option report through "MyOIT"

Important Phone Numbers

- Emergencies: 9-1-1
- Campus Safety Non-Emergency: 541.885.1111
- Campus Safety Emergency: 541.885.0911

Personal Safety

Survivors of crimes are not responsible for their victimization, regardless of their actions. Criminals are responsible for crime. Not all crimes can be prevented with preparation and readiness, but campus community members can improve their safety by taking the following precautions:

- If working or studying late, arrange to leave with a friend or call Campus Safety at 541-885-1111 for Safety Escort assistance. Lock doors and windows if working late/alone.
- Refrain from getting in elevators with people who look out of place or behave in a strange or threatening way. Always immediately report suspicious people or conditions to Campus Safety at 541-885-1111.
- If being followed, go to a populated area.
- Be alert to any suspicious persons or vehicles.
- Carry a fully charged cell phone with emergency numbers pre-programmed.

Property Protection

- Don't leave valuables unattended (backpacks, wallets, purses, keys, computers, phones, electronic devices, etc.).

- Engrave personal property, such as electronic or sporting equipment, with an Oregon Driver's License number, like this: **OR123456DL**.
- Keep a written record of all personal valuables, including descriptions and serial numbers. It is evidence that the property belongs to the rightful owner.

Bicycle Theft

- Never leave a bicycle unlocked. It only takes a moment to steal an unlocked bicycle.
- U-lock style locks are best. Cables and padlocks can be cut easily and quickly.
- Lock the bicycle frame to a bike rack. Front wheels can be easily removed.
- Bicycle registration is not mandatory on campus. Bicycle registration is available at the Klamath Falls police department (2501 Shasta Way, 541-883-5336). This service is free of charge.

Office Security

- Never leave purses, wallets, or other valuables unattended. Lock them in a drawer or closet, or carry them.
- Do not leave keys unattended, and do not loan out university keys.
- Request authorization from persons asking for confidential information or from delivery or repair people who want to enter an area restricted to employees.

Key Control

- Those responsible for office keys should not leave them unattended, in plain sight on a desk, or in a top drawer where they could be taken or copied easily.
- Give keys only to those who have a legitimate need and make sure they are returned.
- If keys are lost or stolen, notify Campus Safety immediately (541.885.1111).

Parking Safety

- Lock vehicles at all times.
- When returning to a vehicle, have the keys out while approaching. Check the interior before getting inside.
- Notify Campus Safety immediately of any suspicious people loitering in the parking lot.
- Remove all valuables from vehicles. Leave valuables them at home, carry them, or lock them in the trunk.

In a Threatening Situation

- If physically attacked, attract attention by yelling loudly or using a whistle.
- If using self-defense tactics or equipment such as pepper spray, run away as soon as the attacker is disabled. *This suggestion would be for an off-campus application as pepper spray is not permitted on campus by Oregon Tech policy (OIT-50-010). This policy further defines weapons by Oregon Revised Statute (ORS) 166.360 which includes mace, tear gas and pepper mace or any similar deleterious agent.*
- Decide what to do in various situations before they occur. Try role-playing with a friend.
- If confronted by someone who only wants property, give it to them.
- Try to get an accurate description of the assailant. If a vehicle is involved, get the license number and call Campus Safety @ 541.885.0911.

Campus Safety Tips

When crimes occur on campus, Campus Safety informs the campus community members so they can take precautions to avoid becoming victim of crimes, or so they may aid in the solving of crimes. Contact Campus Safety for more information.

Campus Safety Services

The mission of the Campus Safety Department is to provide for the safety, security and maintenance of order for the campus community including faculty, staff, students and visitors. Campus Safety promotes safety and security on campus through educational programs, emergency and non-emergency response services, problem solving and enforcement of appropriate laws, rules and regulations.

Campus Safety serves all students, staff, faculty and guests. The university employs full and part-time Campus Safety officers. Students assist with issuing temporary parking permits, weekend patrols and other safety-related responsibilities. Campus Safety operates 24 hours a day, seven days a week, responding to campus incidents, including building alarms, crimes, injuries, illnesses, accidents, safety hazards and calls for assistance. Additionally, Campus Safety provides coordination with local law-enforcement agencies, crowd control, building inspections and parking enforcement.

Programs and Available Training for Sexual Misconduct Awareness and Prevention, Drug and Alcohol Abuse (Academic year of 2016/17)

Integrated Student Health Center (Student Health)

- **August:** Campus Safety *Suicide Prevention* training. Presented training on working with suicidal students; audience: -staff
- **September:**
 - Resident Advisor *Training I* Presented training on topics such as alcohol and other drugs, suicide, and sexual assault (in order to assist their residents); audience: -students
 - New Residents All Hall Meeting Presentation on alcohol and other drugs, ISHC resources, and sexual assault prevention; the Student Affairs Vice President and the Title IX Director talked about consent here; audience: -students
 - New Student Orientation Health and Safety Panel Discussion included topics such as sexual assault, substance abuse, and safety; audience: -new students
 - Returning Residents All Hall Meeting Presentation on alcohol and other drugs, ISHC resources, and sexual assault prevention; the Student Affairs Vice President and the Title IX Director talked about consent here too; audience: -students
- **November:**
 - Suicide Risk Screening (opportunity for students who were concerned about others of themselves to get information about suicide prevention); audience - students
 - **February:** Choose Well Survey for Sexual Assault Prevention (see note about results below)
- **April:**
 - *Healthy Relationships* presentation for TOP ACAD regarding healthy relationships, included conflict management and abuse component; audience: -students
 - Further, *Sexual Assault Awareness Week* co-sponsored by the Women's Resource Center, Integrated Student Health Center, Campus Safety, and the Sexual Misconduct Taskforce. The audience included the entire campus community (faculty, staff, and students).
 - ISHC organized and facilitated a "Taking Steps to Prevent Sexual Assault" Walk; placed footprints on the ground along the walk with statistics and information about sexual assault. Administered Choose Well Survey also (see below for results). Nicole can give you a more thorough overview of the activities that week since the Task Force spearheaded it.
 - Administered the National College Health Assessment (I'll send a separate e-mail about those results for you)
- **May** *Suicide Prevention* Presentations on suicide prevention for 2 sections of Intro Psychology class; audience: -students

With regards to the *Choose Well* events, students were encouraged to select one healthy behavior from the following list, then were e-mailed a month later to see if they actually implemented their selected behavior. Included are the percentages of students who chose each of the behaviors to implement in parentheses.

- Be clear about consent (26%)
- Be a responsible bystander - Owls say something! (31%)
- Find out where to get help if you need it (13%)
- Check out the Red Flag campaign on campus (9%)
- Encourage someone you know to get help if they are a survivor (20%)
- I do not plan on implementing any of these behaviors (2%)

A total of 347 students completed the *Choose Well* survey.

The *Safe Campus* initiative was continued as well, with updates to the dedicated web page (www.oit.edu/snfcampus) and committed buy-in from all key departments on campus.

Human Resources

- **November** Sexual Harassments in the Workplace
- **March** Discrimination/Sexual Harassment training
- **June** Risk Management training in on-campus camps and clinics. HR was accompanied by Risk Management personnel for this training component.

Campus Life/Title IX offices collectively:

- **January:** The Title IX/WRC Coordinator attended ATIXA Title IX certification training.
- **January & February:** WRC Confidential Advocate attended 40 hour confidential advocacy training.
- **February:** The ISHC Director provided training for the Confidential Advocate on supporting survivors of sexual misconduct.
- **February:** The Confidential Advocacy Program began at the WRC, with weekly drop-in office hours. This Confidential Advocate is available for all students seeking a confidential resource regarding sexual misconduct.
- **February:** The Title IX Coordinator provided training for the Confidential Advocate on policies, processes, and resources for supporting survivors of sexual misconduct.

Campus Life/Sexual Misconduct Task Force/Title IX Task Force/Women's Resource Center/Diversity Center

During the 2016-2017 academic year, the following prevention efforts were completed:

- **September:** A session at the New Student Orientation program that specifically addressed the issues surrounding safe use of alcohol, Oregon Tech marijuana policies, sexual assault and sexual misconduct on college campuses, and the resources, policies and expectations for students at Oregon Tech around this topic with guest speaker C.L. Lindsay. The presentation included information about Title IX, the VAWA/SAVE/Clery Acts, and a Q&A session for new students with campus administration. In addition, the Klamath Crisis Center and Title IX Coordinator presented information about resources and reporting options for students.
- **September:** Sexual Assault Misconduct Taskforce continued its display of *Red Flag Campaign* posters throughout campus.
- **October:** The Women's Resource Center (WRC) worked with Marta's House/Klamath Crisis Center in hosting "Walk In Her Shoes", an event simulating the experience of a victim of domestic violence.
- **October:** The WRC and Campus Safety hosted a self-defense training event for students.
- **November:** WRC staff training on student sexual assault trauma and resources.
- **December:** WRC Confidential Advocacy program planning took place with the support of the Sexual Misconduct Commission.
- **January:** The WRC and Title IX Office sponsored Stalking Awareness Month flyers throughout campus.
- **January:** The Title IX/WRC Coordinator attended ATIXA Title IX certification training.
- **January & February:** WRC Confidential Advocate attended 40 hour confidential advocacy training.
- **February:** The ISHC Director provided training for the Confidential Advocate on supporting survivors of sexual misconduct.
- **February:** The Title IX Coordinator provided training for the Confidential Advocate on policies, processes, and resources for supporting survivors of sexual misconduct.

- **February:** The Confidential Advocacy Program began at the WRC, with weekly drop-in office hours. This Confidential Advocate is available for all students seeking a confidential resource regarding sexual misconduct.
- **February:** WRC staff review on student sexual assault trauma and resources.
- **March:** WRC with the support of the DC and Campus Life hosted *Hidden Figures* movie showing in honor of Women's History Month.
- **March:** WRC Women's History Month scavenger hunt.
- **April:**
 - *Sexual Assault Awareness Month* events were held, co-sponsored by the Women's Resource Center, Integrated Student Health Center, Campus Safety, and the Sexual Misconduct Taskforce. Activities included:
 - *Taking Steps to End Sexual Assault Walk* – hosted by the ISHC, co-sponsored by the DC, Campus Life, Sexual Misconduct Task Force, and WRC.
 - *Clothesline Project* – hosted by the WRC with the support of Campus Safety
 - *Self-Defense training* at the Clothesline Project provided by Campus Safety
 - Empowerment workouts by the ISHC staff
 - WRC & Title IX Office hosted two "It's On Us" Pledge Drives
 - WRC & Title IX Office hosted showings of the *Hunting Ground* movie
 - Informational table tents were exhibited throughout the month sponsored by the Sexual Misconduct Task Force
- **May:** WRC held "Operation Beautiful", in which students were encouraged to write and post positive messages to promote self-esteem and positive body image
- **May:** WRC held "Smash the Scales" body-positivity event.
- **May:** DC LGBTQIA Dinner – speaker spoke about LGBTQ plus topics and helping others support LGBTQIA students.
- **June:** WRC hosted "Pride Guide" educational event which assisted in supporting the LGBTQ plus community.
- Women's Resource Center and Diversity Center volunteers created displays, hung posters, and provided informational resources throughout the year

It should be noted that the Integrated Student Health Center (ISHC), Campus Life along with the Women's Resource Center and the Human Resources department have been working with the Title IX office and director in training opportunities and scope. The Title IX office has been instrumental in providing trainings that the ISHC and HR historically provided. The Title IX office has broadened the training opportunities in the past year as ISHC and HR have decreased theirs in order to focus more on their given priorities.

Title IX Office

On-line Trainings:

Students

Through Safe Colleges

Required:

- Campus SaVE Act for Students – Sexual Violence Awareness (34 minutes)
- Oregon Tech Sexual Misconduct Information, Procedures, and resources

Suggested:

- Oregon Tech Sexual Harassment Policy

Staff

Through Safe Colleges

Required:

- Title IX & Sexual Misconduct

Suggested:

- Oregon Tech Discrimination Grievance Procedure
- Oregon Tech Sexual harassment policy

- Title IX & Sexual Misconduct – Oregon Tech Sexual Misconduct Information, Procedures, and Resources

Live:*Staff*

Convocation: September: Responsible Employee training

Wilsonville: April: Responsible Employee training

Chemeketa: April: Responsible Employee training

Various departmental trainings including:

- Athletics: April: Responsible Employee training
- Campus Safety: January: TIX Campus Safety training
- Business Office: February: Responsible Employee training
- ISHC: TIX Health Services training

Students

New Student Orientation - September

- Campus Life provided Sex and the Law training by CL Lindsay
Title IX information & resources provided by Nicole Briggs and Christy Riddle Marta's House
- Res Life Title IX training - September
- Responsible Employee and TIX resources training by Nicole Briggs
- Relationship Violence and Sexual Assault 101 by Christy Riddle of Marta's House
- Responsible Employee Trainings for Student Ambassadors: November

Also through the Title IX office and Title XI Task Force:

September: Title IX Task Force was created.

- **October:** Oregon Tech was selected as an It's On Us Partner School, joining the Campus Innovation Program.
- **November:** Oregon Tech joined the Culture of Respect Collective.
- **January:** The WRC and Title IX Office sponsored Stalking Awareness Month flyers throughout campus.
- **February:** The Title IX Task Force voted to serve as the Advisory Committee for the Culture of Respect Collective.
- **April:** The Title IX Office and Title IX Task Force joined Campus Life, the Women's Resource Center, Integrated Student Health Center, Campus Safety, and the Sexual Misconduct Taskforce in Sexual Assault Awareness month programming.
- **April:** The Title IX Office joined the WRC in hosting two "It's On Us" Pledge Drives
- **April:** Title IX Office joined the WRC in hosting showings of the *Hunting Ground* movie
- **June:** It's On Us Pledge Drive

Residence Life

- **November Self-Defense Training** with Campus Safety Officer Chris Bowman. Resident Advisor Quentin Vargas hosted this event with 10 residents in attendance.
- **January Homeless Kit Making & Education:** Resident Advisor Emily Biggs hosted this event with 63 residents in attendance.
- **May**
 - *Helping Hands for the Klamath Crisis Center Kit Making & Education* Resident Advisor Sydney Nett hosted this event with 7 residents in attendance.
 - *Diversity Night* Resident Advisor Emily Biggs hosted this event with 8 residents in attendance.

In April of 2017, Oregon Tech participated in an active shooter drill on the Klamath Falls campus. Other participating agencies included the Klamath Falls Police Department, Oregon State Police, Klamath County Sheriff's Office, Kingsley Field military police, Klamath County fire District #1, Klamath County along with Sky Lakes Medical Center personnel and the Klamath County Emergency Management team and their volunteers. The drill concept actually formulated from a grant that Sky Lakes Medical Center was able to secure. Sky Lakes Medical Center security personnel worked with the Oregon Tech emergency management director along with the Klamath Falls police department to come up with the actual active shooter scenario. The scenario included Oregon Tech facilities and personnel.

Oregon Tech was able to test its Executive Policy group methodology along with the Incident Management Team working through the given plans of action. The Executive Policy group had also worked through an active shooter tabletop exercise weeks before the actual drill took place. There was much that was learned and experienced by the Oregon Tech team and others through this training opportunity.

Also: In December of 2016, Senior Campus Safety Patrol Officer Christopher Bowman participated in an active shooter scenario training and certification course at Western Oregon University in Monmouth, Oregon. After completing the two-day training, Officer Bowman became a certified trainer for the Alert, Lockdown, Inform, Counter and Evacuate (A.L.I.C.E.) concept for active shooter trainings, presentations and protocol. Through the Campus Safety department, Officer Bowman provides presentations and hands-on trainings during each academic term for anyone who wants to participate. Officer Bowman will also coordinate with individual instructors, managers and/or administrators and customize a training that would be specific to a work place or location at Oregon Tech. After participating in these presentations and scenario-based hands-on trainings, the response from faculty, staff and students has been overwhelmingly positive. The presentations are said to be eye-opening for those who participate along with giving attendees tools to use if an active shooter event were ever encountered no matter what the location.

Athletics:

The Athletics department requires its student athletes from freshman through senior classes to take on-line courses. The on-line courses are through "My Playbook" and guided by the NAIA in partnership with *Drug Free Sport*. The courses are designed to enhance awareness regarding drug and alcohol usage and performance/decision-making abilities, sexual assault awareness and prevention etc. Each year, athletes will be required to take a specific course that the NAIA prescribes and there are an additional five courses that are optional. Last year was the first year the program was offered to Oregon Tech athletes. The available courses include the following for Oregon Tech student athletes:

1. *NAIA rules and Performance-Enhancing Drug awareness Introduction* –performance-enhancing drugs
2. *Dietary supplements and Sports Nutrition*: Prescription and over-the-counter medications
3. *Life Skills*
4. *The Transition from college Athlete to Healthy Adult*

Other courses available:

- *Sexual Assault Awareness & Prevention*
- *Marijuana Impact on Athletic Performance*
- *Tobacco Impact on Athletic Performance*
- *Alcohol Impact on Athletic Performance*
- *Drug Prevention Expectations, Harm Prevention, Norms*

Student Athletes must take the courses in order and by class status (freshman, sophomore etc.). Please check out *My Playbook*'s website for more information at: <http://myplaybook.drugfreesport.com/>

Disability Services:

- **June:** A presentation was provided to TOP (Tech Opportunities Program) ACAD course. It included information on the effects of alcohol/drug use, what students can do to stay safe and how to prevent sexual assaults.

Programs and Available Training for Sexual Misconduct Awareness and Prevention

By the fall term of 2016, Oregon Tech will be instituting mandatory training programs for all employees and students. These programs will promote the prevention and awareness of the following sexual offenses:

- Rape and acquaintance rape
- Domestic violence
- Dating violence
- Sexual Assault
- Stalking
- Bystander intervention

The educational training programs will also include the recognition of signs of abusive behavior along with safe and positive options for bystander intervention an individual may take to prevent harm if/when intervening in risky

situations observed by the said bystander. Ongoing prevention and awareness campaigns for students and all employees will follow after the fall programs.

Campus Safety Programs and Trainings:

Annually, the Campus Safety department teams with other departments or members of the community to provide trainings to faculty, staff and students. Below are the trainings and times of the year that they are made available to the campus community:

- **September 2016-May 2017:** Active Shooter presentations for faculty, staff and students. These sessions were primarily presented by the Campus Safety training officer. This officer teamed up with Dean of Students and Campus Safety director on a few of the dates taught. The presentations use the model of "Shots Fired on Campus" and A.L.I.C.E. training standards for what-to-do if an active shooter is reported on campus. The options for shelter-in-place, flee the area if it is safe to do so or stay and fight are discussed and explained. Those that take part in the presentation will realize that they will have a direct part to play in their own safety and the safety of others. This presentation is given at different times to faculty, staff, residents, and off campus students through each academic year beginning in September.
- **September:** All Hall meetings for new residents. The information provided to the new students covers everything from the dangers of drug and alcohol issues, personal safety, self-defense, marijuana standards on campus, keeping your possessions safe, Residence Hall safety, what to do to report a crime/accident/incident.
- **September 2016-June 2017:** New student orientation table occupied by the Campus Safety training officer. Subject matter includes but is not limited to Campus Safety services, personal safety, how to report a crime/accident/incident, dangers of drug and alcohol use, and self-defense 5-7 times per academic year.
- **October 2016-May 2017:** *Self Defense* classes taught by Campus Safety for resident and off campus student training sessions 2-3 times per academic year. These sessions are available to residents and off campus students.
- **November:** *Safe Winter Driving* Students are presented with strategies on how to effectively drive during winter conditions. Students are taught how to more efficiently accelerate, brake and steer their vehicle given icy and snowy roadways.
- **January:** *General Safety* training: Oregon Tech ambassadors were given hands-on lessons in a presentation focused on their given positions on campus. The Campus Safety training officer presented ways to de-escalate irate or upset people they may come in contact with, what to do if they are in the middle of a campus tour and there is an emergency situation on campus including assisting those they are on tour with along with other pointers regarding safety and awareness.
- **March:** *Safe Spring Break:* Working with the Integrated Student Health Center, the Campus Safety training officer presented on ways to stay safe during spring break for college students. Special glasses/goggles were used to dramatize a simulated intoxicated person. Students donned the glasses and were given field sobriety tests by the training officer. Students were also given pamphlets describing the effects of driving or even functioning while impaired or intoxicated. Sobriety while driving and having fun during break as emphasized.
- **April:** During the National Sexual Assault Awareness Month, Campus Safety teams up with Campus Life, the Women's Resource Center and Student Affairs to take part in trainings and presentations with on and off campus presenters. These presentations consist of what to do if you are a survivor of a sexual assault, the process of reporting a sexual assault, how to connect with resources if you are sexually assaulted, the criminal process of initial reporting and court cases, surviving and thriving after an assault. The national Sexual Assault Awareness Month takes place annually in April.

Campus Safety also provides:

- **Crime Prevention/Safety Information:** Campus Safety Officers are available to assess potential safety problems or hazardous situations.
- **Parking Services:** Temporary parking permits, information, vehicle unlocks and "jump starts" for dead batteries.
- **Special Events Assistance:** Campus Safety Officers assist with crowd control, barricade set-up, traffic control, vehicle assistance and other activities.
- **"Night Ride" Program:** Officers are available to escort individuals on campus to vehicles, buildings or the Residence Halls.

- **Building Access:** Faculty and staff members without a key who need access to a building may request assistance after proper clearance or verification.
- **Student Auxiliary Safety Patrol:** SASP employees act as an additional level of safety for the campus. Patrols raise the visibility of Campus Safety and increase a security presence on campus.

Campus Safety and Klamath Falls Police Department

Oregon Tech and the Klamath Falls Police Department have a long history of coordination and cooperation in responding to crime on campus and areas adjacent to campus.

Campus Safety is generally considered the “first responder” to campus incidents. All uniformed officers are State of Oregon employees. Under ORS 164.205 (5), all officers are designated as “lawful persons in charge” with authorization to direct persons to leave the campus and initiate subsequent law-enforcement intervention for crime and university violations. Four of the Campus Safety officers currently employed have been commissioned by the state of Oregon with “stop and frisk” authorities and can make arrests while on shift and within the university boundaries and jurisdiction.

All Campus Safety officers are trained in first aid and CPR procedures. They conduct foot, bike and vehicular patrols of the university facilities 24 hours a day, seven days a week.

Klamath Falls Police Department is the “primary” law enforcement agency in the city of Klamath Falls. They have jurisdiction and will respond upon request to all crimes against the State of Oregon Revised Statutes (ORS). The Klamath County Sheriff’s Office and Oregon State Police will also respond to calls from campus.

Any major crime incidents on campus will generally be handled by or include the Klamath Falls Police Department in cooperation with Campus Safety personnel. As a general operating procedure, the Klamath Falls Police Department will conduct investigations upon requests from the Campus Safety department and make arrests as the responsible law-enforcement jurisdiction.

Crime Prevention and Education

Campus Safety, staff, faculty and students continually work together on personal safety and preparedness to assist others in time of need. This strategy works. Each individual is responsible for taking basic precautions such as walking in pairs at night or high-risk periods, locking office and car doors and securing personal valuables when unattended. Campus Safety is always available to meet with individuals, groups and clubs to discuss safety, crime-prevention methods and related issues.

Campus Safety actively supports crime prevention through a number of activities. Uniformed officers provide educational talks, workshops and information exchanges throughout the academic year.

Campus Safety personnel provide the following crime-prevention services:

- Daily incident and crime reports
- Crime information and data to local police agencies
- Resident Advisor support
- Orientation programming for new students

When campus crimes occur, Campus Safety will notify the campus community to educate and inform members as a crime deterrent. If you have information or questions, contact Campus Safety at 541.885.1111.

Reporting a Crime

In the event of a crime or emergency, contact Campus Safety at 541.885.0911. This number will reach the Campus Safety officer on campus. Dialing 911 will reach the Klamath County Dispatcher. One or more agencies will respond immediately.

In addition, you can report a crime to the following persons or offices:

- Vice President for Student Affairs/Dean of Students at 541.885.1011
- Administrative Director of Integrated Student Health at 541.885.1800
- Director of Residence Life at 541.885.1087

- Title IX Coordinator at 541.885.1847
- Chief Human Resources Director (Affirmative Action/Civil Rights/Chief Diversity Officer) at 541.885.1108
- Campus Safety general office line (non-emergency/minor crime) at 541.885.1111
- Director of Emergency Management at 541.885.1225
- Vice President of Finance and Administration at 541.885.1105

Building Access and Safety

Campus buildings are open Monday through Friday, 8 a.m. to 5 p.m. with access to buildings limited during evenings and weekends. Campus Safety officers will confirm campus buildings are being secured beginning at 5 p.m., except where evening classes meet. All buildings are locked after evening activity is completed.

Unauthorized entry to, or use of, the college facilities, including buildings and grounds, is prohibited. Building access for special use or use during non-business hours requires prior approval.

If you are working alone or will be in a building after normal work hours or on weekends, notify Campus Safety of your entry time and location. This is for your safety. ***Please report all strangers or suspicious activity in your building to Campus Safety immediately.***

Security of Campus Grounds

The university is strongly committed to campus safety and security. Parking lots, pedestrian walkways, high-traffic areas, buildings, exterior lighting and grounds are checked during routine patrols. Patrols occur often during daytime and evening shift times. Doors are secured each evening. Shrubs, trees and vegetation are trimmed regularly by Facility Services. Members of the campus community are encouraged to report all hazards, exterior-lighting deficiencies or grounds problems to Facilities Services at 541-885-1690.

Residence Hall Safety

Campus Safety officers routinely patrol the Residence Halls (RH), respond to requests and assist students as needed. Officers usually respond to calls within two to five minutes. RH public areas are accessible to residents and their guests. RH doors are locked at 11 pm. After that time, only persons with keys may enter the building. Late-entering residents should be certain that doors shut and lock behind them. Access is limited only to the extent that residents abide by established security procedures. Residents are asked to report suspicious person or circumstances.

Resident Advisors (RAs) make routine "rounds" and hall checks. An RA is "on call" at all times. Visitors and guests are to be escorted and "checked-in" pursuant to RH rules. Students should call their RA and/or Campus Safety at 541-885-0911 any time they need safety assistance or observe unusual circumstances.

Timely Warnings

The issuance of timely warnings on campus satisfies the Clery Act for the purposes of reporting an ongoing threat to the campus community. If there is a crime with an element of a continued threat to the safety of campus faculty, staff, students or visitors, a timely warning to the campus community will be communicated. The timely warning will be comprised of the initial crime, suspect description (if known), generic victim information where appropriate along with the time and location the crime took place. The timely warning will also include information regarding the continued or ongoing threat to the campus community's safety and precautions to take until the threat is removed or no longer considered a threat to campus.

The timely warning will originate from the Campus Safety department. The timely warning can also originate from office of the Vice President for Student Affairs or the Marketing & Communications department in cooperation with the Campus Safety department. The timely warning will be released through Oregon Tech student and employee e-mail accounts along with campus-wide notifications through Human Resources & Marketing and Communications offices on campus. Timely warnings can also be found on Oregon Tech's daily information page on Oregon Tech's web site known as Oregon Tech Connect. Updates to the Timely Warning will also be found on all of the same locations mentioned under this heading when new or updated information is confirmed and released.

Emergency Notifications

In October 2009, the Department of Education finalized the rules to the Higher Education Opportunity Act amendment that Congress passed in 2008. The changes affected many parts of the original act, but significant changes were put in place that impact emergency management and reporting. Institutions of higher learning must have mass notification plans and provide detailed reports to the Department of Education about campus security and fire safety. There are strict guidelines in place regarding what information must be included in these reports and how the institution should provide access to the reports to current and prospective students and employees.

OIT-Alert

The Oregon Institute of Technology Risk Management, Information Technology Services, Marketing & Communications and Campus Safety departments working in conjunction with selected administrative personnel have implemented the OIT-Alert system to alert the on-campus and off-campus community to an emergency situation.

It is our hope that this information will insure and assist in having the best experience possible with the university as a student, faculty member, staff member or visitor. It is our mission to assist the campus community in providing a safe and secure environment in pursuing educational or work experiences.

The OIT-Alert notification system enables the university to contact the Oregon Tech community in the event of an emergency by sending messages to preferred electronic devices. These devices include:

- Cell Phone
- E-mail
- Phone (land line)
- SMS (text messaging)

OIT-Alert *is not* used to send non-emergency, routine or spam messages.

How OIT-Alert Works

We are committed to providing a safe learning environment for its students, faculty, staff and administrators. With this commitment comes a responsibility to notify the campus community of emergency situations if they arise on Oregon Tech campuses. OIT-Alert fulfills this commitment with emergency information available to the campus community and by providing emergency information and notification to a large scale of persons on campus and the larger outlying community. OIT-Alert will provide emergency information without delay to the campus community and beyond once an emergency situation or threat is confirmed and the appropriate officials on campus are notified for purposes of emergency response and possible evacuations.

In the event that Oregon Tech receives a confirmed significant emergency or dangerous situation involving an immediate threat at or near an Oregon Tech campus, an Oregon Tech official that is recognized as an emergency information provider will confirm the given emergency through other emergency channels on or off campus. These "other channels" may include but not be limited to Oregon Tech's Chief Information Officer, Risk Management Director, Campus Safety Director, Vice President, Public Information Representative or from legitimate off-campus emergency response and/or law enforcement agencies. Once the emergency is confirmed and the scope of the emergency is determined (campus-wide, section of campus one building etc.), the emergency information officer will enter the alert on Oregon Tech's alert network server, Everbridge. The Everbridge mass notification system will automatically send the alert message to various relay points of delivery to be dispersed to those persons that have signed up and/or updated their emergency information on the OIT-Alert system. The alert is then delivered to landlines, cellular phones and through e-mail accounts.

In the event that an on-going emergency at or near the Oregon Tech campus has follow-up information to be disseminated, the same process will be used to update the emergency alert information through OIT-Alert. Reasons for an updated OIT-Alert message would include but not be limited to further detailed information on the emergency, changes in location of the emergency, the emergency being deemed contained, concluded or no longer a threat.

In the event of an emergency, primary phone numbers and Oregon Tech e-mail accounts will be used for contact. Add a cell phone, a secondary e-mail address or an alternate phone to update personal profiles. Information for parents, spouses or friends to contact in case of a campus emergency can also be added to a personal profile.

How OIT-Alert will be used

Situations for which OIT-Alert will be used (but not limited to):

- Campus Closings
- Building emergencies
- Potential life-threatening situations on campus
- Extreme weather conditions
- Activation of Emergency Response teams

Types of messages to be sent by OIT-Alert

Depending on the device of choice, a sample message will appear similar to this:

"OIT-Alert - Fire in Owens Hall. If you are in Owens Hall, evacuate immediately. If you are not in Owens Hall, avoid the area. Visit www.oit.edu and check e-mails for details."

You can be sure that an emergency message is genuine by the following sender identification:

Phone: 541.885.1000

E-mail: OIT Alert (do not reply)

OIT-Alert was established and initially tested on November 17, 2009. More tests of this emergency notification system are coordinated to occur at least two times through each subsequent academic year.

Persons with updated profiles will be notified of the testing via their electronic device of choice described in the text. The audible or electronic message will clearly state that a test message has been transmitted. For more detailed and updated OIT-Alert information, please visit <http://www.oit.edu/oit-alert>.

Evacuation Drills and Procedures

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of fire or other emergency. At Oregon Tech, evacuation drills are used as a way to educate and train occupants on fire safety issues specific to their building. During an active drill, occupants 'practice' drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm. In addition to evacuations procedures during the drills, the process also provides Oregon Tech with an opportunity to test the operation of the fire alarm system components.

Missing Student Notification Policies & Procedures

In accordance with the Higher Education Opportunity Act of 2008, Oregon Tech has established procedures for missing student notification and campus response. This procedure outlines the process campus officials will follow in response to a report of a missing student from on campus housing (residence halls) locations.

Missing students should be reported to Housing staff. Missing students can also be reported to the Vice President for Student Affairs, Athletics Director or the Student Health staff. Any university official who receives a report that a student is missing shall immediately contact the Campus Safety Department. If the student lives in on-campus housing, the Campus Safety Department will open an official investigation and retain status as the primary response unit. A welfare check of the student's on-campus residence will be made. If the student lives off campus, the appropriate law enforcement agencies will be contacted. All reasonable efforts will be made to locate the student to determine his or her status and well-being.

Oregon Tech Housing and Residence Life maintain emergency contact information for each student that lives in on-campus housing. Beginning September 2009, each student that lives in on-campus housing has the option to identify a contact person or persons whom the university will notify if the student is determined to be missing for a 24 hour period. As with all emergency contact information it will remain confidential, be accessible only to authorized campus officials and law enforcement and will not be disclosed outside of a missing student investigation. It is the Campus Safety Department that will be responsible for determining that a student is missing. Once determined missing for 24 hours, Oregon Tech will notify the designated contact person within 24 hours. If the student is under 18 years of age and is not emancipated, the student's custodial parent or guardian will also be notified within 24 hours. The appropriate law enforcement agencies will be contacted within 24 hours of the

determination that the student is missing. This notification will be made even if the student has not registered a contact person.

Standards of Conduct

Disciplinary sanctions as serious as suspension or expulsion from the university or eviction from university housing may be imposed against any students found guilty of committing, attempting to commit or intentionally assisting in any of the offenses listed in the Student Conduct Code and the Housing contract.

Prohibited Conduct

The following list describes actions that detract from the effectiveness of a University community and/or which students are subject to disciplinary action. All violations below are also prohibited off-campus and may be adjudicated by the University when the behavior potentially jeopardizes the individuals or community's safety or educational opportunities. The Student Code of Conduct in its entirety can be found at:

<http://www.oit.edu/docs/default-source/Student-Affairs/student-handbook/student-conduct-code.pdf?sfvrsn=6>

Prohibited conduct includes, but is not limited to, the following violations for the purposes of the Clery Act and FAWA:

- **Attempts and Complicity:** Attempts to or encouraging others to commit acts prohibited by this code will be sanctioned to the same extent as if one had committed the prohibited act. Apathy or acquiescence in the presence of prohibited conduct may constitute a violation of this policy and may constitute a violation of the policy that prohibits the conduct or behavior.
- **Interfering with Discipline Process:** Interfering with discipline procedures or outcomes, including but not limited to: falsification, distortion or misrepresentation of information before a hearing officer or hearing panel; knowingly initiating a complaint without cause; harassment or intimidation of any member of a hearing panel, witness(es), or University personnel before, during or after a proceeding; failure to comply with the sanction(s) imposed by either a hearing officer or hearing panel.
- **Weapons:** Possessing, using, or storing firearms, explosives (including firecrackers), weapons or dangerous chemicals or other materials on University property or in the course of any University activity, except as specifically authorized under applicable state law. This includes, but is not limited to BB guns, paintball guns, knives, swords, handguns, rifles, or any type of firearm or weapon. See Oregon Tech Policy and Procedures (policy OIT-50-010) for more information.
- **False Reporting:** False reporting of a bomb, fire or other emergency.
- **Disorderly Conduct:** Disorderly conduct is behavior that is disorderly, lewd, indecent, or a breach of peace on University property or at University-sponsored activities. Examples include any nonconsensual photography, video or audio recording of another person on University premises when such recording causes or is likely to cause injury or distress. This conduct would be a violation off-campus if it interfered with an individual's educational opportunities.
- **Drug Policy:** Illegal use, possession, sale, distribution, cultivation or manufacture of any state or federally controlled drug, substance or paraphernalia. Inhaling or ingesting any substances (e.g., nitrous oxide, glue, paint, etc.) that will alter a student's mental state is also prohibited. **Marijuana:** Possession (in any form) and consumption, including but not limited to smoking, eating, or oils, is prohibited by federal law. Although Oregon has legalized marijuana for medicinal use and recreational use (for individuals 21 years of age or older), it is prohibited on the Oregon Tech campus because marijuana is not legal under federal law and the University is required to comply with federal law. Possession/consumption by individuals under 21 will be subject to the campus conduct process as well as law enforcement actions; violations by individuals over 21 will be subject to the campus conduct process.
- **Alcohol Policy:** Consumption, possession, distribution, sale and the serving of alcoholic beverages on university premises (including residence halls) or at university-sponsored activities regardless of age, except as expressly permitted by University policy is prohibited. Public intoxication, driving under the influence of alcohol, actual physical control of a vehicle while under the influence of alcohol, providing alcohol to minors, permitting any individual under 21 years of age to possess or consume alcohol, transporting an open container of alcohol, driving while impaired, incapacitation, possession or use of a fake ID, or being underage in possession of alcohol on or off campus are also violations of this policy. Students are expected to know and abide by all applicable laws regarding the consumption of alcoholic beverages. Exceptions to this policy permit the possession or consumption of alcoholic beverages by residents and invited guests within the interior living spaces of specific

residence hall rooms and apartments only if all residents of the room or apartment and invited guests are of legal drinking age (See Housing and Residence Life policies online at www.oit.edu/housing for information about alcohol policies in buildings where alcohol is permitted). Lawful and responsible alcohol consumption is permitted for special events with approval per the campus alcohol policy (OIT-30-031).

- **Physical Violence and Threats of Physical Violence:** Physical violence of any nature against any person, on or off campus and threats of physical violence. This includes fighting; assault; battery; the use of a knife, gun, or other weapon; physical abuse; restraining or transporting someone against his/her will; suicidal or self-harming behavior; or any action that threatens to harm or endangers the physical health or safety of any person or causes reasonable apprehension of such harm. The University will strongly recommend suspension or expulsion for students found responsible for this charge when harm or injury occurs.
- **Sexual Misconduct:** Sexual misconduct is a broad term encompassing any nonconsensual contact of a sexual nature. Sexual misconduct may vary in its severity and consists of a range of behavior or attempted behavior including but not limited to the following examples of prohibited conduct:
 - a. **Unwelcome sexual touching/exposure** The touch of an unwilling or non-consensual person's intimate parts (such as genitalia, groin, breast, buttocks, mouth, or clothing covering same); touching an unwilling person with one's own intimate parts; or forcing an unwilling person to touch another's intimate parts. This also includes indecent exposure and voyeurism.
 - b. **Non-consensual sexual assault** Unwilling or non-consensual penetration of any bodily opening with any object or body part. This includes, but is not limited to, penetration of a bodily opening without effective consent (including when an individual is intoxicated and unable to provide sober/sound consent) through the use of coercion.
 - c. **Forced sexual assault** Unwilling or non-consensual penetration of any bodily opening with any object or body part that is committed either by force, threat, intimidation or through exploitation of another's mental or physical condition (such as lack of consciousness, incapacitation due to drugs or alcohol, age or disability) of which the assailant was aware or should have been aware.
- **Effective consent** is informed, voluntarily given, mutually understandable words that affirm a willingness to participate in mutually agreed upon sexual activity. Initiators of sexual activity are responsible for obtaining effective consent. Silence or passivity is not effective consent. The use of intimidation, coercion, threats, force, or violence negates any consent obtained. Consent is not effective if obtained from an individual who is incapable of giving consent due to lack of consciousness, age, disability, or incapacitated due to drugs or alcohol.
- **Sexual Harassment:** Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct or communication of a sexual nature when:
 - a. Submission to or rejection of such conduct or communication is a term or condition of educational benefits, employment, academic evaluations or opportunities;
 - b. Submission to such conduct or communication has the purpose or effect of substantially interfering with a student's education; or
 - c. Such conduct is sufficiently severe or pervasive as to have the effect of creating an intimidating, hostile or offensive educational environment or negatively affecting a student's educational opportunities. For more information, refer to policy OIT-21-325.
- **Stalking:** Stalking includes, but is not limited to, the persistent, severe or pervasive harassment of another person in a manner that would cause a reasonable person to feel frightened (for his/her safety or the safety of others), intimidated, threatened, harassed or molested, or suffer substantial emotional distress. This may include repeatedly contacting another person (through any means, such as in person, by phone, electronic means, text messaging, social media, etc.), following another person, or having others contact another person on your behalf.
- **Dating Violence:** Dating violence is committed by a person who is or has been in a social relationship of a romantic or intimate nature with another person. The existence of such relationship shall be determined based on a consideration of the following factors:
 - Length of the relationship
 - The type of relationship
 - The frequency of interaction between the persons involved in the relationship
- **Domestic Violence:** Domestic violence is a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner. Domestic violence can be physical, sexual, emotional, economic or psychological actions or threats of actions that influence another person.
- **Discrimination:** Discrimination on the basis of gender, race, age, status as a veteran, sexual orientation, national

- origin, religion or qualified disability is prohibited.
- **Retaliation:** The University will not tolerate retaliation against a person who, acting in good faith, brings a complaint forward. Retaliation against an individual who has brought a complaint forward, or against an individual who has participated in an investigation, is prohibited.
- **Disruption or Obstruction:** Disruption or obstruction of normal University or University-sponsored or -hosted activities, including, but not limited to: studying, teaching, research, University administration or fire, police or emergency services on University premises or at officially arranged University activities off campus.
- **Failure to Comply:** Failure to comply with the lawful directions of any University employee acting within the scope of their official duties or failure to identify oneself to such a person when requested to do so.
- **Classroom Disruption:** Classroom disruption is behavior that a reasonable person would view as substantially or repeatedly interfering with the instructor's ability to teach the class or the ability of other students to benefit from the instructional program.
- **Theft:** Theft, attempted theft or unauthorized possession of property belonging to the University or others on University property.
- **Property Damage:** Defacement, damage or destruction of property belonging to the University or others on University property.
- **Fire Safety:** Misuse or unauthorized use (including tampering) of firefighting, fire sprinkling systems and other safety equipment or warning devices, and failure to evacuate when a fire alarm is activated.
- **Unauthorized Entry:** Unauthorized entry into, or use of, any University building, facility, vehicle, equipment room or area. This includes unauthorized possession or use of University keys, computers, lock combinations or other special access codes or passwords.
- **Threats and Bullying:** Persistent, severe or pervasive verbal abuse, threats, intimidation, harassment, coercion, bullying or other conduct that threatens or endangers the mental or physical health/safety of any person or causes reasonable apprehension of such harm.
- **Hazing:** Hazing is any action or activity that causes or intends to cause physical or mental discomfort or distress, that may demean, degrade or disgrace any person, regardless of location, intent or consent of participants, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization (on or off campus). Apathy or acquiescence in the presence of hazing are not neutral acts; they are violations of this rule. (State law classifies hazing as a crime.) The University will strongly recommend suspension for students found responsible for hazing when harm/injury occurs. Examples include, but are not limited to:
 - a. Sleep deprivation or causing extreme fatigue
 - b. Physical or psychological shock;
 - c. Public stunts or jokes;
 - d. Compelled ingestion of any substance, including water
 - e. Degrading or humiliating games or activities;
 - f. Forced servitude.
- **Harassment:** Harassment means
 - a. Intentionally subjecting a person to offensive physical contact;
 - b. Unreasonable insults, gestures, or abusive words, in the immediate presence, and directed to, another person that may reasonably cause emotional distress or provoke a violent response (including but not limited to electronic mail, social media, conventional mail and telephone) except to the extent such insults, gestures or abusive words are protected expression; or
 - c. Other types of prohibited discrimination, discriminatory harassment, and sexual harassment, as defined by law.

Disciplinary Responsibility

The responsibility for the campus discipline system is delegated from the State Board of Higher Education to the Vice President for Student Affairs through the president. The Vice President for Student Affairs further delegates authority for student conduct to the Dean of Students, Housing and Residence Life, and designated hearing officers. A hearing officer is a University employee who is an officially designated administrator, faculty member, or staff member. The goal is to resolve cases closest to the point of infraction for maximum educational benefit.

A. Disciplinary Process

The following information is provided to inform students of the procedures in place at Oregon Tech for resolving alleged violations of University regulations. The procedures are designed to allow for fact-finding and decision-making in the

context of the Oregon Tech educational community. The objective is to provide procedures that balance the rights of the individual with the legitimate interests of the University and community.

A.1 Complaints

1. Any member of the University community (faculty, staff or student) or any person who is unaffiliated with the University who has knowledge of an alleged violation of the Code of Conduct may file a complaint against a student alleging that a violation of the Code of Conduct has occurred. The University may itself initiate a complaint.
2. Such complaint shall be filed with Office of Student Affairs as soon as possible but typically within 180 calendar days (not University business days) of the alleged violation. A later complaint may be accepted with the approval of the Vice President for Student Affairs, the Dean of Students, or designee.
3. The complaint must be submitted in writing and signed by the complainant(s), or submitted via approved online form and electronically signed by appropriate technical method, and must include the date, time, place, name(s) of person(s) involved (e.g., the accused, witnesses) and sufficient detail to make a determination of whether disciplinary action may be warranted.
4. Complaints may be initiated for incidents where concurrent criminal charges are pending. The University reserves the right to adjudicate incidents without regard to either pending civil litigation or criminal prosecution. University disciplinary proceedings may proceed before, during or after court proceedings.

A.2 Evidentiary Standards

Formal rules of procedure and evidence typically found in a court of law do not apply to disciplinary matters. In order for a student to be found responsible, the evidence must support a determination that it is "more likely true than not" (known as the "preponderance of the evidence standard") that a violation of the Code of Conduct occurred. Except, however, to impose the sanction of expulsion, the alleged violation of the Code of Conduct must be proven by "clear and convincing evidence", which requires proof that it is substantially more likely true than not that the alleged violation occurred. Hearsay evidence and personal testimony may be considered but will be weighed accordingly.

A.3 Disposition of Charges

The University disciplinary process is administered through Office of Student Affairs and is described here. Alleged violations of University regulations where neither disciplinary suspension nor disciplinary expulsion are a possibility are normally resolved through an Administrative Hearing process with a University hearing officer. Alleged violations of University regulations where disciplinary suspension or disciplinary expulsion are a possibility may be resolved through the Student Hearing Commission. Allegations where a one-on-one meeting between the hearing officer and the respondent would be the most effective way to establish the facts of the case are typically referred for an Administrative Hearing. Allegations that are complex, sensitive, require a number of witnesses or involve an alleged victim are often referred to the Student Hearing Commission. The Vice President for Student Affairs, the Dean of Students, or designee will assign the type of hearing after reviewing the initial complaint. A respondent or complainant in a case assigned to an Administrative Hearing may request that their case be resolved at the Student Hearing Commission. Such a request must be made before the scheduled Administrative Hearing. The request must be in writing and explain the perceived benefit of the Student Hearing Commission. The Vice President for Student Affairs or Dean of Students will review such requests and make a final determination as to the type of hearing.

A.4. Victim Amnesty

While the University does not condone underage drinking or violation of other college policies, it considers reporting assaults to be of paramount importance, and will therefore extend limited immunity to victims in order to foster reporting and adjudication of sexual assaults on campus.

B. Student Rights in Conduct Proceedings

The University considers the disciplinary process to be an educational opportunity for the student that can promote growth in personal understanding of one's role as a member of an educational community and a better understanding of one's rights, responsibilities and privileges therein. During a disciplinary hearing process, both the respondent and the complainant have the rights to:

1. A written notice of the alleged violation(s)
2. An explanation of the student conduct process upon request
3. Have no code violation assumed until proven
4. A timely hearing
5. Be accompanied by an adviser during the hearing. The adviser is limited to advising the student and may not present the case, question relevant participants or make statements during the proceedings to participants other than the student they are advising
6. Have access to the information, statements and other evidence to be presented at the hearing in advance of the hearing. The university retains discretion with regard to the time, place and manner in which access to such

- information is permitted.
7. Be present during the entire hearing, except during deliberation
8. The accused has the right to question his/her accuser, either directly or indirectly, at the discretion of the hearing officer or hearing panel chair; the complainant has the right to question the accused either directly or indirectly, at the discretion of the hearing officer or hearing panel chair
9. Question witnesses, either directly or indirectly, at the discretion of the hearing officer or hearing panel chair
10. Present material witnesses (those with firsthand knowledge of the incident). The respondent and complainant are responsible for contacting and arranging for the attendance of their own witnesses in all cases
11. The respondent has the right to a written notification of the outcome of the hearing; the complainant has the right to receive written notification of the outcome of the hearing when permitted by law
12. An avenue for appeal from an Administrative Hearing, a Student Hearing Commission hearing, or a grievance hearing.

C. Administrative Hearing

1. Upon determining that sufficient evidence exists to believe that a violation of the Code of Conduct may have occurred, the Vice President for Student Affairs, the Dean of Students, or other hearing officer with jurisdiction will notify the student in writing of the alleged violations against him/her. The written notice will be delivered by one of the following methods: (1) hand delivery to the student, (2) sent electronically to the student's institutional email address, or (3) sent by U.S. mail to the student's last known address as filed in the Registrar's Office. Students are responsible for providing and maintaining a current local address with the Registrar's Office.
2. At the Administrative Hearing, the student will be provided with the following:
 - a. An explanation of the alleged violations of University policy;
 - b. A summary of the facts and information that substantiate the allegations;
 - c. The opportunity to reflect upon and respond with his/her account of the incident or circumstances pertaining to the allegation(s);
3. An explanation of the decision of the hearing officer that may result in the following:
 - a. The allegation(s) may be dismissed as unfounded;
 - b. The student may admit responsibility for the violation(s) and have a sanction imposed;
 - c. The student may be found responsible for violating the Code of Conduct and have a sanction imposed.
4. Any sanction, except disciplinary suspension, deferred suspension, and disciplinary expulsion may be imposed.
5. Decisions reached at an Administrative Hearing shall be final with no right to appeal or request other proceedings.
6. Failure to respond to a written allegation of charges or failure to complete the assigned sanction(s) will result in either a hold being placed on the student's enrollment privileges or graduation, the filing of additional charges, or a decision being made based on the information available at the time.

D. Student Hearing Commission

Hearing procedures are provided for allegations against an individual or group where suspension or expulsion from the University are possible if they are found responsible, and for grievances. An Administrative Hearing will be conducted in these cases when the individual or group admits responsibility for the Code of Conduct violation(s). A hearing before the Student Hearing Commission is available for cases where suspension or expulsion is possible and the individual or group denies responsibility for a Code of Conduct violation, or there are disagreements pertaining to the facts of the case. A hearing before the Student Hearing Commission may not be available during dead week, final examinations, breaks, Summer Term, or other periods when a timely hearing is not possible.

1. The Student Hearing Commission is comprised of a minimum of eight faculty appointed by the president; and three students appointed by student government, and the Dean of Students (ex-officio member)
2. A quorum is at least five members (one of which must be a student) is needed in order to hold the hearing.
3. The Dean of Students, or designee, will be present as a non-voting participant. His/her role will be to facilitate dialogue between the hearing panel and the students involved, direct the attention of the parties to relevant points, act as an adviser to the hearing panel and answer procedural questions as needed.
4. If an attorney accompanies the charged student or the complainant at the hearing, the University may also elect to have an attorney present. The University's attorney shall serve as a non-voting observer and adviser to the hearing panel. Any adviser, including an attorney, is limited to advising the student, as noted elsewhere in this document.
5. In cases of sexual harassment and sexual misconduct, the Title IX investigator will present an investigation report as part of the hearing proceedings. The investigator will present the report and answer questions. The role of the investigator is to serve as an unbiased party conducting a thorough investigation of all allegations of

sexual harassment or sexual misconduct. The investigation report is a compilation of facts, not a verbatim report, and is not appealable or rebuttable.

E.1 Pre-Hearing Procedures

1. Student Hearing Commission members will be asked for their availability to participate in an upcoming hearing.
2. Office of Student Affairs will prepare and send a written notice to the charged student or group and the complainant at least five University working days before the hearing. If expulsion is a possibility, ten University working days' notice is required. The written notice will be delivered by one of the following methods: (1) hand delivery to the student, (2) sent electronically to the student's institutional email address, or (3) sent by U.S. mail to the student's last known address as filed in the Registrar's Office. Students are responsible for providing and maintaining a current local address with the Registrar's Office. The notice will include:
 - a. The date, time, place and nature of the hearing;
 - b. Reference to the sections of the Code of Conduct involved;
 - c. A brief explanation of the alleged violation including the approximate date, time and place where the alleged violation occurred;
 - d. Names of witnesses, if known;
 - e. Acts alleged to constitute a violation;
 - f. Whether the student may face expulsion for the violation;
 - g. An explanation of the right to be accompanied by an adviser, including that the adviser's role is to advise and support the student. The adviser may not present the case, question relevant parties, or make statements during the proceedings. The student must notify Office of Student Affairs two University working days in advance of the hearing if he or she will be accompanied by an attorney. In such cases, the University may elect to have an attorney in attendance.
3. The Dean of students, or designee, will be available to meet with the complainant and the respondent, separately or together, to discuss and explain the hearing procedures and answer questions.

E.2 Three University Working Days in Advance of the Hearing

1. No less than three University working days in advance of the hearing, the charged student and the complainant will each provide to the Office of Student Affairs copies of documentary evidence to be presented at the hearing and the names of witnesses who will be called. It is the responsibility of the each student to notify witnesses of the date, time and location of the hearing and to enlist their witnesses' cooperation and willingness to attend the hearing.
2. No less than three University working days in advance of the hearing, the charged student and the complainant will have the right to have access to documentary evidence to be presented at the hearing, by prior appointment.

E.3 Hearing Process

1. The purpose of the hearing is to attempt to provide a forum where all the evidence and testimony can be presented, where questions can be asked of all parties, and where the hearing panel can deliberate and decide by a preponderance of the evidence (meaning that it is "more likely true than not") that a violation of the Code of Conduct did or did not occur. Except however, to impose the sanction of expulsion, the standard of proof at the hearing for imposition of that sanction shall be "clear and convincing" evidence ("substantially more likely true than not"). Formal rules of process, procedure and technical rules of evidence, such as those applied in criminal or civil court, are not used in student conduct proceedings. Deviations from prescribed procedures will not necessarily invalidate a decision or proceeding unless significant prejudice to the student or the University may result.
2. If the hearing panel concludes that a violation did occur, the panel decides what disciplinary action is appropriate.
3. To protect the privacy of all parties and in accordance with FERPA (Family Educational Rights and Privacy Act), hearings will be closed.
4. Both sides have the right to present witnesses, who will be subject to questioning by the hearing panel. Questioning by the complainant or the accused is permitted at the discretion of the hearing panel so long as it is not threatening or harassing.
5. In the case of sexual misconduct, the hearing panel may, in its discretion, exclude evidence of the victim's past sexual history from discussion during the hearing. The past sexual history of the victim with persons other than the alleged perpetrator is irrelevant.
6. If the accused is found responsible for violating the Code of Conduct, then in those cases involving a victim, that victim may submit an impact statement.

7. If the charged student elects not to appear for the hearing, the hearing will be held in his/her absence. Failure to appear will be noted without prejudice. Findings will be based on information presented at the hearing.
 8. Material witnesses will be present during the introductory comments of the hearing, including the honesty statement*, at which point they will be excused until time to give their testimony. Witnesses will be excused upon completion of testimony and questioning, but they may be asked to remain available for recall. The complainant and respondent remain throughout the hearing.
 9. At the conclusion of the hearing, all parties will be dismissed except for the hearing panel so they may deliberate and reach a decision.
 10. A student's past disciplinary record will be revealed to the hearing panel only if the accused is found responsible for the violation of the Code of Conduct under consideration. If the student raises the issue of past behavior during the hearing, the issue is then open to discussion.
 11. The order of presentation at the hearing will be as follows:
 - a. Purpose of the hearing provided by the chair of the hearing panel.
 - b. The complainant may present an opening statement.
 - c. The responding student may present an opening statement.
 - d. The Title IX investigator will present the investigation report and answer related questions in cases of sexual misconduct.
 - e. The complainant will present evidence and call witnesses.
 - f. The responding student will present evidence and call witnesses.
 - g. At the conclusion of each witness statement, the witness may be questioned by the hearing panel, the representative from the Office of Student Affairs, the accused student either directly or indirectly, and the complainant, either directly or indirectly.
 - h. The complainant may make a closing statement.
 - i. The responding student may make a closing statement.
 - j. All parties are dismissed for hearing panel deliberation.
 12. The hearing may accommodate concerns for the personal safety, well-being or fears of confronting the complainant, accused student, or other witnesses. Procedures or the hearing environment may be modified as determined in the sole judgment of the Vice President for Student Affairs, or designee, to be appropriate.
- *Honesty statement: The University expects that all information presented will be truthful and accurate. If false information is willfully provided, a student will be in violation of Section III of the Code of Conduct and may be subject to disciplinary action.

E.4 Hearing Panel Deliberations and Decision

1. The hearing panel will deliberate and, by majority vote, find whether or not a violation(s) of the Code of Conduct as charged has been proven by the evidence presented.
 - a. The panel may find that the evidence was not sufficient to establish that a violation of the Code of Conduct, as charged, was committed and dismiss the case.
 - b. The panel may find that the evidence submitted was sufficient to affirm the charges and impose a sanction commensurate with the offense.
 - i. In order to affirm a charge and impose a sanction of expulsion, the panel must find that there was clear and convincing evidence (i.e., substantially more likely true than not) that the violation occurred.
 - ii. In all other cases, in order to affirm a charge and impose a sanction, the panel must find that a violation occurred by a preponderance of the evidence (i.e., more likely true than not).
2. The hearing panel decision will be communicated in writing to Office of Student Affairs, which will notify the respondent, and if appropriate, the complainant in writing within two business days. The notification letter will include findings of fact, sanction(s) imposed (if any) and the rationale for the decision. The notification letter will be delivered by one of the following methods: (1) hand delivery to the student, (2) sent electronically to the student's institutional email address, or (3) sent by U.S. mail to the student's last known address as filed in the Registrar's Office. Students are responsible for providing and maintaining a current local address with the Registrar's Office. The notification letter may also be picked up in the Office of Student Affairs within two working days of the hearing. In compliance with Department of Education requirements in cases of sexual violence or physical violence, the complainant will be notified of the outcome at the same time as the respondent. In other violations, the complainant will not be notified of the outcome.

Victim Notification

In cases involving allegations that a crime of violence or non-forcible sex offenses, victims are entitled to know the results of any disciplinary proceedings. Both the accused and complainant will be notified in writing of the results of any hearing.

involving such allegations. Victims of a crime of violence, sexual assault, non-forcible sex offense, or stalking will be provided with notification in writing of the final outcome of the disciplinary hearing, including the sanctions imposed against the alleged perpetrator. Victims of sexual harassment will be provided with notification in writing of the final outcome of the disciplinary hearing, including those sanctions that directly relate to the harassed student (e.g., no contact order, suspension, expulsion, etc.).

Appeal Procedure

An appeal is a review of the record of the original hearing, not a new hearing. It serves as a procedural safeguard for the student. The burden of proof is on the appellant, who must show that one or more of the listed grounds for appeal has merit. A student or group will not appear before the review panel unless specifically requested to do so by the panel.

Appeal of Decisions Reached Through Hearing Proceedings

Any outcome decided by the Student Hearing Commission may be appealed to the University president by either the respondent or the complainant.

1. Students will be asked for their current address at the original hearing. A letter containing the hearing panel's decision will be mailed to this address by certified mail, delivered in person or sent electronically to the institutional email address within two working days following the hearing. Students may also pick up a copy of the decision at the Office of Student Affairs. Appeals must be submitted in writing to Office of Student Affairs by 5 p.m. within seven University working days of the original hearing. Failure to file an appeal within the prescribed time constitutes a waiver of any right to an appeal.
2. The appeal must cite at least one of the following Appeals Criteria as the reason for appeal and provide supporting argument(s) as to why an appeal should be granted on these grounds.
Appeals grounds include the following:
 - a. The hearing was not conducted in conformity with prescribed procedures, and substantial prejudice to the complaint or the respondent resulted;
 - b. The evidence presented at the previous hearing does not support the finding that was made; that is, whether there were facts in the case that, if believed by the fact finder, were sufficient to support the Panel's findings;
 - c. New evidence that could substantially affect the outcome of the previous hearing has been discovered since that hearing. The evidence must not have been available at the time of the original hearing. Failure to present evidence that was available is not grounds for an appeal under this provision;
 - d. The sanction is not appropriate for the violation. This provision is intended to be utilized when a determined sanction is inherently inconsistent with University procedures. Simple dissatisfaction with a sanction is not grounds for overturning a sanction under this provision.
3. The president will review the record of the original hearing, including documentary evidence, and issue a finding as to the merits of the criteria cited as the reason for appeal.
 - a. If the appeals panel finds there is no merit to any of the grounds appealed, it will issue a finding as such.
 - b. If the appeals panel is presented with new evidence that could not have been presented at the original hearing, the matter may be remanded to the original hearing panel for a rehearing.
 - c. If the sanction is determined to be inappropriate for the violation, the appeals panel may recommend the sanction be modified by the vice president for student affairs and state the reasons for that recommendation.
4. If the president finds there is no merit to any of the submitted grounds for appeal, that decision shall be final. The final decision will be communicated in writing by Office of the President or the Office of Student Affairs to the complainant and the respondent. The decision will normally be communicated within ten University working days of receiving the written recommendation, but it may take longer during University recesses, in a complex case, or other reasonable circumstances.
5. If the president recommends modifying the outcome or the sanction, the final decision will be communicated in writing by the vice president for student affairs to the complainant and the respondent. The decision will normally be communicated within ten University working days of receiving the written recommendation, but it may take longer during University recesses, in a complex case, or other reasonable circumstances. The decision of the University president shall be final.

Other University Policies

Drug Free School and Workplace Programs

Oregon Tech complies with the provisions of the federal Drug Free Workplace Act of 1989 and the Drug Free School and Communities Act Amendments of 1990. University policies adopted to implement these federal requirements provide for the possibility of serious disciplinary action in the event of alcohol abuse or illicit drug use on campus or in connection with University functions, or for mandatory referral to approved rehabilitation, assistance programs. Copies of the University's policy statements are available online at www.oit.edu/hr (policy OIT-30-034).

Admission Clearances for Potential Students Convicted of a Felony or Suspended from an Institution

The Office of Admissions forward applications for admission to the Office of Student Affairs when potential students have been convicted of a felony or suspended from an institution. These potential students require a clearance for further admission consideration and must provide additional information as requested to Office of Student Affairs. Students may be granted provisional admission with conditions to meet in order to be fully admitted to the University. The final decision regarding admission rests with the Office of Admissions using normal academic criteria. Oregon Tech typically upholds current suspensions from other institutions.

Readmission Requirements for Students Suspended for Disciplinary Reasons

Students who have been suspended from Oregon Tech for disciplinary reasons will be required to receive a clearance from Office of Student Affairs before they will be readmitted. The Office of Admissions will forward such applications to Office of Student Affairs for review and additional information may be requested. Students may be provisionally cleared for readmission consideration with or without special conditions.

Notice of Nondiscrimination

Oregon Institute of Technology does not discriminate on the basis of race, color, ethnicity, national origin, gender, disability, age, religion, marital status, sexual orientation or gender identity in its programs and activities. The following person is designated to handle inquiries and complaints regarding this non-discrimination policy: Suzette Yaezenko Affirmative Action Officer, Oregon Tech, 3201 Campus Dr., Klamath Falls, OR 97601-8801; 541.885.1108; Fax 541.851.5200; e-mail: suzette.yaezenko@oit.edu. Hard copies of policies may be requested through the Office of Student Affairs in 217 College Union.

Alcohol and Drug Policy

Oregon Tech participates in the "Drug Free Schools and Community Act" (Public Law 101-226, Sec. 22) and is committed to providing an environment that maximizes the potential for a drug- and alcohol-free lifestyle. Possession, consumption or furnishing alcoholic beverages on campus is prohibited, except in designated "Over 21 Wings" of the Residence Halls (including the Sustainable Village and on special sanctioned occasions in the College Union).

The use, possession, sale, giving or exchanging of illegal drugs or controlled substances is prohibited on campus by state law and university policy. Persons violating these prohibitions are subject to discipline and corrective intervention by the university, including possible suspension, expulsion and filing of criminal charges. Health risks associated with misuse and abuse of mind-altering drugs, controlled substances and alcohol include, but are not limited to, diminished immunity; physical and psychological dependence; brain, pancreas, kidney and lung damage; high blood pressure; heart attack; strokes; ulcers; birth defects; and death.

The Integrated Student Health Center provides assessment and referral service to students and serves as an alcohol and drug abuse information and educational resource.

Please review the Oregon Tech policies on alcohol possession and consumption at <http://www.oit.edu/docs/default-source/human-resources-documents/faculty-policies-and-procedures/oit-30-031-possession-and-consumption-of-alcoholic-beverages.pdf?sfvrsn=6> and controlled substances at <http://www.oit.edu/docs/default-source/human-resources-documents/faculty-policies-and-procedures/substance-abuse--controlled-substance-abuse--oit-30-033.pdf?sfvrsn=4>. These and other Oregon Tech policies can be found on the on the Oregon Tech Human Resources web page at <http://www.oit.edu/faculty-staff/human-resources>.

The Oregon Tech campus has been designated as a “Drug Free”. The illegal possession, sale, use, manufacturing, or distribution of any controlled substance is illegal under both state and federal laws. Enforcement of State and Federal drug laws are strictly enforced by law enforcement agencies including the Klamath Falls police department. Violators are subject to University disciplinary action, criminal prosecution, fine and imprisonment.

Oregon Revised Statutes dealing with drugs may be found here:

https://www.oregonlegislature.gov/bills_laws/lawsstatutes/2013ors475.html

Substance Abuse Programs

The Integrated Student Health Center (ISHC) has worked with a local community agency to develop a program called ADAPT (Alcohol and Drug Abuse Prevention and Treatment). If you think you might have an alcohol or drug problem but aren't sure if you need help, it is recommended to stop by the ISHC for a preliminary assessment. ISHC can be reached @ 541.885.1800. You can also view ISHC's web page at <http://www.oit.edu/campus-life/student-health>.

Firearms, Munitions and Explosives

Except as expressly authorized by law or university regulations, possession, use or threatening use of firearms, fireworks, ammunition, explosives, chemicals or any objects that may be used as a weapon are strictly prohibited on university property or at university sponsored or supervised activities. Concealed weapons are prohibited, even with an authorized permit. Professional law enforcement officers are the only person permitted to possess firearms on campus.

Clery Crime Updates and Clarification

In the past year or so, there have been many changes and updates affecting Clery collection, classification and reporting requirements. These changes, articulated below, are effective for 2013 Clery data collection and disclosure of Clery crime statistics.

Violence Against Women Act Legislation

On March 7, 2013, President Obama signed into law a bill that strengthened and reauthorized the Violence Against Women Act (VAWA), which affords additional rights to campus victims of sexual violence, dating violence, domestic violence and stalking. Included in the VAWA legislation were numerous amendments to the Clery Act requiring updates to policies and procedures and collection and reporting of statistics for sexual assaults, dating violence, domestic violence and stalking. For more information and a summary of VAWA reauthorization amendments to the Clery Act, see: <http://clerycenter.org/article/vawa-reauthorization>

New Clery Crimes

As a result of the passage of VAWA, schools are now required to collect data and report statistics for the additional crimes of dating violence, domestic violence and stalking as well as additional hate/bias crime categories of gender identity, ethnicity and national origin. Please Note: Because the VAWA legislation was not passed until March of 2013 and schools may not have collected data for these crimes for the entire year, the Department of Education does not require schools to report statistics for the full 2013 calendar year.

Changes to Reporting Practices

In the past, the Department of Education has required that schools, under the Clery Act, use the FBI National Incident Reporting System (NIBRS) guidelines to count, classify and report all sex offenses, including Forcible Rape; Forcible Sodomy; and Sexual Assault With An Object. In 2012, the FBI developed a new definition of Rape within the Uniform Crime Reporting (UCR) guidelines, as an all-inclusive offense category encompassing Rape, Sodomy and Sexual Assault with an Object. As a result of this change, the Department of Education now requires that schools, under the Clery Act, use the new UCR definition of Rape to count, classify and report crimes. The new description is reflected in the crime definitions section below. The tables have been updated from last year, to include a description of the crimes that fall within each sex offense category.

The *National Incident Based Reporting System* (NIBRS) is an incident-based reporting system for crimes in which agencies collect and report data on each single crime occurrence. For example, if multiple crimes are committed, each individual crime is reported under NIBRS, which covers a broad range of reportable data with 22 offense categories made up of 46 specific offenses. This applies to reports of incidents and to arrests. Under Clery, schools are required

to classify the sex offenses of Fondling, Statutory Rape and Incest according to NIBRS guidelines (this was prior practice and has not changed).

The *Uniform Crime Reporting Summary System* (UCR) is a hierarchy-based crime reporting summary system, which means if more than one offense is committed during a single incident, only the most serious offense is counted, which is defined as the "hierarchy rule." For example, if a murder and a sex offense occur, only the murder is counted under UCR guidelines. The UCR system divides offenses into two groups, Part I and Part II crimes. Part I offenses are limited to murder and non-negligent manslaughter, rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft, and arson. The Part II offenses consist of 21 additional crimes, for which only arrest data are collected. Under Clery, schools are required to classify all Clery crimes, with the exception of Fondling, Statutory Rape and Incest in accordance with UCR guidelines; applying the UCR hierarchy rule when counting Clery crimes. In 2014, the Department of Education created an exception to the hierarchy rule, which states that in situations in which an individual is a victim of a sex offense and a murder during the same incident, the murder *and* the sex offense will be counted. This new exception, if applicable, will be reflected in the Clery crime statistics reporting tables and disclosed to the Department of Education.

Clery Crime Definitions and Terminology

Under the Clery Act, Oregon Tech annually distribute statistics in the annual report and disclose statistics to the Department of Education, on the reported occurrences of the following offenses:

Murder and Non-Negligent Manslaughter: The willful (non-negligent) killing of one human being by another.

Note: Deaths caused by negligence, attempts to kill, assaults to kill, suicides, accidental deaths, and justifiable homicides are excluded.

Negligent Manslaughter: The killing of another person through gross negligence.

Sexual Assault: An offense that meets the definition of rape as used in the FBI's UCR program or an offense that meets the definition of fondling, incest or statutory rape as used in the FBI's NIBRS program.

Sex Offenses: Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- A. **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.
- B. **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 or physical incapacity.
- C. **Date Rape Drug:** Under Clery, the administration of a date rape drug in an unsuccessful attempt to incapacitate and sexually assault the victim, and investigation determines that the perpetrator's attempt was to commit a sex offense, is a sexual assault. Administration of a date rape drug in which intent cannot be proven is an Aggravated Assault.

Sex Offenses, Non-forcible: Unlawful, non-forcible sexual intercourse.

- A. **Incest** Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- B. **Statutory Rape:** Non-forcible sexual intercourse with a person who is under the statutory age of consent.

Domestic Violence

- A. **State Definition:** Domestic Violence; Abuse between family or household members.
Family or household members: Spouses or former spouses; adults related by blood, marriage or adoption; persons cohabitating or who have cohabitated; persons in a past or present sexually intimate relationship; unmarried parents of a child.
Abuse: The occurrence of one or more of the following acts within a domestic relationship:
(a) Attempting to cause or intentionally, knowingly or recklessly causing bodily injury.
(b) Intentionally, knowingly or recklessly placing another in fear of imminent bodily injury.
(c) Causing another to engage in involuntary sexual relations by force or threat of force.

B. Federal Definition

A felony or misdemeanor crime of violence committed-

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

Dating Violence (Federal Definition): Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

- (1) 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, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- (2) For purposes of this definition-
 - (i) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 - (ii) Dating violence does not include acts covered under the definition of domestic violence.
- (3) For the purposes of complying with the requirements of this section, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Note: There is no state definition for Dating Violence.

Stalking:

A. State Definition

- (1) A person commits the crime of stalking if:
 - (a) The person knowingly alarms or coerces another person or a member of that persons immediate family or household by engaging in repeated and unwanted contact with the other person;
 - (b) It is objectively reasonable for a person in the victims situation to have been alarmed or coerced by the contact; and
 - (c) The repeated and unwanted contact causes the victim reasonable apprehension regarding the personal safety of the victim or a member of the victims immediate family or household.

B. Federal Definition

- (1) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to-
 - (i) Fear for the person's safety or the safety of others; or
 - (ii) Suffer substantial emotional distress
- (2) For the purposes of this definition-
 - (i) Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device or means, follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.
 - (ii) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
 - (iii) Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

Consent: One of the most important areas for someone to be aware of is the area of consent. It is the responsibility of the parties to both give and receive consent in a clear, concise and mutually understood manner. Consent once given can be revoked at any time. Once consent is withdrawn, the sexual activity must cease immediately and all parties must obtain mutually expressed or clearly stated consent before continuing further sexual activity. Just because consent was given in the past each new contact should clearly establish consent between everyone involved. The Oregon Revised Statutes defines the inability to consent as:

Oregon Revised Statute (O.R.S) 163.315/Incapacity to consent; effect of lack of resistance.

- (1) A person is considered incapable of consenting to a sexual act if the person is:
 - (a) Under 18 years of age;

- (b) Mentally defective;
 - (c) Mentally incapacitated; or
 - (d) Physically helpless.
- (2) A lack of verbal or physical resistance does not, by itself, constitute consent but may be considered by the trier of fact along with all other relevant evidence. [1971 c.743 §105; 1999 c.949 §2; 2001 c.104 §52]

Evaluate and Communicate Your Intentions

Domestic Violence, Dating Violence, Stalking and Sexual Assault are issues that impact both women and men. Because the largest percentage of all university related rapes, dating violence and stalking are committed by acquaintances, it is important that you decide what you want to happen in intimate situations.

Both women and men should consider the following:

- Pay close attention to what is happening around you. Clearly communicate your desires, limits and intentions to your date, partner, or friend.
- Intercourse becomes rape when a person is under the influence of any intoxicating or controlled substance and is thereby prevented from resisting or consenting to the sexual contact. Be aware that alcohol and other drugs can impair your judgment; make you slow or unable to escape from a dangerous situation.
- Previous sexual contact, regardless of frequency, does not constitute consent for sexual activity in the present or future. A current or previous dating relationship does not constitute the basis for implied consent.
- Do not assume that sexual intercourse is permissible if a person is dressed in a certain way or is incapacitated and does not give consent.
- Being turned down for sexual activity is not necessarily a personal rejection. It should be accepted as expressed because "NO" means "NO."
- Assaultive behavior is never acceptable.

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. It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed. Aggravated assault includes poisoning (date rape drug, etc.)

Burglary: The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access, even though the vehicles are later abandoned – including joy riding).

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

Liquor Law Violations: The violation of laws or ordinance prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

Drug Abuse Violations: Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana, synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

Weapon Law Violations: The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.

(Crime definitions are from the Uniform Crime Reporting Handbook. Sex offense definitions are from the National Incident-Based Reporting System edition of the Uniform Crime Reporting Program).

Clery Act Hate/Bias Crimes

A hate crime is defined as any crime that manifests evidence that a victim was selected because of his/her actual or perceived race, gender, gender identity, religion, sexual orientation, ethnicity, national origin or disability. A hate crime is not a separate, distinct crime, but is the commission of a criminal offense which was motivated by the offender's bias. If the facts of the case indicate that the offender was motivated to commit the offense because of his/her bias against the victim's perceived race, gender, gender identity, religion, sexual orientation, ethnicity, national origin or disability, the crime is classified as a hate crime. For more information on the definition and classification of hate/bias crimes, see:

Bias: Bias is a preformed negative opinion or attitude toward a group of persons based on their race, gender, gender identity, religion, disability, sexual orientation, ethnicity or national origin.

Although there are many possible categories of bias, under Clery, only the following eight categories are reported:

Race: A preformed negative attitude toward a group of persons who possess common physical characteristics (e.g., color of skin, eyes, and/or hair; facial features, etc.) genetically transmitted by descent and heredity, which distinguish them as a distinct division of humankind (e.g., Asians, blacks, whites).

Gender: A preformed negative opinion or attitude toward a group of persons because those persons are male or female.

Gender Identity: A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals.

Religion: A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, atheists.

Sexual Orientation: A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived sexual orientation.

Ethnicity: A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term race in that "race" refers to grouping based mostly upon biological criteria, while "ethnicity" also encompasses additional cultural factors.

National Origin: A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs and/or traditions.

Disability: A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

Other Crime Definitions

Oregon Tech is required to report statistics for hate/bias crimes by the type of bias for the prior listed offenses as well as the crimes of larceny, simple assault, intimidation and vandalism. The below listed crimes are not Clery reportable crimes unless the crime was motivated by bias.

Larceny-Theft: 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: 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 (Except "Arson"): To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

If a hate crime occurs during an incident involving larceny, simple assault, intimidation or vandalism, Clery law requires that the statistic be reported as a hate crime even though these four crime classifications by themselves are not Clery-reportable crimes.

A hate crime is not a separate, distinct crime, but is the commission of a criminal offense which was motivated by the offender's bias. If the facts of the case indicate that the offender was motivated to commit the offense because of his/her bias against the victim's race, religion, ethnicity, national origin, gender, gender identity, sexual orientation, or disability, the crime is classified as a hate crime.

Driving under the Influence of Intoxicants is not reportable because it is a driving crime and not a liquor crime unless the driver is also a minor or the means of intoxication is an illegal drug.

Sexual Harassment: Sexual harassment is unwelcomed conduct of a sexual nature. Oregon Tech is committed to providing a respectful environment for all its members. Sexual harassment of students, faculty or staff by other members of the university community is prohibited and will not be tolerated.

Sexual harassment is a violation of Federal Law (Titles VII and IX) and the Oregon University Administrative Rule 580-015-0015 along with Oregon Administrative Rule 578-12-0010(1)(2) prohibiting any form of discrimination. Sexual harassment is a prohibited act normally resulting in disciplinary proceedings against the perpetrator. Unwanted sexual activity by persons abusing positions of economic, supervisory or academic power is undesirable and oppressive. Sexual harassment is also sex discrimination which is against the law and administrative rules.

If you believe you are being or have been sexually harassed, please contact the Title IX Coordinator. The office number is 541.885.1067. Oregon Tech's Chief of Human Resources Officer/Affirmative Action Officer/Chief Diversity Officer/Civil Rights Officer is Suzette Yaezenko. She is available at 541-885-1108 for Oregon Tech and will deal with all harassment matters directly and confidentially. Complaints are handled in accordance with Oregon Tech Policy 21-25, retaliation also is prohibited.

Bystander Intervention

Oregon Tech prohibits all forms of sexual harassment and sexual violence, which include, but are not limited to, the offenses of sexual assault, dating violence, domestic violence and stalking. University officials respond swiftly to all reports of these incidents to provide support services for those who have experienced sexual or relationship violence or stalking, protect the rights of all students under our Title IX and Clery obligations; apply our Code of Conduct; and

cooperate fully with law enforcement.

Sexual violence affects everyone: individuals, families, communities and the larger society. While some forms of sexual violence might not be illegal, such as sexist and sexually violent jokes, comments about someone's appearance, sexual orientation or gender identity, catcalling, sexually explicit comments, and vulgar gestures, this does not make them any less threatening or harmful to the person victimized. All of these behaviors contribute to a culture that accepts sexual violence. *Bystanders* can speak up when they witness these actions in order to promote safety, respectful relationships and safer communities.

Research has shown that, on the average, third parties (individuals who are neither the victims nor the perpetrators of violence) prevented injuries in 1.2 million violence victimizations annually between 1993 and 1999 (Planty, 2002). The term "bystander" is used to describe these third parties. An engaged bystander is someone who intervenes before, during or after a situation when they see or hear behaviors that promote sexual violence.

What is Bystander Intervention?

Bystander intervention is safe and positive options that may be carried out by faculty, staff or fellow students to prevent harm or intervene when there is a risk of sexual harassment, sexual assault, dating violence, domestic violence or stalking.

Bystander intervention includes:

- Recognizing situations of potential harm.
- Understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking actions to intervene.
- Risk reduction: options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

Campus Security Authorities

Oregon Tech encourages the campus community to immediately report crimes or suspicious activity to the Campus Safety Police Department to help maintain the safest possible environment for students, faculty, staff, and visitors.

As mentioned throughout and pursuant to the Clery Act, a federal law, the university is required to compile and publish crime statistics in an Annual Security Report. As part of this obligation, members of the university's community who are considered to be Campus Security Authorities are required to report crimes for inclusion as statistics in the university's Annual Security Report.

Who is a Campus Security Authority?

"Campus Security Authority" is a Clery specific term that encompasses certain departments, groups and individual Oregon Tech employees who have a duty to report crimes they become aware of, as defined by the Clery Act. The law defines a Campus Security Authority as "an official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings."

Examples of Campus Security Authorities:

- Police and security departments (Campus Safety)
- Deans and directors
- Title IX coordinators
- Office of the Dean of Students
- Athletics team coaches
- University housing staff
- Faculty and staff advisors to student organizations

Campus Security Authorities may also be identified by job function; that is any employee who, by virtue of their job function, has significant responsibility for assisting students or campus activities. Examples would be student advisors or formal or informal student mentors.

The Clery Act requires that Campus Security Authorities be identified, notified and trained.

Campus Security Authorities who have been identified by job title receive annual notification and training and are asked to forward the training to anyone within their department who they believe meets the Clery definition of a Campus Security Authority by job function.

If you believe that you may qualify as a Campus Security Authority and have not received notification or training, please contact the Title IX Coordinator at 541.885.1487.

The Role of a Campus Security Authority

Campus Security Authorities should not investigate crimes or attempt to determine whether in fact a crime occurred. Rather, a Campus Security Authority's obligation is to simply report the information that s/he has as soon as possible.

Oregon Tech is required to disclose statistics for the following offenses that occur on campus, or in non-campus buildings or property owned or controlled by the university, and public property within or immediately adjacent to campus.

- Murder
- Manslaughter
- Sexual Assault
- Robbery
- Aggravated Assault
- Burglary
- Vehicle Theft
- Arson
- Dating Violence
- Domestic Violence
- Stalking
- Hate/Bias Crimes

If in doubt that a crime is reportable, please err on the side of reporting the matter.

If You Are Sexually Assaulted

For Students:

Remember that you are not to blame -no one deserves to be sexually assaulted.

You should contact one of the following offices: Campus Public Safety, Vice President for Student Affairs, Student Health, the Title IX Coordinator or the Klamath Falls Police Department.

- For Campus Safety assistance, dial 5.1111 (on campus) or 541.885.1111 (off campus).
- For the Vice President for Student Affairs office, dial 5.1011 (on campus) or 541.885.1011 (off campus).
- For Integrated Student Health Center, dial 5.1800 (on campus) or 541.885.1800 (off campus)
- For the Title IX Coordinator, dial 5.1487 (on campus) or 541.885.1487 (off campus)
- For police assistance, dial 911 (on or off campus).
- Talk to someone you trust about the incident--a good friend, a family member, and/or a member of the university community. Talking to someone can help you clarify your options.
- Do not wash, shower, douche, change, destroy or clean the clothes you wore during the assault. These provide vital evidence should you later decide to prosecute.
- Contacting the police department does not mean you must press charges. Ask about filing an "informational" (informal) report, which covers the expenses for a rape exam and provides a record of the incident if you later decide to file charges.

Whether or not criminal charges are filed, a campus administrative investigation will be conducted and handled through the Dean of Students/Vice President of Student Affairs office ***if the incident is officially reported to this office***. Campus sanctions can be imposed regardless of the criminal investigation.

For Employees:

Remember that you are not to blame -no one deserves to be sexually assaulted.

You should contact one of the following offices: Campus Public Safety, the Title IX Coordinator or the Klamath Falls Police Department

- For Campus Safety assistance, dial 5.1111 (on campus) or 541.885.1111 (off campus).
- For Integrated Student Health Center, dial 5-1800 (on campus) or 541.885.1800 (off campus)
- For the Title IX Coordinator, dial 5.1487 (on campus) or 541.885.1487 (off campus)
- For police assistance, dial 911 (on or off campus).
- Talk to someone you trust about the incident—a good friend, a family member, and/or a member of the university community. Talking to someone can help you clarify your options.
- Do not wash, shower, douche, change, destroy or clean the clothes you wore during the assault. These provide vital evidence should you later decide to prosecute.
- Contacting the police department does not mean you must press charges. Ask about filing an "informational" (informal) report, which covers the expenses for a rape exam and provides a record of the incident if you later decide to file charges.

Rape Evidence Collection Examination

A rape exam provides essential treatment for exposure to sexually transmitted diseases and pregnancy. It also collects evidence to be used against your assailant should pressing charges be the victim's course of action. Campus Safety will assist in reporting to the Klamath Falls Police Department. In most cases, DNA evidence needs to be collected within 72 hours in order to be analyzed by a crime lab—but a sexual assault forensic exam can reveal other forms of evidence beyond this time frame that can be useful if you decide to report. The examination will be conducted at a medical facility by a certified Sexual Assault Nurse Examiner (S.A.N.E.). Please look over the added website for more information on sexual assault exams/rape kits <https://www.rainn.org/get-information/sexual-assault-recovery/rape-kit>

General Medical Attention

You can receive medical attention from the following areas:

Integrated Student Health Services: 5.1800 (on campus) or 541.885.1800 (off campus)

Sky Lakes Medical Center: 541.882.6311 <http://skylakes.org/>

For Immediate Counseling

- Oregon Tech Integrated Student Health Center at 5.1800 (on campus) or 541.885.1800 (off campus). The counseling center is open Monday through Friday from 8:00 a.m. to 5:00 p.m. to schedule appointments.
- Campus Safety (5.1111) on campus; 541.885.1111 off campus or from a cell phone) has emergency contact capability for counselors who can assist after business hours.
- Oregon Tech Sexual Assault Hotline at 541-891-0011 (0648)
- Rape Hotline (Klamath Crisis Center/Marta's House) at 541.884.0390 or 1.800.542.3669 <http://www.klamathcrisiscenter.org/>. They offer support groups for survivors that meet during designated times, individual counseling for survivors at their office Monday through Friday 9:00 a.m. to 5:00 p.m.; domestic violence shelters; play therapy for children who have been abused, and 24-hour counseling over the phone. This center may also be able to refer you to another resource.
- **The RAINN (Rape, Abuse and Incest National Network) number is 1.800.656.HOPE (4673) or www.rainn.org.**
- **The US government website on sexual assault at www.notalone.gov.**

Additional Reporting Information and Options

- Oregon Tech Vice President for Student Affairs Office at 5.1011 (on campus) or 541.885.1011 (off campus). This office can help you explore potential university judicial disciplinary actions that could follow an incident of sexual assault or relationship violence in compliance with the Oregon Tech Student Code of Conduct, which governs internal disciplinary sanctions and procedures.
- Oregon Tech takes sexual and relationship violence very seriously. Another reporting option for crimes of sexual and dating violence can be anonymously reported by completing an Anonymous Report Form for

sexual or relationship violence. It is available on line through the Office of Student Affairs at <http://www.oit.edu/docs/default-source/Student-Affairs/-anonymous-report.pdf?sfvrsn=0>. Once the form is filled out, it can be placed in an envelope and mailed or delivered to either the Office of Student Affairs or the Integrated Student Health Center. The form includes addresses for both locations. If the survivor wishes for the crime to be recorded in university statistics, a section on the report form will need to be completed. All details are on the anonymous reporting form. ***Filling out the available form does not constitute a police report or a student conduct report. Please read the entire Sexual Assault portion of this annual report for more information on reporting a sexual crime to authorities.***

- Oregon Tech Campus Safety at 5.1111 (on campus) or 541.885.1111 (off campus). They will help you in any manner possible, including contacting a counselor, helping you get a medical exam, reporting an assault to the Klamath Falls Police Department
- Klamath Falls Police Department at 541.883.5336 or 911 in an emergency. They hold jurisdiction for any criminal action occurring in the city of Klamath Falls. Officers will respond and assist in getting an incident documented and can follow up on any needed action.

If you are sexually harassed, assaulted, or a victim of sexual violence, you can also contact the Title IX Coordinator at 541.885.1847. (<http://www.oit.edu/faculty-staff/human-resources/contact-us>)

Student Health Counseling Center at 541.885.1800 can assist with any medical or counseling resources you may seek (<http://www.oit.edu/campus-life/student-health>).

Marta's House (Klamath Crisis Center) at (541-884-0390 or 1-800-452-3669) has trained Advocates available that can assist you through the process. <http://www.klamathcrisiscenter.org/>.

Explore Reporting Options

If the police or Campus Safety are contacted, you can choose to make either an "informational (informal) report" or a formal report. A formal report initiates a criminal investigation. An informational report is not activated until you file a formal complaint and ask police to do so. All informal as well as formal reports are forwarded to the Dean of Students for review and appropriate action.

- You can explore reporting options with Campus Safety (5.1111). Ask to speak with an officer. You do not have to fill out a report or press charges against the offender. A campus administrative investigation will be conducted based upon the information received.
- You can report a sexual assault up to six years after it occurred without any DNA evidence or up to 12 years if there is DNA evidence. Call 541.885.1111 and ask to speak with an officer regarding a "personal matter." You do not have to give your name. The officer will talk to you then or call you back.
- You have the right to have someone present with you (an Advocate) during a medical examination, police report, or meeting with Campus Safety.
- When reports are made relative to domestic violence, dating violence, sexual assault and stalking, the Dean of Students/Vice President of Student Affairs will work with Campus Safety to investigate the incident, assign charges, invoke interim sanctions (including, but not limited to, removal from residence halls, reassigning classes, removal from campus and interim suspension) when necessary, conduct a hearing and determine an outcome based on the **preponderance of evidence** (*Superiority in weight of an evidence that is more convincing [even if minimally] than the evidence presented by the other party. In a civil case, the jury is instructed to determine which party on the whole has preponderance of evidence, and to return a verdict in its favor.*) Following a report of domestic violence, dating violence, sexual assault or stalking, a survivor is provided a letter from the Dean of Students that identifies campus and community resources, and explains the student conduct process should a survivor wish to participate in the process. The contact name and number for the Dean of Students will be provided within the letter. The Dean of Students will assist the survivor throughout the process.

What a reported incident can look like (from complainant's prospective):

Incident Being Reported:

Sexual Assault

Procedure Oregon Tech Will Follow:

1. Depending on when reported (immediate vs delayed report), Oregon Tech will assist complainants with access to medical care.
2. Oregon Tech will assess immediate safety needs of complainant.
3. Oregon Tech will assist complainant with contacting local police if complainant requests and complainant provided with contact information for local police department.
4. Oregon Tech will provide complainant with referrals to on and off campus mental health providers.
5. Oregon Tech will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate. Student victims have the option to request assistance in changing academic and living situations after an alleged sexual assault incident if these changes are reasonably available.
6. Oregon Tech will provide a "No trespass" directive to accused party if deemed appropriate.
7. Oregon Tech will provide written instructions on how to apply for Restraining Order through the local court system (see video for pursuing and filing an RO through the court system at: http://www.oregon.gov/OSP/CJIS/news/REST_ORDER_VIDEO.avi).
8. Oregon Tech will provide a copy of the Sexual Misconduct Policy to complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution.
9. Oregon Tech will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is.
10. Oregon Tech will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation.

Incident Being Reported:

Dating Violence/Domestic Violence/Stalking

Procedure Oregon Tech Will Follow:

1. Oregon Tech will assess immediate safety needs of complainant.
2. Oregon Tech will assist complainant with contacting local police if complainant requests and complainant provided with contact information for local police department.
3. Oregon Tech will provide written instructions on how to apply for Restraining Order through the local court system (see video for pursuing and filing an RO through the court system at: http://www.oregon.gov/OSP/CJIS/news/REST_ORDER_VIDEO.avi).
4. Oregon Tech will provide written information to complainant on how to preserve evidence.
5. Oregon Tech will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate.
6. Oregon Tech will provide a "No trespass" directive to accused party if deemed appropriate.

Student Sanctions:

Sanctions Process

Following an on-campus disciplinary procedure, university sanctions for domestic or dating violence, rape, acquaintance rape or other sex offenses include actions from probation up to and including expulsion from school. The disciplinary procedures in all alleged sexual assaults include the following:

- The accuser and the accused are entitled to the same opportunities to have others present during a university disciplinary proceeding.
- Both the accuser and the accused shall be informed of the outcome of any university disciplinary proceeding alleging a sexual assault, sexual harassment, domestic violence, dating violence, or any sexual offense.
- Student victims have the option to request assistance in changing academic and living situations after an alleged sexual assault incident if these changes are reasonably available.

Implementation of Sanctions

Disciplinary actions or grievance decisions shall not be implemented until the time for appeal has expired, until the entire appeal process is completed, or if the individual or group voluntarily waives the right to appeal in writing. The exceptions to delaying sanctions until the process is complete include: 1) when interim suspension has been invoked by the vice president for student affairs or dean of students (see Interim Suspension procedures for details [Section II]); or 2) to protect the safety of others on the campus. The vice president for student affairs retains the authority, at his/her discretion, to convert any sanction imposed by a hearing panel to a lesser sanction, to rescind any previous sanction, or to return a recommended sanction to a hearing panel for review or reconsideration.

Disciplinary Files and Records

1. Case referrals will result in the development of a disciplinary file in the name of the accused student. If the student is found not responsible for the charges, the file will be marked no action, no record and shall not constitute a disciplinary record. Such files will be maintained for seven years, and then will be destroyed.
2. The files of students found responsible for charges against them, with sanctions less than suspension or expulsion, will generally be maintained in the office of Office of Student Affairs for seven years from the calendar year of record, and then will be destroyed.
3. Records of cases in which suspension or expulsion from the University occur, are kept indefinitely.
4. Confidentiality — All disciplinary records are private and may not be disclosed in whole or in part except as provided by law or by the written authorization of the student, under legal compulsion, or where the safety of other persons may be involved. Disciplinary records are maintained separate from the student's academic record but are part of the student's educational record.

Disciplinary Sanctions

Although not intended to be all inclusive, the following are possible sanctions that may be imposed either singularly or in combination for a student or group/organization if a violation of the Student Code is found.

1. **Warning** is an oral or written warning that further violations of University regulations could result in additional disciplinary action.
2. **Alternative Dispute Resolution** is a process by which a respondent is assigned to resolve an issue that has come to Office of Student Affairs collaboratively with the other people involved instead of having a hearing officer issue other sanctions. Any instances of alleged sexual misconduct and some other alleged violations are inappropriate for alternative dispute resolution.
3. **Loss of Privileges** is a limitation on a student's privileges for a period of time and may include but not be limited to the denial of the use of facilities or access to parts of campus, denial of the right to represent the University, or denial of participation in extracurricular activities.
4. **Voluntary Project** is community service or an education class or project beneficial to the individual, campus or community.
5. **Restitution** is the actual cost of repair or replacement for loss, damage or injury to property or person, such as medical bills.
6. **Fines** – financial assessment imposed by the hearing officer or panel.
7. **Parental Notification** — The federal Family Educational Rights and Privacy Act permits educational institutions to notify parents of students under the age of 21 when a student has been found responsible for an alcohol or drug related violation. Students are generally notified when parents will be contacted and are given the opportunity to contact the parents first.
8. **Deactivation** is a group's loss of all privileges, including Oregon Tech recognition, for a specified period of time.
9. **Enrollment Hold** is a "hold" on enrollment privileges for failure to meet with the dean of students or other hearing officer or for failure to comply with assigned conditions or complete assigned sanctions. This hold can prevent the adding or dropping of classes or enrolling for subsequent terms.

10. **Cancellation of Enrollment** occurs when a previous hold has been cleared with the condition that the enrollment will be canceled for failure to meet the conditions of the clearance. If canceled, the refund of tuition or fees will be subject to the University's normal withdrawal policy.

11. **Class Removal** occurs when a student is dropped from a class or moved to another section of a class. The dean of students has the right to restrict a student from class pending a hearing for alleged violations of the Code of Conduct occurring in the classroom that substantially interfere with teaching or other students' ability to learn.

12. **Graduation Hold** is a hold on a student's participation in graduation exercises and diploma for failure to respond to a request to meet with the dean of students or other hearing officer, or for noncompliance with disciplinary sanctions. The vice president for student affairs may place a graduation hold.

13. **Revocation of Degree** – an academic degree previously awarded by the University may be revoked on proof that it was obtained by fraud or that a significant part of the work submitted in fulfillment of, and indispensable to, the requirements for such degree was plagiarized. The Academic Progress and Petitions Committee may, upon appeal of a university graduate subjected to a degree revocation, stipulate the requirements for legitimately obtaining the degree.

14. **Campus No Contact Order** is an absolute prohibition from contact with another person in any form whatsoever (including but not limited to contact in person, by phone, electronically, written document, or through another person). Violating a University-imposed No Contact Order may result in suspension or expulsion from the University.

15. **Residence Hall Suspension** is the separation of a student from the residence halls for a specified period of time, after which the student is eligible to return. Conditions for readmission may be specified.

16. **Residence Hall Expulsion** is the permanent separation of a student from the residence halls.

17. **Conduct Probation Level 1** is a specified period of time during which the student is placed on formal notice that he/she is not in good standing with the University and that further violations of University regulations will subject him/her to suspension or expulsion from the University. Probation may include additional conditions or sanctions. The probationary status and conditions are documented in writing.

18. **Conduct Probation Level 2** adds to Level 1 the stipulation that students are prohibited from participating in any extracurricular activities not directly associated with academics (e.g., intramural sports, attending athletic events, student organizations/clubs/associations, leadership positions within housing or fraternities/sororities or other organizations). Students must apply to get off Conduct Probation Level 2 by submitting documentation of their significant proactive efforts to become good citizens of the community and engage in responsible, productive behavior.

19. **Disciplinary Suspension** is the exclusion from enrollment in classes and other privileges or activities for a definite period of time and until the conditions which are set forth in the hearing outcome letter are met. Notification of disciplinary suspension will be provided in writing. Examples of violations for which the University will strongly recommend suspension include, but are not limited to, the following: selling or otherwise providing alcohol to underage students, selling or distributing illicit drugs, sexual violence/misconduct, hazing, actions that result in the serious injury or death of another person(s), violation of a University-imposed No Contact Order or repeated alcohol or drug offenses that jeopardize the individual's or community's educational opportunities or safety. Students who are suspended from Oregon Tech are not permitted on campus or in University buildings, facilities or activities at any time for any reason during the period of suspension, unless otherwise directed by the vice president for student affairs, the dean of students, or his/her designee. Conditions to conclude a suspension shall be stated in the written notification, including the approval of the Office of Student Affairs. Notation on the transcript is not made; however, a permanent record of the action is maintained in the student's record in the Office of Student Affairs for the entire seven year period for which such records are retained (referenced in Section VII, above).

20. **Disciplinary Expulsion** is termination of student status for an indefinite period. The conditions of readmission, if any, shall be stated in the hearing outcome letter. Notification of disciplinary expulsion will be provided in writing. Any refund of tuition or fees will be subject to the University's normal withdrawal policy.

21. **Admission and Reinstatement Requirements** are conditions for admission given to students whose admission requires a clearance from Office of Student Affairs (see Section IX).

Institutional Disciplinary Process

Procedures for adjudicating student conduct cases are outlined in the Student Code of Conduct

<http://www.oit.edu/docs/default-source/Student-Affairs-/student-handbook/student-conduct-code.pdf?sfvrsn=6>.

Hearings are conducted by professional staff and hearing boards who receive annual training on standards of conduct, adjudication procedures and on issues related to domestic violence, dating violence, sexual assault, and stalking.

Hearings are conducted in a manner that is fair, prompt, and impartial, and protects the safety of the survivor. All hearings are closed to the public. What is stated in a hearing is confidential. The survivor has the option to attend the entire hearing with the exception of the committee's deliberation process, and may attend the hearing accompanied by

a support person or advocate. The charged student is afforded the same rights in terms of attending the entire hearing and being accompanied by an advisor of the charged student's choosing. Hearing results are provided to both the charged student and the survivor in writing. Both the charged student and the survivor have the right to appeal the results of the hearing.

Faculty Employees:

Academic employees found to have engaged in sexual harassment may be subject to an oral or written warning or reprimand in accordance with OAR 578-12-0010. Sanctions more severe than an oral or written warning or reprimand, such as removal from an assigned post and reassignment, suspension or termination shall be imposed in accordance with Oregon Tech policies OIT-21-321 and OIT-21-325.

Classified Employees:

Classified employees found to have engaged in sexual harassment may be subject to disciplinary action in accordance with current collective bargaining agreements. If a proven incident of sexual harassment occurs, sanctions in accord with the progressive discipline concept shall be instituted, including written reprimand, suspension, reductions of pay, demotion, and finally, termination of service.

Campus Sex Crimes Prevention Act

The federal Campus Sex Crimes Prevention Act of 2000 (CSCPA), which became law Oct. 28, 2000, but which delayed certain provisions until Oct. 28, 2002, amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act. CSCPA provides special requirements relating to registration and community notification for sex offenders who are enrolled in or work at institution of higher education. In addition to the Wetterling Act, CSCPA also amended the Clery Act, an annual crime-reporting law, and the Family Educational Rights and Privacy Act of 1974 (FERPA) to allow the disclosure of this information regarding students.

As provided in the Wetterling Act, any person required to register under a state sex-offender program must notify the state regarding each institution of higher education in that state at which the person is employed, carries on a vocation, or is a student. They also must alert the state of any change in enrollment or employment status.

These changes took effect October 28, 2002. The act also amends the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act to require institutions of higher education to issue a statement, in addition to other disclosures required under that act, to advise the campus community where to obtain law enforcement agency information provided by a state concerning registered sex offenders. These changes took effect October 28, 2002 and this notice has been a requirement beginning with the annual security report due October 1, 2003.

Oregon law was amended in 2005 (HB 2299) to make these requirements effective January 1, 2006. Under state law, sex-offender information may be obtained through local law enforcement agencies and the Oregon State Police and requestors may access this information using a variety of search criteria, such as name, address, ZIP code, or county. Another law passed in 2005, HB 3486, mandates the posting to a public Internet site of information about predatory sex offenders and dangerous, sexually violent offenders.

Oregon sex offender law again changed in 2007 (HB2333), which amended the criteria for sex offender registration for certain crimes that do not qualify for sex offender registration based on the circumstances of the incident. To read the changes, effective January 1, 2008: http://www.oregon.gov/OSP/SOR/whats_new.shtml.

How to Obtain Sex Offender Information

Oregon State Police:

Oregon State Police will provide, upon request, a list (updated monthly) of sex offenders enrolled at, or employed at an institution of higher education. This list can be obtained by calling the Sex Offender Unit at 503-378-3725. A list of offenders, both on and off supervision, including those posted to the public website and those who are not, can be obtained by calling the Oregon State Police at 503-378-3725 Extension 44429 or by e-mailing a request to Sexoffender.Questions@state.or.us. Most requests are processed within 1 week; however, circumstances may require a longer response time.

- To look up information on predatory sex offenders by name and location: <http://sexoffenders.oregon.gov/>
- Provides a sex offender FAQ section including the definition of "Predatory Sex Offender":
- <http://oregon.gov/OSP/SOR/pages/faqs.aspx>

- For information on the sex offender registration program:
<http://www.oregon.gov/OSP/SOR/Pages/index.aspx>
- Further questions may be directed to the Oregon State Police Sex Offender Unit:
- Oregon State Police Sex Offender Registration Unit:
4th Floor, 255 Capitol SE, Salem OR 97310
Phone 503-934-1258, for sex offender questions, or 503-378-3725 for general questions

Additionally, Oregon Tech Campus Safety and the Dean of Students will maintain a list of sex-offenders who have been required to report their sexual-offender status to the institution under federal and/or state law.

Health Professional Reporting of Crimes and Annual Crime Statistics

The Student Health Center is comprised of staff that provides professional counseling and psychological services to their given clientele. For the purposes of supporting the client victim of a crime, staff will encourage and assist their client with how to report a crime to the Campus Safety department or local police agencies. This reporting will be done on a voluntary or confidential basis, should the health professional feel it is in the best interest of the client. There is also an option for the health professional to anonymously capture crime statistics disclosed confidentially during a given session.

Keys

Members of the campus community are issued keys to help access their place of business on campus. If a key is lost, misplaced or stolen, it should be reported to Campus Safety immediately. Campus keys may not be duplicated, transferred or loaned to others. Report all lost keys immediately to your supervisor and the Campus Safety Department.

Partners for a Safe Campus

Campus Safety Activity Report - Klamath Falls

Offense Type	2016			2015			2014			2013		
	Campus	Res Halls	Non-Campus	Campus	Res Halls	Non-Campus	Campus	Res Halls	Non-Campus	Campus	Res Halls	Non-Campus
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses												
Forcible sex offenses (including forcible rape)	-	-	-	-	-	-	-	-	-	0	0	0
Non-forcible sex offenses	-	-	-	-	-	-	-	-	-	0	0	0
Rape	1	1	0	2	2	0	1	1	0	-	-	-
Statutory Rape	0	0	0	0	0	0	0	0	0	-	-	-
Incest	0	0	0	0	0	0	0	0	0	-	-	-
Fondling	0	0	0	1	0	0	0	0	0	-	-	-
Sexual harassment	5	0	0	0	0	0	0	0	0	0	0	0
Dating violence	0	0	0	0	0	0	1	0	0	1	1	0
Domestic violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	3	0	0	1	0	0	1	1	0	4	2	0
Aggravated assault	0	0	0	0	0	0	0	0	0	0	0	0
Assault	0	0	0	0	0	0	0	0	0	2	2	0
Arson	0	0	0	0	0	0	1	1	0	0	0	0
Robbery	0	0	0	1	0	0	0	0	0	0	0	0
Burglary	1	1	0	1	0	0	3	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0	1~	0	0

Partners for a Safe Campus

Campus Safety Activity Report - Klamath Falls

Offense Type	2016			2015			2014			2013		
	Campus	Res Halls	Non-Campus	Campus	Res Halls	Non-Campus	Campus	Res Halls	Non-Campus	Campus	Res Halls	Non-Campus
Theft*	9	5	0	12	0	0	11	0	0	19	1	0
Criminal Mischief*	5	1	0	6	0	0	5	0	0	6	4	0
Criminal trespass*	4	0	0	5	0	0	0	0	0	0	3	0
Disorderly conduct*	0	0	0	1	0	0	2	0	0	3	0	0
Hate Crimes #												
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Forcible sex offenses (including forcible rape)	-	-	-	-	-	-	-	-	-	0	0	0
Non-forcible sex offenses (including statutory rape/incest)	-	-	-	-	-	-	-	-	-	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Theft	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0	0	0
Destruction/Damage/Vandalism of Property	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Actions or Arrests												
Liquor Law Violations	31+/-2**	71+/-2**	0+0**	11+/-0**	11+/-0**	0+0**	12+/-0**	11+0**	0+0**	27+/-4**	27+/-4**	0+0**
Drug violations	1+/-3**	1+/-3**	0+0**	4+/-4**	4+/-4**	0+0**	1+/-5**	1+/-4**	0+0**	4+/-6**	4+/-6**	0+0**
Weapons possession	0+0**	0+0**	0+0**	0+0**	0+0**	0+0**	0+0**	0+0**	0+0**	0+0**	0+0**	0+0**

Hate Crimes: A criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's *bias*.

Bias: A preformed negative opinion or attitude toward a group of persons based on their actual or perceived race, gender, gender identity, religion, disability, sexual orientation, ethnicity or national origin.

There were no reported hate crimes for calendar years 2013, 2014, 2015 and 2016.

** Denotes statistics not required by law

+ Referrals ** Arrests for drug/liquor law violations

- Klamath Falls Police Department recovered a stolen vehicle from campus boundaries

Oregon Tech received a total of one anonymous report of a Forcible Sex Offenses during the 2013 calendar/reporting year. This report of forcible rape did not provide enough information to be counted in this report. It was not counted within our statistics for a variety of reasons. The main reasons for not counting this incident were that it was a third party report with little more information than this. Also, the third party report did not have a confirmed location for this incident, thus it is unknown whether the incident occurred within the reportable areas for Oregon Tech.

Oregon Tech received two reports of Stalking that were not included in the 2016 calendar/reporting year. One was for a male student who arrived on campus by vehicle at the same time as two female students arrived on campus. It was confirmed that no stalking had taken place. The 2nd was a report by a 3rd party that did not meet the stalking standard. The potential or said victim was interviewed to determine the substance of this 3rd party report.

Fire Safety Report

Campus Fire Safety Act

These annual fire safety statistics are provided in compliance with Higher Education Opportunity Act of 2008. Information is reviewed and updated on an annual basis. Additional information pertaining to fire safety programs at Oregon Tech can be obtained on the Oregon Tech Risk Management web page. If you have information for inclusion, questions, or remarks contact The Risk Management Department or the Vice President of Finance and Administration.

Fire Safety at Oregon Tech

It is the policy of Oregon Tech to provide faculty, staff, students and visitors with the safest possible environment, free from potential fire hazards. The primary goal of the University's Fire Prevention Program is to recognize hazardous conditions and take appropriate action before such conditions result in a fire emergency. This goal is accomplished by conducting periodic fire safety inspections of all University buildings and increasing the fire safety awareness of employees and students by conducting periodic training on basic fire safety. Regular inspections and maintenance is performed on fire safety equipment.

The Higher Education Opportunity Act of 2008 requires Oregon Tech to maintain a fire incident log, annually publish a fire safety report and report fire statistics annually. **The fire log includes the date the fire was reported, time, the nature of the fire and general location of each fire. Entries are made within two business days of the receipt of the report. The fire log is on the Risk Management webpage under the heading Fire Safety. The fire log for the most recent sixty day period is also available for public inspection during normal business hours (8:00 am to 5:00 pm) at the Risk Management Department office. Any portion of the log older than sixty days is available within two business days of receipt of an informational request.**

For the purposes of including a fire in the annual fire safety report, the fire should be reported to any of the following departments/people: the Campus Safety Department, the Occupational Safety professional, Resident Advisors or the Director of Housing and Residence Life.

The Campus Security & Fire Safety Annual report complies with both the security and fire safety reporting requirements of the Department of Education regulations (34 CFR 668, subparts 46 and 49).

Policy Statement

To minimize the potential for fires at Oregon Tech student housing facilities, it is the policy of Oregon Tech to prohibit the use of the following items in any University owned student housing facility, portable space heaters, barbecue grills, and related accessories including lighter fluids and lighters, halogen lamps, and other similar type products, any open flame device or object including candles, incense sticks and related accessories. Smoking is also prohibited in all buildings on the Oregon Tech campus. Hot plates, slow cookers, deep fryers, electric skillet, electric woks, griddles, toaster ovens, sandwich makers/grills and other similar type products are allowed only in kitchen areas.

Definitions:

Cause of Fire: The factor or factors that give rise to a fire. The causal factor may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure, or act of nature.

Fire: Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

Fire evacuation exercise: A supervised practice of a mandatory evacuation of a building for a fire. This exercise is also referred to as a fire drill.

Fire related death: Any instance in which a person is (1) killed as a result of fire, including death resulting from natural or accidental cause or, (2) dies within one year of injuries sustained as a result of the fire.

Fire related injury: Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause, while involved in fire control, attempting escape, or escaping from the dangers of fire.

Fire safety system: Any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire.

Value of property damage: The estimated value of the loss of the structure and contents in terms of the replacement in like kind and quantity.

Fire Safety Systems in Student Housing

On-campus student housing at Oregon Tech consists of the original Residence Hall and the Village for Sustainable Living 3 buildings complex. The original residence hall has smoke detectors in all student rooms as well as all hallways. Fire extinguishers are located in all hallways. Specific common areas, such as the television lounge, have sprinklers.

The Village Apartments complex is completely covered by an integrated automatic sprinkler and alarm system, which is monitored 24 hours/day, seven days/week. Fire extinguishers are located in all hallways. Additionally, the entrances to all suites are protected by listed fire doors with 20 minute protection ratings. Stairwells are protected by fire rated doors with one and a half hour protection ratings. The stairwell doors close automatically whenever the fire alarm system is activated.

Student Housing Fire Safety Systems

Oregon Tech Residential Facilities	Traditional Residence Hall	Village Bldg. #1	Village Bldg. #2	Village Bldg. #3
Alarm System Monitored by Off-Site Firm	X	X	X	X
Full Sprinkler System ¹		X	X	X
Partial Sprinkler System ²	X			
Smoke Detectors	X	X	X	X
Fire Extinguishers	X	X	X	X
Evacuation Plans/Placards	X	X	X	X
# of Required Fire Evacuation Drills	4	4	4	4
# of Fire Evacuation Drills	4	4	4	4

1. Full sprinkler system is defined as having sprinklers in both the common areas and individual rooms.

2. Partial sprinkler system is defined as having sprinklers in common areas only.

Fire Extinguishers

All Oregon Tech buildings are equipped with portable fire extinguishers. These extinguishers are designated for the use of Fire District #1 personnel and/or Campus Safety Officers. However, Oregon Tech personnel may use an extinguisher on an incipient fire if they have been trained in the use of fire extinguishers and are comfortable

attempting to extinguish the fire. An incipient fire is defined as a fire in its initial stage and is no larger than a trash can fire. Anyone attempting to extinguish a fire should remember the PASS system.

- **P**ull the pin from the handle.
- **A**im the nozzle at the base of the fire.
- **S**queeze the handle to activate the extinguisher.
- **S**weep the nozzle from side to side at the base of the flame until the fire is out.

Fires are classified into four types: A – ordinary combustibles, B – flammable liquids, C – electrical and D – flammable metals. Fire extinguishers are grouped into five classes (A, B, C, D and K), each of which extinguishes a specific type of fire.

Class A Extinguishers will put out fires in ordinary combustibles, such as wood and paper.

Class B Extinguishers are to be used on fires involving flammable liquids, such as grease, gasoline, oil, etc.

Class C Extinguishers should be used on fires involving flammable liquids, such as grease, gasoline, oil, etc.

Class D Extinguishers are suitable for use on electrically energized fires.

Class K Extinguishers are designed for use on flammable metals.

Class K Extinguishers are specific for kitchen fires involving burning oil or grease.

Many fire extinguishers available today are effective in extinguishing several types of fires. The majority of portable fire extinguishers located at Oregon Tech are rated for multiple types of fires. The most common type of extinguisher at Oregon Tech is rated as ABC followed by BC fire extinguishers.

Oregon Tech Residence Halls Fire Statistics 2016

There were no reported fires in any on-campus housing facility in the calendar year 2016. On-campus housing consists of the Traditional Residence Hall and Sustainable Village buildings #1, #2 and #3.

Oregon Tech Residence Halls Fire Statistics 2015

There were no reported fires in any on-campus housing facility in the calendar year 2015. On-campus housing consists of the Traditional Residence Hall and Sustainable Village buildings #1, #2 and #3.

Oregon Tech Residence Halls Fire Statistics 2014

Oregon Tech Residential Facilities	Traditional Residence Hall	Village Bldg. #1*	Village Bldg. #2*	Village Bldg. #3*
Total Fires in Each Building	2	0	0	0
Cause	Unattended Microwave + Arson !	N/A	N/A	N/A
Date	01/23/2014 + 10/17/2014 !	N/A	N/A	N/A
Time	11:23pm +	N/A	N/A	N/A
# of Injuries that Required Treatment at a Medical Facility	0	0	0	0
# of Deaths Related to a Fire	0	0	0	0
Value of property Damaged	N/A	N/A	0	0
Incident Number	14-0014 + 14-0130 !	N/A	N/A	N/A

* Report 14-0014 details an incident involving an overcooked item in a microwave oven. The contents within this oven burned and the accompanying smoke set off the building's smoke/fire alarm system. The building was evacuated until the cause of the alarm was determined by Fire District #1 personnel. There were no reported injuries from this incident.

! Report 14-0130 details an incident of attempted arson. Evidence of arson was found in a first floor room. The evidence was collected and documented.

Oregon Tech Residence Halls Fire Statistics 2013

There were no reported fires in any on-campus housing facility in the calendar year 2013. On-campus housing consists of the Traditional Residence Hall and Sustainable Village buildings #1, #2 and #3.

Response to Fire and/or Alarms

If you discover or suspect that there is a fire, pull the nearest fire alarm and exit the building. Make an attempt to warn others as you leave. On exiting the building, occupants shall proceed to the Evacuation Marshalling Site specified for that building. First contact the Fire at 911, and then contact Campus Safety at 541-885-0911 from a safe location. Do not re-enter the building until fire department or Campus Safety personnel give permission. The silencing of a fire alarm does not mean it is safe to return to a building. Oregon Tech Campus Safety coordinates with the Klamath Falls Police Department and/or the Klamath County Fire District #1 in the investigation of each fire incident.

On receiving notification of a fire alarm activation, the on-duty Campus Safety Officer will immediately respond to the building involved. The Officer will visually inspect for the cause of the alarm. If the alarm is from a non-fire/emergency mishap (maintenance work or an accidental/malicious activation) the Officer will contact the 911 dispatcher and inform Klamath County Fire District #1 that the cause of the alarm has been determined. If the cause of the alarm has been determined to be a non-fire/emergency mishap the Officer may then silence the alarm. If the cause of the alarm cannot be determined, or is the result of a fire or emergency, Fire District #1 personnel will respond to the campus and perform an investigation to determine the cause of the alarm. Silencing the alarm without an approved investigation to determine the cause of the alarm is a violation of Oregon law. Persons who do so are guilty of a misdemeanor and can be prosecuted.

Training

All Residence Hall residents (including those with special needs) and residence halls staff receive basic fire safety training at the beginning of each academic year. In addition, a program that covers emergency and evacuation procedures is reviewed regularly with the occupants and staff of each respective residence hall. Every student room has an emergency evacuation map installed on the inside of the front door as well, to direct occupants to primary and secondary exits. Building evacuation drills are conducted four times per year in each housing facility.

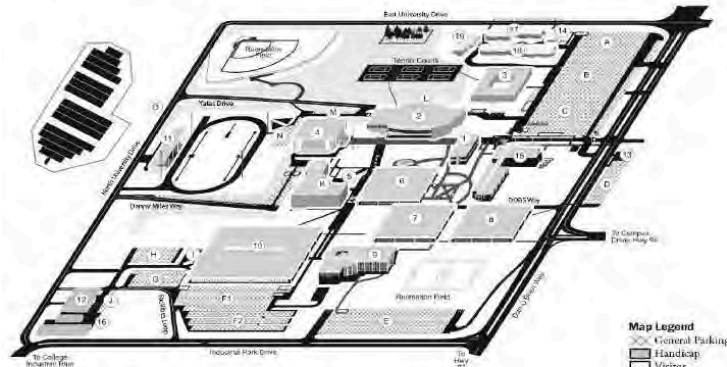
Fire safety training is offered to all employees annually. These sessions focus on three topics; fire characteristics, response procedures for building occupants and proper use of a fire extinguisher. Each training session consists of a lecture component, video clips and a voluntary hands-on module.

A fire evacuation exercise is an exercise performed by trained staff to prepare and evaluate the occupants on their efficiency and effectiveness to carry out emergency evacuation procedures. All occupants are required to participate. During a fire evacuation exercise, occupants are to practice safely evacuating the building, gathering at the assigned Evacuation Marshalling Site and providing any relevant information to emergency responders. Each Residence Hall participates in four fire evacuation exercises each year. All other campus buildings participate in a minimum of one exercise each year.

Partners for a Safe Campus



Campus Map



1. **Snell Hall**
Administrative Offices, Alumni Relations, Cashier, Human Resources, Oregon Tech Foundation, Registrar
2. **College Union**
Admissions, ASOIT, Bookstore, Campus Dining, Financial Aid, Information, KITEC, Meeting Rooms, Student Affairs
3. **Residence Hall**
Gymnasium, Fitness Center
4. **Athletics**
Gymnasium, Fitness Center
5. **Learning Resource Center**
Career Services, Library, Offices, Shaw Historical Library, Student Success Center
6. **Owens Hall**
Classrooms, Laboratories, Offices
7. **Semon Hall**
Classrooms, Dental Clinic, Laboratories
8. **Boivin Hall**
Classrooms, Information Technology Services, Geo-Heat Center, Offices, Small Business Development Center

9. **Purvine Hall**
Classrooms, Laboratories, Offices, Oregon Renewable Energy Center
10. **Cornett Hall**
Campus Safety, Classrooms, Laboratories, Offices
11. **John F. Moehl Stadium and Track Facility**
12. **Facilities Services**
Central Receiving
13. **Information Center**
Disabled Parking Information, Temporary and Visitor Parking, Permits, Campus Security
14. **Integrated Student Health Center**
15. **Martha Anne Dow Center for Health Professionals**
Classrooms, Laboratories, Offices
17. **Sustainable Village A**
18. **Sustainable Village B**
19. **Sustainable Village C**

- Designated Parking Area**
- A. Residence Hall Lot
 - B. Residence Hall Lot
 - C. Snell Hall Lot
 - D. Information Booth Lot
 - E. Purvine Hall Lot
 - F1. Cornett West Lot
 - F2. Cornett West Lot (Gravel)
 - G. Cornett North Lot
 - H. Cornett North Lot
 - I. Cornett North Annex
 - J. Facilities Services Lot
 - K. Learning Resources Center Lot
 - L. College Union East Lot
 - M. College Union North Lot
 - N. Tech Fit Lot
 - O. Stadium Lot (Gravel)

3201 Campus Drive
Klamath Falls, OR 97601
www.oit.edu

Partners for a Safe Campus



**2017
Campus Security
Annual Report**

Including Crime Statistics for the 2013, 2014, 2015 and 2016 Calendar Years

Wilsonville

Oregon Institute of Technology
Campus Safety Department

Emergency: 911
Office: 541-885-1111

Risk Management
Office: 541.885.1225

Partners for a Safe Campus

2017 Wilsonville Campus Annual Security Report

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Annual Security Report

Introduction

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the Clery Act) requires that post-secondary schools participating in the Title IV Student Financial Aid Programs publish a statistical report of crimes occurring on or near the institution's campus and provide information about security policies, procedures and programs. The intent of the report is to inform you of the extent of reported crimes occurring in the four previous calendar years. The report also includes data from three years prior to the most recent year. In the case of this particular report, you will see data for calendar years 2013, 2014, 2015 and 2016.

Preparation and Disclosure of Annual Crime Statistics

Oregon Tech Campus Safety, with assistance from Risk Management, generates this report annually to comply with the Jeanne Clery Disclosure of Campus Security and Crime Statistics. The report is also prepared with cooperation from the Clackamas County Sheriff's Office for on/off-campus and adjacent-to-campus reported crimes. The statistics provided are a culmination of crime reporting by the Clackamas County Sheriff's Office as they are the only law enforcement agency within the city of Wilsonville, Oregon. Campus crime, arrest and referral statistics include those reported to the Campus Safety department, and the Dean of Students, along with other designated campus officials.

Confidentiality of Victim/Survivors: These data, when recorded and compiled by the Clery Coordinator for the purposes of Clery reporting, contain information specific to and necessary for Clery reporting requirements only, specifically: date, location and crime. When collecting and compiling statistics, the Clery Coordinator does not request or record any identifying information about a victim, as such information is not required for Clery crime disclosure. The Clery Coordinator is the Custodian of Records for all Clery-associated records. These records include the crime log, available to the public at the Campus Safety office in paper copy format at 231 Cornett Hall on Klamath Falls campus, and Clery-reportable crime statistics which are provided to the public and the Department of Education annually, for the current and prior two years. The institution is required to keep Clery-associated records for seven years.

Distribution and Availability of the Current ASR

Each year, an e-mail notification is made to all enrolled faculty, staff members and students that provides the web site link to access this ASR report. Paper copies of the report may also be obtained by calling 503.821.1291. All prospective employees may obtain a copy of this report from Human Resources in the Snell Hall Administrative building (in Klamath Falls, room 111) or by calling 541.885.1074.

Reportable Crimes

The Clery Act requires that participating schools collect data on a specific list of crimes. These crimes are listed within this document and are defined by the current Clery and the Violence Against Women Act (VAWA) standard.

In the case of liquor, drug and weapon offenses, the numbers are tallied in two groups. The first set of numbers is for those who were referred for disciplinary actions by Oregon Tech and the second is for those individuals who were arrested. This is not a distinction between breaking the law and not breaking the law, the numbers in both groups are the result of a violation of the law. Rather it is an attempt to reflect the actual impact of liquor, drug and weapons violations occurring in the campus community even when the incident does not result in an arrest. Although the District Attorney may choose not to prosecute an individual for one of these offenses because there is insufficient evidence to reach a conviction, Oregon Tech may still sanction the individual because the standard for a conviction in a civil proceeding is less than what is required for conviction in criminal proceedings.

Excluded Crimes

In some cases an incident that is reported as a crime may not be included in the annual report. Each of the following five standards must be met for an incident to be included in the annual report:

1. **Reported to the Proper Authorities** – The incident must be reported to law enforcement or a person who, according to the Clery Act, is defined as a Campus Security Authority. A person designated as a Campus Security Authority includes more than individuals employed by the University security department. The term is applied to any person who works for the University in a paid or volunteer status and has significant responsibilities for student activities. For example; professors, student advisors, resident advisors, coaches for university athletics and persons who perform security functions at campus recreational facilities are considered Campus Security Authorities.

If you are someone whom a student reasonably believes that he or she can report a crime to and expect that the matter will be addressed directly through your intervention or that you will contact law enforcement for a response, then you are Campus Security Authority.

2. **Listed Crimes** – The crime must be one of those listed in the Clery Act as a reportable crime.
3. **Reportable Area** – The crime must have occurred in one of the reportable areas. Every reportable crime occurring within the boundaries of campus is in a reportable area. The two remaining areas are a little more difficult to define. Perimeter streets are described in the following way: "Sidewalk – Street – Sidewalk". This means that a reportable crime occurring on the sidewalk on either side of a perimeter street is reportable as are incidents occurring in the street. But an incident occurring in

a building (a privately owned store) on the distant side of a perimeter street would not be included. Unfortunately, most law enforcement agencies do not distinguish where a crime occurs with this degree of detail. Crimes are usually located by street and house numbers.

4. **Made in Good Faith** – For an incident to be included there must be a determination that the report is made in good faith. Supporting evidence makes this determination easy, but such evidence is not always available. In such a case the credibility of the person making the report is considered. When the incident is reported to us through a law enforcement agency, we assume that this determination has already been made.
5. **Not founded (unfounded)** – If in the case of a particular incident, law enforcement determines that the incident could not have occurred or did not occur, i.e., a false report, the crime would not be included in the annual report.

Security Policies, Procedures and Programs

In this report you will find information about security policies, how to report crimes and information about campus educational programs. These documents, which come from a number of campus departments, are gathered together here to assist you in your efforts to arrive at a more complete understanding of the campus climate as it relates to the issues of personal safety, crimes occurring on or near campus and the resources available to you as a student, faculty or staff member.

The collection of data and the evaluation of the data in the preparation of this report is a lengthy process involving many on-campus departments and off-campus agencies. Our purpose is to provide you with the information and the understanding you need to make an informed and reasoned decision about your personal safety as it relates to your time at Oregon Tech.

Campus Environment

Oregon Institute of Technology serves students from all over the world. It is the only accredited public polytechnological university in the Northwest. The Wilsonville campus is located in Wilsonville, Oregon, a suburb of the city of Portland. Oregon Tech maintains an "open campus" with no physical barriers between the university and the community.

Oregon Institute of Technology serves students and employers in the Portland metropolitan area by offering university degree programs at the Wilsonville Campus. Oregon Tech's high-demand Bachelor's and Master's degrees are accessible to traditional full-time students, community college transfer students, working professionals, and busy adults by offering day, evening, weekend, hybrid and online courses.

Oregon Tech Wilsonville opened its doors to students for fall term in 2012 which began in earnest on September 24, 2012. Oregon Tech consolidated four Portland metro area sites to one site at Wilsonville, Oregon. This allowed Oregon Tech to double the number of students it serves in the Portland metro area.

The Oregon Tech Wilsonville Campus is designed to provide an industry-focused, urban university experience at the heart of the "Silicon Forest." Our mission is to serve students and employees by educating a highly trained and globally competitive workforce in engineering, technology, management, and health sciences.

Oregon Tech faculty and advisors are devoted to educating globally competitive graduates in a challenging and supportive professional environment. An Oregon Tech degree at the Wilsonville Campus blends theory and real-world practice in well-equipped laboratories and project-based courses. Industry Advisory Boards help guide the curriculum of our programs, resulting in high-demand and rigorous degrees with a strong focus on professional practice, projects, and professional skills.

Campus Safety is a Shared Responsibility

Campus safety at Oregon Tech involves students, faculty and staff. It is Oregon Tech's desire to create and promote an open environment that encourages learning and freedom among all who attend or visit the university. Your safety is an important part of your educational and occupational experience.

If you see or suspect a crime in progress within the campus boundaries or adjacent properties, report it immediately to the Clackamas County 911 Emergency Services by calling 911. Everyone needs to be an active member of our campus community to report crimes and point out safety concerns to the appropriate departments or agencies. It is our collective responsibility to help keep our campus crime-free. Whether a victim or bystander, everyone can play an important role in keeping our community safe.

Members of the campus community are encouraged to report concerns and all campus crimes to Campus Safety. Students may also report concerns to the Dean of Students, the Title IX Coordinator or to the Director of Student Services. An online campus incident report for anonymous reporting for is available through "My OIT"

Safety Programs and Trainings:

Annually, the Campus Safety department teams up with other departments or members of the community to provide trainings to faculty, staff and students. Below are the trainings and some times of the year that they are made available to the campus community:

- New student orientation table occupied by the Campus Safety training officer. Subject matter includes but is not limited to Campus Safety services, personal safety, how to report a crime/accident/incident, dangers of drug and alcohol use, self-defense.
- Title IX updates presented by the Title IX Coordinator to begin the fall term/school year.
- The Clackamas County Sheriff's Office presented an Active shooter "Run, Hide, Fight" training in January of 2017, for the Wilsonville campus. Faculty, staff and students were invited to attend.
- The Dean of Students along with Student Health personnel provides information about personal safety and responsibility along with information about reporting crimes. This occurs in the fall term.
- Student Health personnel providing a table and information session the spectrum of sexual harassment/assault.
- "Social Norms" poster campaign regarding sexual assault and what to do if it happens to you or a friend.
- Alcohol Awareness presentation by Student Health to discuss the harmful effects of alcohol and encourage designated drivers.
- **Sexual Assault Survey/Sexual Responsibility** Tabling by Student Health in January 31/February 01, 2017
- **Responsible Employee** training with Title IX Director Nicole Briggs in April of 2017.
- **Hunting Ground** movie screening for the campus community in April of 2017

General Safety

No university campus or community is totally risk-free. Each person must contribute to fostering a safe learning environment by using common precautions and practicing crime prevention. These measures help reduce vulnerability as well as opportunities for criminal activity on campus.

There is no easy way to stop campus crime. However, to reduce risks, Oregon Tech has initiated the steps described in this report. Oregon Tech's Campus Safety program, directed by the Vice President for Student Affairs through the Campus Safety Director, is a proactive approach incorporating visibility, education, prevention and immediate response to campus incidents.

Personal Safety

Survivors of crimes are not responsible for their victimization, regardless of their actions. Criminals are responsible for crime. Not all crimes can be prevented with preparation and readiness, but campus community members can improve their safety by taking the following precautions:

- If working or studying late, arrange to leave with a friend. Lock doors and windows if working late alone.
- Refrain from getting in elevators with people who look out of place or behave in a strange or threatening way. Always immediately report suspicious people or conditions to 911.
- If being followed, go to a populated area.
- Be alert to any suspicious persons or vehicles.
- Carry a fully charged cell phone with emergency numbers pre-programmed.

Property Protection

- Don't leave valuables unattended (backpacks, wallets, purses, keys, computers, phones, electronic devices, etc.).
- Engrave personal property, such as electronic or sporting equipment, with an Oregon Driver's License number, like this: **OR123456DL**.
- Keep a written record of all personal valuables, including descriptions and serial numbers. It is evidence that the property belongs to the rightful owner.

Bicycle Theft

- Never leave a bicycle unlocked. It only takes a moment to steal an unlocked bicycle.
- U-lock style locks are best. Cables and padlocks can be cut easily and quickly.
- Lock the bicycle frame to a bike rack. Front wheels can be easily removed.

Office Security

- Never leave purses, wallets, or other valuables unattended. Lock them in a drawer or closet, or carry them.
- Do not leave keys unattended, and do not loan out university keys.
- Request authorization from persons asking for confidential information or from delivery or repair people who want to enter an area restricted to employees.

Key Control

- Those responsible for office keys should not leave them unattended, in plain sight on a desk, or in a top drawer where they could be taken or copied easily.
- Give keys only to those who have a legitimate need and make sure they are returned.
- If keys are lost or stolen, notify Campus Safety immediately (541-885-1111).

Parking Safety

- Lock vehicles at all times.
- When returning to a vehicle, have the keys out while approaching. Check the interior before getting inside.
- Notify Campus Safety immediately of any suspicious people loitering in the parking lot.
- Remove all valuables from vehicles. Leave them at home, carry them, or lock them in the trunk.

In a Threatening Situation

- If physically attacked, attract attention by yelling loudly or using a whistle.
- If using self-defense tactics or equipment such as pepper spray, run away as soon as the attacker is disabled *This suggestion would be for an off-campus application as pepper spray is not permitted on campus by Oregon Tech policy (OIT-50-010). This policy further defines weapons by Oregon Revised Statute (ORS) 166.360 which includes mace, tear gas and pepper mace or any similar deleterious agent.*
- Decide what to do in various situations before they occur. Try role-playing with a friend.
- If confronted by someone who only wants property, give it to them.
- Try to get an accurate description of the assailant. If a vehicle is involved, get the license number and call 911.

CAMPUS SAFETY TIPS

When crimes occur on campus, Campus Safety informs the campus community members so they can take precautions to avoid becoming victim of crimes, or so they may aid in the solving of crimes. Contact Campus Safety for more information.

Service

Campus Safety provides coordination with local law enforcement and crime prevention services. Crimes can also be reported to the Office Manager, Vice President for Wilsonville, Associate Vice President-Strategic Partnerships, the Vice President for Student Affairs and the Vice President for Finance and Administration.

Campus Safety and Clackamas County Sheriff's Office

Oregon Tech and the Clackamas County Sheriff's Office (CCSO) have a history of coordination and cooperation in responding to crime on campus and areas adjacent to campus.

Any major crime incidents on campus will be handled by the Clackamas County Sheriff's Office. As a general operating procedure, CCSO will conduct all investigations and make arrests as the responsible law enforcement jurisdiction.

Crime Prevention and Education

Campus Safety, staff, faculty and students work together on personal safety and preparedness to assist others in time of need. This strategy works! Each individual is responsible for taking basic precautions such as walking in pairs at night, locking office and car doors, and securing personal valuables when unattended. Campus Safety is always available to meet with individuals, groups and clubs to discuss safety, crime prevention methods and related issues.

Campus Safety actively supports crime prevention through a number of activities. Campus Safety Department employees provide educational talks, workshops and information exchanges throughout the academic year.

Campus Safety provides the following crime prevention services:

- Incident and crime reports
- Crime information and data to local police agencies
- Timely notices of criminal activity

When campus crimes occur, Campus Safety will notify the campus community to educate and inform members as a crime deterrent. If you have information or questions, contact Campus Safety at 541.885.1111.

Programs and Available Training for Sexual Misconduct Awareness and Prevention

By the fall term of 2016, Oregon Tech will institute mandatory training programs for all employees and students. These programs will promote the prevention and awareness of the following sexual offenses:

- Rape and acquaintance rape
- Domestic violence
- Dating violence
- Sexual Assault
- Stalking
- Bystander intervention

January and February: **Sexual Assault Survey/Sexual Responsibility Tabling** with Health Educator Jennifer Bavarskas

April: **Responsible Employee** Training with Title IX Director Nicole Briggs

April: **Hunting Ground** screening for the campus community

On January 20, 2017, the Wilsonville campus invited the Clackamas County Sheriff's Office to present a training on Active Shooter. The training was open to all employees and students.

Reporting a Crime

In the event of a crime or emergency, contact 911. This number will reach the Clackamas County 911 Dispatch Center.

Crimes can also be reported to the following persons or offices:

- Student Health @ 503.821.1250
- Vice President of Wilsonville @ 503.821.1291
- Vice President for Student Affairs @ 541.885.1013
- Executive Assistant to the Vice President @ 503.821.1291
- Campus Safety Office @ 541.885.1111

Building Access and Safety

The campus is open Monday through Friday, 7:00 a.m. to 10:00 p.m. and Saturdays from 7:00 a.m. to 6:00 p.m. Access to the building is limited during evenings and weekends. The building is locked after evening activities are completed.

Unauthorized entry to, or use of, the college facilities, including the building and grounds, is prohibited. Building access for special use, or use during non-business hours, requires prior approval. If you are working alone or will be in the building after normal work hours or on weekends, notify Wilsonville staff of your entry time and location. This is for your safety.

Security of Campus Grounds

The university is committed to campus safety and security. Currently, Oregon Tech Wilsonville has contracted security services on campus. Parking lots, pedestrian walkways, high-traffic areas, buildings, exterior lighting and grounds are checked during patrols. Doors are secured each evening. Shrubs, trees and vegetation are trimmed regularly by maintenance staff. Members of the campus community are encouraged to report all hazards, exterior lighting deficiencies or grounds problems to maintenance at 503.821.1262.

Keys

Members of the campus community are issued prox card key to help access their place of business on campus. If a prox card key is lost, misplaced or stolen, it should be reported to the Assistant to the Vice President immediately. Campus prox keys may not be duplicated, transferred or loaned to others. Report all lost keys immediately.

Fire Safety

If you discover or suspect that there is a fire, pull the nearest fire alarm and exit the building. Make an attempt to warn others as you leave. Contact 911 to summon the Fire Department. Do not re-enter the building until fire personnel give permission. The silencing of a fire alarm does not mean it is safe to return to a building.

Timely Warnings

The issuance of timely warnings on campus satisfies the Clery Act for the purposes of reporting an ongoing threat to the campus community. If there is a crime with an element of a continued threat to the safety of campus faculty, staff, students or visitors, a timely warning to the campus community will be communicated. The timely warning will be comprised of the initial crime, suspect description (if known), generic victim information where appropriate along with the time and location the crime took place. The timely warning will also include information regarding the continued or ongoing threat to the campus community's safety and precautions to take until the threat is removed or no longer considered a threat to campus.

The timely warning will originate from the Campus Safety department. The timely warning can also originate from office of the Vice President for Student Affairs or Public Affairs in cooperation with the Campus Safety department. The timely warning will be released through Oregon Tech student and employee e-mail addresses along with campus-wide notifications through Human Resources and Publications offices on campus. Timely warnings can also be found on Oregon Tech's daily information page on

Oregon Tech's web site known as Oregon Tech Connect. Updates to the Timely Warning will also be found on all of the same locations mentioned under this heading when new or updated information is confirmed and released.

Emergency Notifications

In October 2009, the Department of Education finalized the rules to the Higher Education Opportunity Act amendment that Congress passed in 2008. The changes affected many parts of the original act, but significant changes were put in place that impact emergency management and reporting. Institutions of higher learning must have mass notification plans and provide detailed reports to the Department of Education about campus security and fire safety. There are strict guidelines in place regarding what information must be included in these reports and how the institution should provide access to the reports to current and prospective students and employees.

OIT-Alert

The Oregon Institute of Technology Risk Management, Information Technology Services, Marketing & Communications and Campus Safety departments working in conjunction with selected administrative personnel have implemented the OIT-Alert system to alert the on-campus and off-campus community to an emergency situation.

It is our hope that this information will insure and assist in having the best experience possible with the university as a student, faculty member, staff member or visitor. It is our mission to assist the campus community in providing a safe and secure environment in pursuing educational or work experiences.

The OIT-Alert notification system enables the university to contact the Oregon Tech community in the event of an emergency by sending messages to preferred electronic devices. These devices include:

- Cell Phone
- E-mail
- Phone (land line)

OIT-Alert *is not* used to send non-emergency, routine or spam messages.

How OIT-Alert Works

We are committed to providing a safe learning environment for its students, faculty, staff and administrators. With this commitment comes a responsibility to notify the campus community of emergency situations if they arise on Oregon Tech campuses. OIT-Alert fulfills this commitment with emergency information available to the campus community and by providing emergency information and notification to a large scale of persons on campus and the larger outlying community. OIT-Alert will provide emergency information without delay to the campus community and beyond once an emergency situation or threat is confirmed and the appropriate officials on campus are notified for purposes of emergency response and possible evacuations.

In the event that Oregon Tech receives a confirmed significant emergency or dangerous situation involving an immediate threat at or near an Oregon Tech campus, an Oregon Tech official that is recognized as an emergency information provider will confirm the given emergency through other emergency channels on or off campus. These "other channels" may include but not be limited to Oregon Tech's Chief Information Officer, Risk Management Director, Campus Safety Director, Vice President, Public Information Representative or from legitimate off-campus emergency response and/or law enforcement agencies. Once the emergency is confirmed and the scope of the emergency is determined (campus-wide, section of campus one building etc.), the emergency information officer will enter the alert on Oregon Tech's alert network server, Everbridge. The Everbridge mass notification System will automatically send the alert message to various relay points of delivery to be dispersed to those persons that have signed up and/or updated their emergency information on the OIT-Alert system. The alert is then delivered to landlines, cellular phones and through e-mail accounts.

In the event that an on-going emergency at or near the Oregon Tech campus has follow-up information to be disseminated, the same process will be used to update the emergency alert information through OIT-Alert. Reasons for an updated OIT-Alert message would include but not be limited to further detailed information on the emergency, changes in location of the emergency, the emergency being deemed contained, concluded or no longer a threat.

In the event of an emergency, primary phone numbers and Oregon Tech e-mail accounts will be used for contact. Add a cell phone, a secondary e-mail address or an alternate phone to update personal profiles. Information for parents, spouses or friends to contact in case of a campus emergency can also be added to a personal profile.

How OIT-Alert will be used

Situations for which OIT-Alert will be used (but not limited to):

- Campus Closings
- Building emergencies
- Potential life-threatening situations on campus
- Extreme weather conditions
- Activation of Emergency Response teams

Types of messages to be sent by OIT-Alert

Depending on the device of choice, a sample message will appear similar to this:

"OIT-Alert - Fire on 4th floor at the Wilsonville campus. If you are in the Wilsonville campus building, evacuate immediately. If you are not in the building, avoid the area. Visit www.oit.edu and check e-mails for details."

You can be sure that an emergency message is genuine by the following sender identification:

Phone: 541.885.1000

E-mail: OIT-Alert (do not reply)

OIT-Alert was established and initially tested on November 17, 2009. More tests of this emergency notification system are coordinated to occur at least two times through each subsequent academic year.

Persons with updated profiles will be notified of the testing via their electronic device of choice described in the text. The audible or electronic message will clearly state that a test message has been transmitted. For more detailed and updated OIT-Alert information, please visit <http://www.oit.edu/oit-alert>.

Evacuation Drills and Procedures

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of fire or other emergency. At Oregon Tech, evacuation drills are used as a way to educate and train occupants on fire safety issues specific to their building. During an active drill, occupants 'practice' drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm. In addition to evacuations procedures during the drills, the process also provides Oregon Tech with an opportunity to test the operation of the fire alarm system components.

Standards of Conduct

Disciplinary sanctions as serious as suspension or expulsion from the university or eviction from university housing may be imposed against any students found guilty of committing, attempting to commit or intentionally assisting in any of the offenses listed in the Student Conduct Code and the housing contract.

Prohibited Conduct

The following list describes actions that detract from the effectiveness of a University community and/or which students are subject to disciplinary action. All violations below are also prohibited off-campus and may be adjudicated by the University when the behavior potentially jeopardizes the individuals or community's safety or educational opportunities. The Student Code of Conduct in its entirety can be found at:

<http://www.oit.edu/docs/default-source/Student-Affairs-/student-handbook/student-conduct-code.pdf?sfvrsn=6>

Prohibited conduct includes, but is not limited to, the following violations for the purposes of the Clery Act and VAWA:

- **Attempts and Complicity:** Attempts to or encouraging others to commit acts prohibited by this code will be sanctioned to the same extent as if one had committed the prohibited act. Apathy or acquiescence in the presence of prohibited conduct may constitute a violation of this policy and may constitute a violation of the policy that prohibits the conduct or behavior.
- **Interfering with Discipline Process:** Interfering with discipline procedures or outcomes, including but not limited to: falsification, distortion or misrepresentation of information before a hearing officer or hearing panel; knowingly initiating a complaint without cause; harassment or intimidation of any member of a hearing panel, witness(es), or University personnel before, during or after a proceeding; failure to comply with the sanction(s) imposed by either a hearing officer or hearing panel.
- **Weapons:** Possessing, using, or storing firearms, explosives (including firecrackers), weapons or dangerous chemicals or other materials on University property or in the course of any University activity, except as specifically authorized under applicable state law. This includes, but is not limited to BB guns, paintball guns, knives, swords, handguns, rifles, or any type of firearm or weapon. See Oregon Tech Policy and Procedures (policy OIT-50-010) for more information.
- **False Reporting:** False reporting of a bomb, fire or other emergency.
- **Disorderly Conduct:** Disorderly conduct is behavior that is disorderly, lewd, indecent, or a breach of peace on University property or at University-sponsored activities. Examples include any nonconsensual photography, video or audio recording of another person on University premises when such recording causes or is likely to cause injury or distress. This conduct would be a violation off-campus if it interfered with an individual's educational opportunities.
- **Drug Policy:** Illegal use, possession, sale, distribution, cultivation or manufacture of any state or federally controlled drug, substance or paraphernalia. Inhaling or ingesting any substances (e.g., nitrous oxide, glue, paint, etc.) that will alter a student's mental state is also prohibited. **Marijuana:** Possession (in any form) and consumption, including but not limited to smoking, eating, or oils, is prohibited by federal law. Although Oregon has legalized marijuana for medicinal use and recreational use (for individuals 21 years of age or older), it is prohibited on the Oregon Tech campus because marijuana is not legal under federal law and the University is required to comply with federal law. Possession/consumption by individuals under 21 will be subject to the

campus conduct process as well as law enforcement actions; violations by individuals over 21 will be subject to the campus conduct process.

- **Alcohol Policy:** Consumption, possession, distribution, sale and the serving of alcoholic beverages on university premises (including residence halls) or at university-sponsored activities regardless of age, except as expressly permitted by University policy is prohibited. Public intoxication, driving under the influence of alcohol, actual physical control of a vehicle while under the influence of alcohol, providing alcohol to minors, permitting any individual under 21 years of age to possess or consume alcohol, transporting an open container of alcohol, driving while impaired, incapacitation, possession or use of a fake ID, or being underage in possession of alcohol on or off campus are also violations of this policy. Students are expected to know and abide by all applicable laws regarding the consumption of alcoholic beverages. Exceptions to this policy permit the possession or consumption of alcoholic beverages by residents and invited guests within the interior living spaces of specific residence hall rooms and apartments only if all residents of the room or apartment and invited guests are of legal drinking age (See Housing and Residence Life policies online at www.oit.edu/housing for information about alcohol policies in buildings where alcohol is permitted). Lawful and responsible alcohol consumption is permitted for special events with approval per the campus alcohol policy (OIT-30-031).
- **Physical Violence and Threats of Physical Violence:** Physical violence of any nature against any person, on or off campus and threats of physical violence. This includes fighting; assault; battery; the use of a knife, gun, or other weapon; physical abuse; restraining or transporting someone against his/her will; suicidal or self-harming behavior; or any action that threatens to harm or endangers the physical health or safety of any person or causes reasonable apprehension of such harm. The University will strongly recommend suspension or expulsion for students found responsible for this charge when harm or injury occurs.
- **Sexual Misconduct:** Sexual misconduct is a broad term encompassing any nonconsensual contact of a sexual nature. Sexual misconduct may vary in its severity and consists of a range of behavior or attempted behavior including but not limited to the following examples of prohibited conduct:
 - a. **Unwelcome sexual touching/exposure** The touch of an unwilling or non-consensual person's intimate parts (such as genitalia, groin, breast, buttocks, mouth, or clothing covering same); touching an unwilling person with one's own intimate parts; or forcing an unwilling person to touch another's intimate parts. This also includes indecent exposure and voyeurism.
 - b. **Non-consensual sexual assault** Unwilling or non-consensual penetration of any bodily opening with any object or body part. This includes, but is not limited to, penetration of a bodily opening without effective consent (including when an individual is intoxicated and unable to provide sober/sound consent) through the use of coercion.
 - c. **Forced sexual assault** Unwilling or non-consensual penetration of any bodily opening with any object or body part that is committed either by force, threat, intimidation or through exploitation of another's mental or physical condition (such as lack of consciousness, incapacitation due to drugs or alcohol, age or disability) of which the assailant was aware or should have been aware.
- **Effective consent** is informed, voluntarily given, mutually understandable words that affirm a willingness to participate in mutually agreed upon sexual activity. Initiators of sexual activity are responsible for obtaining effective consent. Silence or passivity is not effective consent. The use of intimidation, coercion, threats, force, or violence negates any consent obtained. Consent is not effective if obtained from an individual who is incapable of giving consent due to lack of consciousness, age, disability, or incapacitated due to drugs or alcohol.
- **Sexual Harassment:** Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct or communication of a sexual nature when:
 - a. Submission to or rejection of such conduct or communication is a term or condition of educational benefits, employment, academic evaluations or opportunities;
 - b. Submission to such conduct or communication has the purpose or effect of substantially interfering with a student's education; or
 - c. Such conduct is sufficiently severe or pervasive as to have the effect of creating an intimidating, hostile or offensive educational environment or negatively affecting a student's educational opportunities. For more information, refer to policy OIT-21-325.
- **Stalking:** Stalking includes, but is not limited to, the persistent, severe or pervasive harassment of another person in a manner that would cause a reasonable person to feel frightened (for his/her safety or the safety of others), intimidated, threatened, harassed or molested, or suffer substantial emotional distress. This may include repeatedly contacting another person (through any means, such as in person, by phone, electronic means, text messaging, social media, etc.), following another person, or having others contact another person on your behalf.
- **Dating Violence:** Dating violence is committed by a person who is or has been in a social relationship of a romantic or intimate nature with another person. The existence of such relationship shall be determined based on a consideration of the following factors:
 - Length of the relationship
 - The type of relationship
 - The frequency of interaction between the persons involved in the relationship

- **Domestic Violence:** Domestic violence is a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner. Domestic violence can be physical, sexual, emotional, economic or psychological actions or threats of actions that influence another person.
- **Discrimination:** Discrimination on the basis of gender, race, age, status as a veteran, sexual orientation, national origin, religion or qualified disability is prohibited.
- **Retaliation:** The University will not tolerate retaliation against a person who, acting in good faith, brings a complaint forward. Retaliation against an individual who has brought a complaint forward, or against an individual who has participated in an investigation, is prohibited.
- **Disruption or Obstruction:** Disruption or obstruction of normal University or University-sponsored or -hosted activities, including, but not limited to: studying, teaching, research, University administration or fire, police or emergency services on University premises or at officially arranged University activities off campus.
- **Failure to Comply:** Failure to comply with the lawful directions of any University employee acting within the scope of their official duties or failure to identify oneself to such a person when requested to do so.
- **Classroom Disruption:** Classroom disruption is behavior that a reasonable person would view as substantially or repeatedly interfering with the instructor's ability to teach the class or the ability of other students to benefit from the instructional program.
- **Theft:** Theft, attempted theft or unauthorized possession of property belonging to the University or others on University property.
- **Property Damage:** Defacement, damage or destruction of property belonging to the University or others on University property.
- **Fire Safety:** Misuse or unauthorized use (including tampering) of firefighting, fire sprinkling systems and other safety equipment or warning devices, and failure to evacuate when a fire alarm is activated.
- **Unauthorized Entry:** Unauthorized entry into, or use of, any University building, facility, vehicle, equipment room or area. This includes unauthorized possession or use of University keys, computers, lock combinations or other special access codes or passwords.
- **Threats and Bullying:** Persistent, severe or pervasive verbal abuse, threats, intimidation, harassment, coercion, bullying or other conduct that threatens or endangers the mental or physical health/safety of any person or causes reasonable apprehension of such harm.
- **Hazing:** Hazing is any action or activity that causes or intends to cause physical or mental discomfort or distress, that may demean, degrade or disgrace any person, regardless of location, intent or consent of participants, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization (on or off campus). Apathy or acquiescence in the presence of hazing are not neutral acts; they are violations of this rule. (State law classifies hazing as a crime.) The University will strongly recommend suspension for students found responsible for hazing when harm/injury occurs. Examples include, but are not limited to:
 - a. Sleep deprivation or causing extreme fatigue
 - b. Physical or psychological shock;
 - c. Public stunts or jokes;
 - d. Compelled ingestion of any substance, including water
 - e. Degrading or humiliating games or activities;
 - f. Forced servitude.
- **Harassment:** Harassment means
 - a. Intentionally subjecting a person to offensive physical contact;
 - b. Unreasonable insults, gestures, or abusive words, in the immediate presence, and directed to, another person that may reasonably cause emotional distress or provoke a violent response (including but not limited to electronic mail, social media, conventional mail and telephone) except to the extent such insults, gestures or abusive words are protected expression; or
 - c. Other types of prohibited discrimination, discriminatory harassment, and sexual harassment, as defined by law.

Disciplinary Responsibility

The responsibility for the campus discipline system is delegated from the State Board of Higher Education to the vice president for student affairs through the president. The vice president for student affairs further delegates authority for student conduct to the dean of students, Housing and Residence Life, and designated hearing officers. A hearing officer is a University employee who is an officially designated administrator, faculty member, or staff member. The goal is to resolve cases closest to the point of infraction for maximum educational benefit.

A. Disciplinary Process

The following information is provided to inform students of the procedures in place at Oregon Tech for resolving alleged violations of University regulations. The procedures are designed to allow for fact-finding and decision-making in the context of the Oregon Tech educational community. The objective is to provide procedures that balance the rights of the individual with the legitimate interests of the University and community.

A.1 Complaints

1. Any member of the University community (faculty, staff or student) or any person who is unaffiliated with the University who has knowledge of an alleged violation of the Code of Conduct may file a complaint against a student alleging that a violation of the Code of Conduct has occurred. The University may itself initiate a complaint.
2. Such complaint shall be filed with Office of Student Affairs as soon as possible but typically within 180 calendar days (not University business days) of the alleged violation. A later complaint may be accepted with the approval of the vice president for student affairs, the dean of students, or designee.
3. The complaint must be submitted in writing and signed by the complainant(s), or submitted via approved online form and electronically signed by appropriate technical method, and must include the date, time, place, name(s) of person(s) involved (e.g., the accused, witnesses) and sufficient detail to make a determination of whether disciplinary action may be warranted.
4. Complaints may be initiated for incidents where concurrent criminal charges are pending. The University reserves the right to adjudicate incidents without regard to either pending civil litigation or criminal prosecution. University disciplinary proceedings may proceed before, during or after court proceedings.

A.2 Evidentiary Standards

Formal rules of procedure and evidence typically found in a court of law do not apply to disciplinary matters. In order for a student to be found responsible, the evidence must support a determination that it is "more likely true than not" (known as the "preponderance of the evidence standard") that a violation of the Code of Conduct occurred. Except, however, to impose the sanction of expulsion, the alleged violation of the Code of Conduct must be proven by "clear and convincing evidence", which requires proof that it is substantially more likely true than not that the alleged violation occurred. Hearsay evidence and personal testimony may be considered but will be weighed accordingly.

A.3 Disposition of Charges

The University disciplinary process is administered through Office of Student Affairs and is described here. Alleged violations of University regulations where neither disciplinary suspension nor disciplinary expulsion are a possibility are normally resolved through an Administrative Hearing process with a University hearing officer. Alleged violations of University regulations where disciplinary suspension or disciplinary expulsion are a possibility may be resolved through the Student Hearing Commission. Allegations where a one-on-one meeting between the hearing officer and the respondent would be the most effective way to establish the facts of the case are typically referred for an Administrative Hearing. Allegations that are complex, sensitive, require a number of witnesses or involve an alleged victim are often referred to Student Hearing Commission. The vice president for student affairs, the dean of students, or designee will assign the type of hearing after reviewing the initial complaint. A respondent or complainant in a case assigned to an Administrative Hearing may request that their case be resolved at the Student Hearing Commission. Such a request must be made before the scheduled Administrative Hearing. The request must be in writing and explain the perceived benefit of the Student Hearing Commission. The vice president for student affairs or dean of students will review such requests and make a final determination as to the type of hearing.

A.4. Victim Amnesty

While the University does not condone underage drinking or violation of other college policies, it considers reporting assaults to be of paramount importance, and will therefore extend limited immunity to victims in order to foster reporting and adjudication of sexual assaults on campus.

B. Student Rights in Conduct Proceedings

The University considers the disciplinary process to be an educational opportunity for the student that can promote growth in personal understanding of one's role as a member of an educational community and a better understanding of one's rights, responsibilities and privileges therein. During a disciplinary hearing process, both the respondent and the complainant have the rights to:

1. A written notice of the alleged violation(s)
2. An explanation of the student conduct process upon request
3. Have no code violation assumed until proven
4. A timely hearing
5. Be accompanied by an adviser during the hearing. The adviser is limited to advising the student and may not present the case, question relevant participants or make statements during the proceedings to participants other than the student they are advising
6. Have access to the information, statements and other evidence to be presented at the hearing in advance of the hearing. The university retains discretion with regard to the time, place and manner in which access to such information is permitted.
7. Be present during the entire hearing, except during deliberation
8. The accused has the right to question his/her accuser, either directly or indirectly, at the discretion of the hearing officer or hearing panel chair; the complainant has the right to question the accused either directly or indirectly, at the discretion of the hearing officer or hearing panel chair
9. Question witnesses, either directly or indirectly, at the discretion of the hearing officer or hearing panel chair
10. Present material witnesses (those with firsthand knowledge of the incident). The respondent and complainant

- are responsible for contacting and arranging for the attendance of their own witnesses in all cases
- 11. The respondent has the right to a written notification of the outcome of the hearing, the complainant has the right to receive written notification of the outcome of the hearing when permitted by law
- 12. An avenue for appeal from an Administrative Hearing, a Student Hearing Commission hearing, or a grievance hearing.

C. Administrative Hearing

- 1. Upon determining that sufficient evidence exists to believe that a violation of the Code of Conduct may have occurred, the vice president for student affairs, the dean of students, or other hearing officer with jurisdiction will notify the student in writing of the alleged violations against him/her. The written notice will be delivered by one of the following methods: (1) hand delivery to the student, (2) sent electronically to the student's institutional email address, or (3) sent by U.S. mail to the student's last known address as filed in the Registrar's Office. Students are responsible for providing and maintaining a current local address with the Registrar's Office.
- 2. At the Administrative Hearing, the student will be provided with the following:
 - a. An explanation of the alleged violations of University policy;
 - b. A summary of the facts and information that substantiate the allegations;
 - c. The opportunity to reflect upon and respond with his/her account of the incident or circumstances pertaining to the allegation(s);
- 3. An explanation of the decision of the hearing officer that may result in the following:
 - a. The allegation(s) may be dismissed as unfounded;
 - b. The student may admit responsibility for the violation(s) and have a sanction imposed;
 - c. The student may be found responsible for violating the Code of Conduct and have a sanction imposed.
- 4. Any sanction, except disciplinary suspension, deferred suspension, and disciplinary expulsion may be imposed.
- 5. Decisions reached at an Administrative Hearing shall be final with no right to appeal or request other proceedings.
- 6. Failure to respond to a written allegation of charges or failure to complete the assigned sanction(s) will result in either a hold being placed on the student's enrollment privileges or graduation, the filing of additional charges, or a decision being made based on the information available at the time.

D. Student Hearing Commission

Hearing procedures are provided for allegations against an individual or group where suspension or expulsion from the University are possible if they are found responsible, and for grievances. An Administrative Hearing will be conducted in these cases when the individual or group admits responsibility for the Code of Conduct violation(s). A hearing before the Student Hearing Commission is available for cases where suspension or expulsion is possible and the individual or group denies responsibility for a Code of Conduct violation, or there are disagreements pertaining to the facts of the case. A hearing before the Student Hearing Commission may not be available during dead week, final examinations, breaks, Summer Term, or other periods when a timely hearing is not possible.

- 1. The Student Hearing Commission is comprised of a minimum of eight faculty appointed by the president, and three students appointed by student government, and the dean of students (ex-officio member).
- 2. A quorum is at least five members (one of which must be a student) is needed in order to hold the hearing.
- 3. A dean of students, or designee, will be present as a non-voting participant. His/her role will be to facilitate dialogue between the hearing panel and the students involved, direct the attention of the parties to relevant points, act as an adviser to the hearing panel and answer procedural questions as needed.
- 4. If an attorney accompanies the charged student or the complainant at the hearing, the University may also elect to have an attorney present. The University's attorney shall serve as a non-voting observer and adviser to the hearing panel. Any adviser, including an attorney, is limited to advising the student, as noted elsewhere in this document.
- 5. In cases of sexual harassment and sexual misconduct, the Title IX investigator will present an investigation report as part of the hearing proceedings. The investigator will present the report and answer questions. The role of the investigator is to serve as an unbiased party conducting a thorough investigation of all allegations of sexual harassment or sexual misconduct. The investigation report is a compilation of facts, not a verbatim report, and is not appealable or rebuttable.

E.1 Pre-Hearing Procedures

- 1. Student Hearing Commission members will be asked for their availability to participate in an upcoming hearing.
- 2. Office of Student Affairs will prepare and send a written notice to the charged student or group and the complainant at least five University working days before the hearing. If expulsion is a possibility, ten University working days' notice is required. The written notice will be delivered by one of the following methods: (1) hand delivery to the student, (2) sent electronically to the student's institutional email address, or (3) sent by U.S. mail to the student's last known address as filed in the Registrar's Office. Students are responsible for providing and maintaining a current local address with the Registrar's Office. The notice will

- include;
 - a. The date, time, place and nature of the hearing;
 - b. Reference to the sections of the Code of Conduct involved;
 - c. A brief explanation of the alleged violation including the approximate date, time and place where the alleged violation occurred;
 - d. Names of witnesses, if known;
 - e. Acts alleged to constitute a violation;
 - f. Whether the student may face expulsion for the violation;
 - g. An explanation of the right to be accompanied by an adviser, including that the adviser's role is to advise and support the student. The adviser may not present the case, question relevant parties, or make statements during the proceedings. The student must notify Office of Student Affairs two University working days in advance of the hearing if he or she will be accompanied by an attorney. In such cases, the University may elect to have an attorney in attendance.
- 3. The Dean of students, or designee, will be available to meet with the complainant and the respondent, separately or together, to discuss and explain the hearing procedures and answer questions.

E.2 Three University Working Days in Advance of the Hearing

- 1. No less than three University working days in advance of the hearing, the charged student and the complainant will each provide to the Office of Student Affairs copies of documentary evidence to be presented at the hearing and the names of witnesses who will be called. It is the responsibility of the each student to notify witnesses of the date, time and location of the hearing and to enlist their witnesses' cooperation and willingness to attend the hearing.
- 2. No less than three University working days in advance of the hearing, the charged student and the complainant will have the right to have access to documentary evidence to be presented at the hearing, by prior appointment.

E.3 Hearing Process

- 1. The purpose of the hearing is to attempt to provide a forum where all the evidence and testimony can be presented, where questions can be asked of all parties, and where the hearing panel can deliberate and decide by a preponderance of the evidence (meaning that it is "more likely true than not") that a violation of the Code of Conduct did or did not occur. Except however, to impose the sanction of expulsion, the standard of proof at the hearing for imposition of that sanction shall be "clear and convincing" evidence ("substantially more likely true than not"). Formal rules of process, procedure and technical rules of evidence, such as those applied in criminal or civil court, are not used in student conduct proceedings. Deviations from prescribed procedures will not necessarily invalidate a decision or proceeding unless significant prejudice to the student or the University may result.
- 2. If the hearing panel concludes that a violation did occur, the panel decides what disciplinary action is appropriate.
- 3. To protect the privacy of all parties and in accordance with FERPA (Family Educational Rights and Privacy Act), hearings will be closed.
- 4. Both sides have the right to present witnesses, who will be subject to questioning by the hearing panel. Questioning by the complainant or the accused is permitted at the discretion of the hearing panel so long as it is not threatening or harassing.
- 5. In the case of sexual misconduct, the hearing panel may, in its discretion, exclude evidence of the victim's past sexual history from discussion during the hearing. The past sexual history of the victim with persons other than the alleged perpetrator is irrelevant.
- 6. If the accused is found responsible for violating the Code of Conduct, then in those cases involving a victim, that victim may submit an impact statement.
- 7. If the charged student elects not to appear for the hearing, the hearing will be held in his/her absence. Failure to appear will be noted without prejudice. Findings will be based on information presented at the hearing.
- 8. Material witnesses will be present during the introductory comments of the hearing, including the honesty statement*, at which point they will be excused until time to give their testimony. Witnesses will be excused upon completion of testimony and questioning, but they may be asked to remain available for recall. The complainant and respondent remain throughout the hearing.
- 9. At the conclusion of the hearing, all parties will be dismissed except for the hearing panel so they may deliberate and reach a decision.
- 10. A student's past disciplinary record will be revealed to the hearing panel only if the accused is found responsible for the violation of the Code of Conduct under consideration. If the student raises the issue of past behavior during the hearing, the issue is then open to discussion.
- 11. The order of presentation at the hearing will be as follows:
 - a. Purpose of the hearing provided by the chair of the hearing panel.
 - b. The complainant may present an opening statement.
 - c. The responding student may present an opening statement.
 - d. The Title IX investigator will present the investigation report and answer related questions in cases of sexual misconduct.

- e. The complainant will present evidence and call witnesses.
 - f. The responding student will present evidence and call witnesses.
 - g. At the conclusion of each witness statement, the witness may be questioned by the hearing panel, the representative from the Office of Student Affairs, the accused student either directly or indirectly, and the complainant, either directly or indirectly.
 - h. The complainant may make a closing statement.
 - i. The responding student may make a closing statement.
 - j. All parties are dismissed for hearing panel deliberation.
12. The hearing may accommodate concerns for the personal safety, well-being or fears of confronting the complainant, accused student, or other witnesses. Procedures or the hearing environment may be modified as determined in the sole judgment of the vice president for student affairs, or designee, to be appropriate.
- *Honesty statement: The University expects that all information presented will be truthful and accurate. If false information is willfully provided, a student will be in violation of Section III of the Code of Conduct and may be subject to disciplinary action.

E.4 Hearing Panel Deliberations and Decision

1. The hearing panel will deliberate and, by majority vote, find whether or not a violation(s) of the Code of Conduct as charged has been proven by the evidence presented.
 - a. The panel may find that the evidence was not sufficient to establish that a violation of the Code of Conduct, as charged, was committed and dismiss the case.
 - b. The panel may find that the evidence submitted was sufficient to affirm the charges and impose a sanction commensurate with the offense.
 - i. In order to affirm a charge and impose a sanction of expulsion, the panel must find that there was clear and convincing evidence (i.e., substantially more likely true than not) that the violation occurred.
 - ii. In all other cases, in order to affirm a charge and impose a sanction, the panel must find that a violation occurred by a preponderance of the evidence (i.e., more likely true than not).
2. The hearing panel decision will be communicated in writing to Office of Student Affairs, which will notify the respondent, and if appropriate, the complainant in writing within two business days. The notification letter will include findings of fact, sanction(s) imposed (if any) and the rationale for the decision. The notification letter will be delivered by one of the following methods: (1) hand delivery to the student, (2) sent electronically to the student's institutional email address, or (3) sent by U.S. mail to the student's last known address as filed in the Registrar's Office. Students are responsible for providing and maintaining a current local address with the Registrar's Office. The notification letter may also be picked up in the Office of Student Affairs within two working days of the hearing. In compliance with Department of Education requirements in cases of sexual violence or physical violence, the complainant will be notified of the outcome at the same time as the respondent. In other violations, the complainant will not be notified of the outcome.

Victim Notification

In cases involving allegations that a crime of violence or non-forcible sex offenses, victims are entitled to know the results of any disciplinary proceedings. Both the accused and complainant will be notified in writing of the results of any hearing involving such allegations. Victims of a crime of violence, sexual assault, non-forcible sex offense, or stalking will be provided with notification in writing of the final outcome of the disciplinary hearing, including the sanctions imposed against the alleged perpetrator. Victims of sexual harassment will be provided with notification in writing of the final outcome of the disciplinary hearing, including those sanctions that directly relate to the harassed student (e.g., no contact order, suspension, expulsion, etc.).

Appeal Procedure

An appeal is a review of the record of the original hearing, not a new hearing. It serves as a procedural safeguard for the student. The burden of proof is on the appellant, who must show that one or more of the listed grounds for appeal has merit. A student or group will not appear before the review panel unless specifically requested to do so by the panel.

Appeal of Decisions Reached Through Hearing Proceedings

Any outcome decided by the Student Hearing Commission may be appealed to the University president by either the respondent or the complainant.

1. Students will be asked for their current address at the original hearing. A letter containing the hearing panel's decision will be mailed to this address by certified mail, delivered in person or sent electronically to the institutional email address within two working days following the hearing. Students may also pick up a copy of the decision at the Office of Student Affairs. Appeals must be submitted in writing to Office of Student Affairs by 5 p.m. within seven University working days of the original hearing. Failure to file an appeal within the prescribed time constitutes a waiver of any right to an appeal.
2. The appeal must cite at least one of the following Appeals Criteria as the reason for appeal and provide supporting argument(s) as to why an appeal should be granted on these grounds.

- Appeals grounds include the following:
- a. The hearing was not conducted in conformity with prescribed procedures, and substantial prejudice to the complainant or the respondent resulted;
 - b. The evidence presented at the previous hearing does not support the finding that was made; that is, whether there were facts in the case that, if believed by the fact finder, were sufficient to support the Panel's findings;
 - c. New evidence that could substantially affect the outcome of the previous hearing has been discovered since that hearing. The evidence must not have been available at the time of the original hearing. Failure to present evidence that was available is not grounds for an appeal under this provision;
 - d. The sanction is not appropriate for the violation. This provision is intended to be utilized when a determined sanction is inherently inconsistent with University procedures. Simple dissatisfaction with a sanction is not grounds for overturning a sanction under this provision.
3. The president will review the record of the original hearing, including documentary evidence, and issue a finding as to the merits of the criteria cited as the reason for appeal.
 - a. If the appeals panel finds there is no merit to any of the grounds appealed, it will issue a finding as such.
 - b. If the appeals panel is presented with new evidence that could not have been presented at the original hearing, the matter may be remanded to the original hearing panel for a rehearing.
 - c. If the sanction is determined to be inappropriate for the violation, the appeals panel may recommend the sanction be modified by the vice president for student affairs and state the reasons for that recommendation.
 4. If the president finds there is no merit to any of the submitted grounds for appeal, that decision shall be final. The final decision will be communicated in writing by Office of the President or the Office of Student Affairs to the complainant and the respondent. The decision will normally be communicated within ten University working days of receiving the written recommendation, but it may take longer during University recesses, in a complex case, or other reasonable circumstances.
 5. If the president recommends modifying the outcome or the sanction, the final decision will be communicated in writing by the vice president for student affairs to the complainant and the respondent. The decision will normally be communicated within ten University working days of receiving the written recommendation, but it may take longer during University recesses, in a complex case, or other reasonable circumstances. The decision of the University president shall be final.

Other University Policies

Drug Free School and Workplace Programs

Oregon Tech complies with the provisions of the federal Drug Free Workplace Act of 1989 and the Drug Free School and Communities Act Amendments of 1990. University policies adopted to implement these federal requirements provide for the possibility of serious disciplinary action in the event of alcohol abuse or illicit drug use on campus or in connection with University functions, or for mandatory referral to approved rehabilitation, assistance programs. Copies of the University's policy statements are available online at www.oit.edu/hr (policy OIT-30-034).

Admission Clearances for Potential Students Convicted of a Felony or Suspended from an Institution

The Office of Admissions forward applications for admission to the Office of Student Affairs when potential students have been convicted of a felony or suspended from an institution. These potential students require a clearance for further admission consideration and must provide additional information as requested to Office of Student Affairs. Students may be granted provisional admission with conditions to meet in order to be fully admitted to the University. The final decision regarding admission rests with the Office of Admissions using normal academic criteria. Oregon Tech typically upholds current suspensions from other institutions.

Readmission Requirements for Students Suspended for Disciplinary Reasons

Students who have been suspended from Oregon Tech for disciplinary reasons will be required to receive a clearance from Office of Student Affairs before they will be readmitted. The Office of Admissions will forward such applications to Office of Student Affairs for review and additional information may be requested. Students may be provisionally cleared for readmission consideration with or without special conditions.

Notice of Nondiscrimination

Oregon Institute of Technology does not discriminate on the basis of race, color, ethnicity, national origin, gender, disability, age, religion, marital status, sexual orientation or gender identity in its programs and activities. The following person is designated to handle inquiries and complaints regarding this non-discrimination policy: Suzette Yaezenko, Affirmative Action Officer, Oregon Tech, 3201 Campus Dr., Klamath Falls, OR 97601-8801; 541.885.1108; Fax 541.851.5200; e-mail: suzette.yaezenko@oit.edu. Hard copies of policies may be requested through the Office of Student Affairs in 217 College Union

Alcohol and Drug Policy

Oregon Tech participates in the "Drug Free Schools and Community Act" (Public Law 101-226, Sec. 22) and is committed to providing an environment that maximizes the potential for a drug- and alcohol-free lifestyle. Possession, consumption or furnishing alcoholic beverages on campus is prohibited, except in designated "Over 21 Wings" of the Residence Halls (including the Sustainable Village and on special sanctioned occasions in the College Union).

The use, possession, sale, giving or exchanging of illegal drugs or controlled substances is prohibited on campus by state law and university policy. Persons violating these prohibitions are subject to discipline and corrective intervention by the university, including possible suspension, expulsion and filing of criminal charges. Health risks associated with misuse and abuse of mind-altering drugs, controlled substances and alcohol include, but are not limited to, diminished immunity; physical and psychological dependence; brain, pancreas, kidney and lung damage; high blood pressure; heart attack; strokes; ulcers; birth defects; and death.

The Integrated Student Health Center provides assessment and referral service to students and serves as an alcohol and drug abuse information and educational resource.

Please review the Oregon Tech policies on alcohol possession and consumption at <http://www.oit.edu/docs/default-source/human-resources-documents/faculty-policies-and-procedures/oit-30-031-possession-and-consumption-of-alcoholic-beverages.pdf?sfvrsn=6> and controlled substances at <http://www.oit.edu/docs/default-source/human-resources-documents/faculty-policies-and-procedures/substance-abuse---controlled-substance-abuse---oit-30-033.pdf?sfvrsn=4>. These and other Oregon Tech policies can be found on the Oregon Tech Human Resources web page at <http://www.oit.edu/faculty-staff/human-resources>

The Oregon Tech campus has been designated as a "Drug Free". The illegal possession, sale, use, manufacturing, or distribution of any controlled substance is illegal under both state and federal laws. Enforcement of State and Federal drug laws are strictly enforced by law enforcement agencies including the Klamath Falls police department. Violators are subject to University disciplinary action, criminal prosecution, fine and imprisonment.

Oregon Revised Statutes dealing with drugs may be found here:

https://www.oregonlegislature.gov/bills_laws/lawsstatutes/2013ors475.html

Firearms, Munitions and Explosives

Except as expressly authorized by law or university regulations, possession, use or threatening use of firearms, fireworks, ammunition, explosives, chemicals or any objects that may be used as a weapon are strictly prohibited on university property or at university sponsored or supervised activities. Concealed weapons are prohibited, even with an authorized permit. Professional law enforcement officers are the only person permitted to possess firearms on campus.

Clery Crime Updates and Clarification

In the past year there have been many changes and updates affecting Clery collection, classification and reporting requirements. These changes, articulated below, are effective for 2013 Clery data collection and disclosure of Clery crime statistics.

Violence Against Women Act Legislation

On March 7, 2013, President Obama signed into law a bill that strengthened and reauthorized the Violence Against Women Act (VAWA), which affords additional rights to campus victims of sexual violence, dating violence, domestic violence and stalking. Included in the VAWA legislation were numerous amendments to the Clery Act requiring updates to policies and procedures and collection and reporting of statistics for sexual assaults, dating violence, domestic violence and stalking. For more information and a summary of VAWA reauthorization amendments to the Clery Act, see: <http://clerycenter.org/article/vawa-reauthorization>

New Clery Crimes

As a result of the passage of VAWA, schools are now required to collect data and report statistics for the additional crimes of dating violence, domestic violence and stalking as well as additional hate/bias crime categories of gender identity, ethnicity and national origin. Please Note: Because the VAWA legislation was not passed until March of 2013 and schools may not have collected data for these crimes for the entire year, the Department of Education does not require schools to report statistics for the full 2013 calendar year.

Changes to Reporting Practices

In the past, the Department of Education has required that schools, under the Clery Act, use the FBI National Incident Reporting System (NIBRS) guidelines to count, classify and report all sex offenses, including Forcible Rape; Forcible Sodomy; and Sexual Assault With An Object. In 2012, the FBI developed a new definition of Rape within the Uniform Crime Reporting (UCR) guidelines, as an all-inclusive offense category encompassing Rape, Sodomy and Sexual Assault with an Object. As a result of this change, the Department of Education now requires that schools, under the Clery Act, use the new UCR definition of Rape to count, classify and report crimes. The new description is reflected in the crime definitions section below. The tables have been updated from last year, to include a description of the crimes that fall within each sex offense category.

The *National Incident Based Reporting System* (NIBRS) is an incident-based reporting system for crimes in which agencies collect and report data on each single crime occurrence. For example, if multiple crimes are committed, each individual crime is reported

under NIBRS, which covers a broad range of reportable data with 22 offense categories made up of 46 specific offenses. This applies to reports of incidents and to arrests. Under Clery, schools are required to classify the sex offenses of Fondling, Statutory Rape and Incest according to NIBRS guidelines (this was prior practice and has not changed).

The *Uniform Crime Reporting Summary System* (UCR) is a hierarchy-based crime reporting summary system, which means if more than one offense is committed during a single incident, only the most serious offense is counted, which is defined as the "hierarchy rule." For example, if a murder and a sex offense occur, only the murder is counted under UCR guidelines. The UCR system divides offenses into two groups, Part I and Part II crimes. Part I offenses are limited to murder and non-negligent manslaughter, rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft, and arson. The Part II offenses consist of 21 additional crimes, for which only arrest data are collected. Under Clery, schools are required to classify all Clery crimes, with the exception of Fondling, Statutory Rape and Incest in accordance with UCR guidelines; applying the UCR hierarchy rule when counting Clery crimes. In 2014, the Department of Education created an exception to the hierarchy rule, which states that in situations in which an individual is a victim of a sex offense and a murder during the same incident, the murder *and* the sex offense will be counted. This new exception, if applicable, will be reflected in the Clery crime statistics reporting tables and disclosed to the Department of Education.

Clery Crime Definitions and Terminology

Under the Clery Act, Oregon Tech annually distribute statistics in the annual report and disclose statistics to the Department of Education, on the reported occurrences of the following offenses:

Murder and Non-Negligent Manslaughter: The willful (non-negligent) killing of one human being by another. *Note:* Deaths caused by negligence, attempts to kill, assaults to kill, suicides, accidental deaths, and justifiable homicides are excluded.

Negligent Manslaughter: The killing of another person through gross negligence.

Sexual Assault: An offense that meets the definition of rape as used in the FBI's UCR program or an offense that meets the definition of fondling, incest or statutory rape as used in the FBI's NIBRS program.

Sex Offenses: Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- A. **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.
- B. **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 or physical incapacity.
- C. **Date Rape Drug:** Under Clery, the administration of a date rape drug in an unsuccessful attempt to incapacitate and sexually assault the victim, and investigation determines that the perpetrator's attempt was to commit a sex offense, is a sexual assault. Administration of a date rape drug in which intent cannot be proven is an Aggravated Assault.

Sex Offenses, Non-forcible: Unlawful, non-forcible sexual intercourse.

- A. **Incest** Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- B. **Statutory Rape:** Non-forcible sexual intercourse with a person who is under the statutory age of consent.

Domestic Violence

- A. **State Definition:** Domestic Violence: Abuse between family or household members.
Family or household members: Spouses or former spouses; adults related by blood, marriage or adoption; persons cohabitating or who have cohabitated; persons in a past or present sexually intimate relationship; unmarried parents of a child.
Abuse: The occurrence of one or more of the following acts within a domestic relationship:
(a) Attempting to cause or intentionally, knowingly or recklessly causing bodily injury.
(b) Intentionally, knowingly or recklessly placing another in fear of imminent bodily injury.
(c) Causing another to engage in involuntary sexual relations by force or threat of force.
- B. **Federal Definition**
(1) A felony or misdemeanor crime of violence committed-
(i) By a current or former spouse or intimate partner of the victim
(ii) By a person with whom the victim shares a child in common
(iii) By a person who is cohabitating with or has cohabitated with the victim as a spouse or a partner
(iv) By a person similarly situated to a spouse of the victim under the domestic violence laws of the jurisdiction in which the crime of violence occurred, or

- (v) 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.

Dating Violence (Federal Definition)

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

- (1) 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, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- (2) For purposes of this definition-
 - (i) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 - (ii) Dating violence does not include acts covered under the definition of domestic violence.
- (3) For the purposes of complying with the requirements of this section, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Note: There is no state definition for Dating Violence.

Stalking:

A. State Definition

- (1) A person commits the crime of stalking if:
 - (a) The person knowingly alarms or coerces another person or a member of that persons immediate family or household by engaging in repeated and unwanted contact with the other person;
 - (b) It is objectively reasonable for a person in the victims situation to have been alarmed or coerced by the contact, and
 - (c) The repeated and unwanted contact causes the victim reasonable apprehension regarding the personal safety of the victim or a member of the victims immediate family or household.

B. Federal Definition

- (1) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to-
 - (i) Fear for the person's safety or the safety of others; or
 - (ii) Suffer substantial emotional distress
- (2) For the purposes of this definition-
 - (i) Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device or means, follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.
 - (ii) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
 - (iii) Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

Consent: One of the most important areas for someone to be aware of is the area of consent. It is the responsibility of the parties to both give and receive consent in a clear, concise and mutually understood manner. Consent once given can be revoked at any time. Once consent is withdrawn, the sexual activity must cease immediately and all parties must obtain mutually expressed or clearly stated consent before continuing further sexual activity. Just because consent was given in the past each new contact should clearly establish consent between everyone involved.

The Oregon Revised Statutes defines the inability to consent as:

Oregon Revised Statute (O.R.S) 163.315/Incapacity to consent; effect of lack of resistance.

- (1) A person is considered incapable of consenting to a sexual act if the person is:
 - (a) Under 18 years of age;
 - (b) Mentally defective;
 - (c) Mentally incapacitated; or
 - (d) Physically helpless.
- (2) A lack of verbal or physical resistance does not, by itself, constitute consent but may be considered by the trier of fact along with all other relevant evidence. [1971 c.743 §105; 1999 c.949 §2; 2001 c.104 §52]

Evaluate and Communicate Your Intentions

Domestic Violence, Dating Violence, Stalking and Sexual Assault are issues that impact both women and men. Because the largest percentage of all university related rapes, dating violence and stalking are committed by acquaintances, it is important that you decide what you want to happen in intimate situations.

Both women and men should consider the following:

- Pay close attention to what is happening around you. Clearly communicate your desires, limits and intentions to your date, partner, or friend.

- Intercourse becomes rape when a person is under the influence of any intoxicating or controlled substance and is thereby prevented from resisting or consenting to the sexual contact. Be aware that alcohol and other drugs can impair your judgment; make you slow or unable to escape from a dangerous situation.
- Previous sexual contact, regardless of frequency, does not constitute consent for sexual activity in the present or future. A current or previous dating relationship does not constitute the basis for implied consent.
- Do not assume that sexual intercourse is permissible if a person is dressed in a certain way or is incapacitated and does not give consent.
- Being turned down for sexual activity is not necessarily a personal rejection. It should be accepted as expressed because "NO" means "NO."
- Assaultive behavior is never acceptable.

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. It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed. Aggravated assault includes poisoning (date rape drug, etc.)

Burglary: The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access, even though the vehicles are later abandoned – including joy riding).

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

Liquor Law Violations: The violation of laws or ordinance prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

Drug Abuse Violations: Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

Weapon Law Violations: The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.

(Crime definitions are from the Uniform Crime Reporting Handbook. Sex offense definitions are from the National Incident-Based Reporting System edition of the Uniform Crime Reporting Program).

Clery Act Hate/Bias Crimes

A hate crime is defined as any crime that manifests evidence that a victim was selected because of his/her actual or perceived race; gender; gender identity; religion; sexual orientation; ethnicity; national origin or disability. A hate crime is not a separate, distinct crime, but is the commission of a criminal offense which was motivated by the offender's bias. If the facts of the case indicate that the offender was motivated to commit the offense because of his/her bias against the victim's perceived race; gender; gender identity; religion; sexual orientation; ethnicity; national origin or disability, the crime is classified as a hate crime. For more information on the definition and classification of hate/bias crimes, see:

Bias: Bias is a preformed negative opinion or attitude toward a group of persons based on their race, gender, gender identity, religion, disability, sexual orientation, ethnicity or national origin.

Although there are many possible categories of bias, under Clery, only the following eight categories are reported:

Race: A preformed negative attitude toward a group of persons who possess common physical characteristics (e.g., color of skin, eyes, and/or hair; facial features, etc.) genetically transmitted by descent and heredity, which distinguish them as a distinct division of humankind (e.g., Asians, blacks, whites).

Gender: A preformed negative opinion or attitude toward a group of persons because those persons are male or female.

Gender Identity: A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals.

Religion: A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, atheists.

Sexual Orientation: A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived sexual orientation.

Ethnicity: A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term race in that "race" refers to grouping based mostly upon biological criteria, while "ethnicity" also encompasses additional cultural factors.

National Origin: A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs and/or traditions.

Disability: A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

Other Crime Definitions

Oregon Tech is required to report statistics for hate/bias crimes by the type of bias for the prior listed offenses as well as the crimes of larceny, simple assault, intimidation and vandalism. The below listed crimes are not Clery reportable crimes unless the crime was motivated by bias.

Larceny-Theft: 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: 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 (Except "Arson"): To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

If a hate crime occurs during an incident involving larceny, simple assault, intimidation or vandalism, Clery law requires that the statistic be reported as a hate crime even though these four crime classifications by themselves are not Clery-reportable crimes.

A hate crime is not a separate, distinct crime, but is the commission of a criminal offense which was motivated by the offender's bias. If the facts of the case indicate that the offender was motivated to commit the offense because of his/her bias against the victim's race, religion, ethnicity, national origin, gender, gender identity, sexual orientation, or disability, the crime is classified as a hate crime.

Driving under the Influence of Intoxicants is not reportable because it is a driving crime and not a liquor crime unless the driver is also a minor or the means of intoxication is an illegal drug.

Sexual Harassment: Sexual harassment is unwelcomed conduct of a sexual nature. Oregon Tech is committed to providing a respectful environment for all its members. Sexual harassment of students, faculty or staff by other members of the university community is prohibited and will not be tolerated.

Sexual harassment is a violation of Federal Law (Titles VII and IX) and the Oregon University Administrative Rule 580-015-0015 along with Oregon Administrative Rule 578-12-0010(1)(2) prohibiting any form of discrimination. Sexual harassment is a prohibited act normally resulting in disciplinary proceedings against the perpetrator. Unwanted sexual activity by persons abusing positions of economic, supervisory or academic power is undesirable and oppressive. Sexual harassment is also sex discrimination which is against the law and administrative rules.

If you believe you are being or have been sexually harassed, please contact the Title IX Coordinator Suzette Yaezenko. The Title IX Coordinator is Nicole Briggs. She is available at 541.885.1487. The Oregon Tech Chief Director of Human Resources officer/Affirmative Action Officer/Chief Diversity Officer/Civil Rights Officer (541-885-1108) for Oregon Tech is also Suzette

Yaczenko and will deal with all harassment matters directly and confidentially. Complaints are handled in accordance with Oregon Tech Policy 21-25; retaliation also is prohibited.

Bystander Intervention

Oregon Tech prohibits all forms of sexual harassment and sexual violence, which include, but are not limited to, the offenses of sexual assault, dating violence, domestic violence and stalking. University officials respond swiftly to all reports of these incidents to provide support services for those who have experienced sexual or relationship violence or stalking; protect the rights of all students under our Title IX and Clery obligations; apply our Code of Conduct; and cooperate fully with law enforcement.

Sexual violence affects everyone: individuals, families, communities and the larger society. While some forms of sexual violence might not be illegal, such as sexist and sexually violent jokes, comments about someone's appearance, sexual orientation or gender identity, catcalling, sexually explicit comments, and vulgar gestures, this does not make them any less threatening or harmful to the person victimized. All of these behaviors contribute to a culture that accepts sexual violence. *Bystanders* can speak up when they witness these actions in order to promote safety, respectful relationships and safer communities.

Research has shown that, on the average, third parties (individuals who are neither the victims nor the perpetrators of violence) prevented injuries in 1.2 million violence victimizations annually between 1993 and 1999 (Planty, 2002). The term "bystander" is used to describe these third parties. An engaged bystander is someone who intervenes before, during or after a situation when they see or hear behaviors that promote sexual violence.

What is Bystander Intervention?

Bystander intervention is safe and positive options that may be carried out by faculty, staff or fellow students to prevent harm or intervene when there is a risk of sexual harassment, sexual assault, dating violence, domestic violence or stalking.

Bystander intervention includes:

- Recognizing situations of potential harm.
- Understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking actions to intervene.
- Risk reduction: options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

Campus Security Authorities

Oregon Tech encourages the campus community to immediately report crimes or suspicious activity to the Campus Safety Police Department to help maintain the safest possible environment for students, faculty, staff, and visitors.

As mentioned throughout and pursuant to the Clery Act, a federal law, the university is required to compile and publish crime statistics in an Annual Security Report. As part of this obligation, members of the university's community who are considered to be Campus Security Authorities are required to report crimes for inclusion as statistics in the university's Annual Security Report.

Who is a Campus Security Authority?

"Campus Security Authority" is a Clery specific term that encompasses certain departments, groups and individual Oregon Tech employees who have a duty to report crimes they become aware of, as defined by the Clery Act. The law defines a Campus Security Authority as "an official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings."

Examples of Campus Security Authorities:

Police and security departments (Campus Safety)
Deans and directors
Title IX coordinators
Office of the Dean of Students
Athletics team coaches
University housing staff
Faculty and staff advisors to student organizations

Campus Security Authorities may also be identified by job function; that is any employee who, by virtue of their job function, has significant responsibility for assisting students or campus activities. Examples would be student advisors or formal or informal student mentors.

The Clery Act requires that Campus Security Authorities be identified, notified and trained.

Campus Security Authorities who have been identified by job title receive annual notification and training and are asked to forward the training to anyone within their department who they believe meets the Clery definition of a Campus Security Authority by job function

If you believe that you may qualify as a Campus Security Authority and have not received notification or training, please contact the Title IX Coordinator at 541.885.1847.

The Role of a Campus Security Authority

Campus Security Authorities should not investigate crimes or attempt to determine whether in fact a crime occurred. Rather, a Campus Security Authority's obligation is to simply report the information that s/he has as soon as possible.

Oregon Tech is required to disclose statistics for the following offenses that occur on campus, or in non-campus buildings or property owned or controlled by the university, and public property within or immediately adjacent to campus.

- Murder
- Manslaughter
- Sexual Assault
- Robbery
- Aggravated Assault
- Burglary
- Vehicle Theft
- Arson
- Dating Violence
- Domestic Violence
- Stalking
- Hate/Bias Crimes

If in doubt that a crime is reportable, please err on the side of reporting the matter.

If You Are Sexually Assaulted

For Students:

Remember that you are not to blame--no one deserves to be sexually assaulted.

You should contact one of the following offices: Campus Public Safety, Vice President for Student Affairs, Student Health, or the Clackamas County Sheriff's Office.

- For the Vice President for Student Affairs office, call 541.885.1011.
- For Integrated Student Health Center, call 541.885.1800.
- For Clackamas County Sheriff's Office assistance, call 911 (on or off campus).
- For Campus Safety assistance, call 541.885.1111.
- Talk to someone you trust about the incident--a good friend, a family member, and/or a member of the university community. Talking to someone can help you clarify your options.
- Do not wash, shower, douche, change, destroy or clean the clothes you wore during the assault. These provide vital evidence should you later decide to prosecute.
- Oregon Tech Wilsonville students taking more than 4 credits may choose to pay the Student Health Fee for Portland State University. Payment of this fee allows students access to PSU's Center for Student Health and Counseling. A variety of health, counseling (including crisis counseling) and dental services are available through the Center.
- Contacting the sheriff's office does not mean you must press charges. Ask about filing an "informational" (informal) report, which covers the expenses for a rape exam and provides a record of the incident if you later decide to file charges.

Whether or not criminal charges are filed, a campus administrative investigation will be conducted and handled through the Dean of Students/Vice President of Student Affairs office *if the incident is officially reported to this office*. Campus sanctions can be imposed regardless of the criminal investigation.

For Employees:

Remember that you are not to blame -no one deserves to be sexually assaulted.

You should contact one of the following offices: Campus Public Safety, the Title IX Coordinator or the Clackamas County Sheriff's Office.

- For Campus Safety assistance, dial 541.885.1111.
- For Integrated Student Health Center, dial 541.885.1800.
- For the Title IX Coordinator, dial 541.885.1487.
- For Clackamas County Sheriff's Office assistance, dial 911 (on or off campus).
- Talk to someone you trust about the incident--a good friend, a family member, and/or a member of the university community. Talking to someone can help you clarify your options.

- Do not wash, shower, douche, change, destroy or clean the clothes you wore during the assault. These provide vital evidence should you later decide to prosecute.
- Contacting the police department does not mean you must press charges. Ask about filing an "informational" (informal) report, which covers the expenses for a rape exam and provides a record of the incident if you later decide to file charges.

Rape Evidence Collection Examination

A rape exam provides essential treatment for exposure to sexually transmitted diseases and pregnancy. It also collects evidence to be used against your assailant should if pressing charges is the victim's course of action. Campus Safety will assist in reporting to the Clackamas County Sheriff's Office. In most cases, DNA evidence needs to be collected within 72 hours in order to be analyzed by a crime lab—but a sexual assault forensic exam can reveal other forms of evidence beyond this time frame that can be useful if you decide to report. The examination will be conducted at a medical facility by a certified Sexual Assault Nurse Examiner (S.A.N.E.). Please look over the added website for more information on sexual assault exams/rape kits <https://www.rainn.org/get-information/sexual-assault-recovery/rape-kit>

General Medical Attention

You can receive medical attention from the following areas:

- **Multnomah County Walk-in Clinic** – 2415 SE 43rd Ave, Portland, OR. Open 7 am to 10:30 pm, seven days a week. <https://web.multco.us/mhas/mental-health-crisis-intervention>
- **Geneva Health Center & Urgent Care** – In Wilsonville. Provides both primary care and urgent care walk-in appointments. Phone: 503-685-9165. <http://genevahealthcenters.com/wilsonville>

For Immediate Counseling

- Oregon Tech Integrated Student Health Center at 541.885.1800 (Klamath Falls). The counseling center is open Monday through Friday from 8:00 a.m. to 5:00 p.m. to schedule appointments.
- Stop by the Wilsonville main office and ask to see Leanne Reed. She is available at 503.821.1356
- **Oregon Tech Sexual Assault Hotline** at 541.891.0011 (0648)
- The **Clackamas County Crisis Line** is also available for advocacy and consultation. The 24-hour hotline is 503.655.8585 (ask to speak to a crisis counselor).
- The **Multnomah County Crisis Line** is 503.988-4888
- The **Washington County Crisis Line** is 503.291.9111
- The **RAINN (Rape, Abuse and Incest National Network)** is 1.800.656.HOPE (4673) or www.rainn.org.
- The **US government website on sexual assault** at www.notalone.gov.
- Campus Safety at 541.885.1111 has emergency contact capability for counselors who can assist after business hours.

Additional Reporting Information and Options

- Oregon Tech Vice President for Student Affairs Office at 541.885.1011. This office can help you explore potential university judicial disciplinary actions that could follow an incident of sexual assault or relationship violence in compliance with the Oregon Tech Student Code of Conduct, which governs internal disciplinary sanctions and procedures.
- Oregon Tech takes sexual and relationship violence very seriously. Another reporting option for crimes of sexual and dating violence can be anonymously reported by completing an Anonymous Report Form for sexual or relationship violence. It is available on line through the Office of Student Affairs at <http://www.oit.edu/docs/default-source/Student-Affairs-/anonymous-report.pdf?sfvrsn=0>. Once the form is filled out, it can be placed in an envelope and mailed or delivered to either the Office of Student Affairs or the Integrated Student Health Center. The form includes addresses for both locations. If the survivor wishes for the crime to be recorded in university statistics, a section on the report form will need to be completed. All details are on the anonymous reporting form. *Filling out the available form does not constitute a police report or a student conduct report. Please read the entire Sexual Assault portion of this annual report for more information on reporting a sexual crime to authorities.*
- Oregon Tech Campus Safety at 541.885.1111. They will help you in any manner possible, including contacting a counselor, helping you get a medical exam, reporting an assault to the Clackamas County Sheriff's Office.
- Clackamas County Sheriff's Office at 503.682.1012 or call 911 in an emergency. They hold jurisdiction for any criminal action occurring in the city of Klamath Falls. Officers will respond and assist in getting an incident documented and can follow up on any needed action.

If you are sexually harassed, assaulted, or a victim of sexual violence, you should contact the Human Resources Director Suzette Yaezenko at 541.885.1800. (<http://www.oit.edu/faculty-staff/human-resources/contact-us>)

Student Health Counseling Center at 541.885.8313 can assist with any medical or counseling resources you may seek (<http://www.oit.edu/campus-life/student-health>).

Marta's House (Klamath Crisis Center) at (541.884.0390 or 1 800 452.3669) has trained Advocates available that can assist you through the process. <http://www.klamathcrisiscenter.org/>.

Explore Reporting Options

If the police or Campus Safety are contacted, you can choose to make either an "informational (informal) report" or a formal report. A formal report initiates a criminal investigation. An informational report is not activated until you file a formal complaint and ask police to do so. All informal as well as formal reports are forwarded to the Dean of Students for review and appropriate action.

- You can explore reporting options with Campus Safety 541.885.1111. Ask to speak with an officer. You do not have to fill out a report or press charges against the offender. A campus administrative investigation will be conducted based upon the information received.
- You can report a sexual assault up to six years after it occurred without any DNA evidence or up to 12 years if there is DNA evidence. Call 541.885.1111 and ask to speak with an officer regarding a "personal matter." You do not have to give your name. The officer will talk to you then or call you back.
- You have the right to have someone present with you (an Advocate) during a medical examination, police report, or meeting with Campus Safety.
- When reports are made relative to domestic violence, dating violence, sexual assault and stalking, the Dean of Students/Vice President of Student Affairs will work with Campus Safety to investigate the incident, assign charges, invoke interim sanctions (including, but not limited to, removal from residence hall, reassigning classes, removal from campus and interim suspension) when necessary, conduct a hearing and determine an outcome based on the **preponderance of evidence** (*Superiority in weight of an evidence that is more convincing [even if minimally] than the evidence presented by the other party. In a civil case, the jury is instructed to determine which party on the whole has preponderance of evidence, and to return a verdict in its favor.*) Following a report of domestic violence, dating violence, sexual assault or stalking, a survivor is provided a letter from the Dean of Students that identifies campus and community resources, and explains the student conduct process should a survivor wish to participate in the process. The contact name and number for the Dean of Students will be provided within the letter. The Dean of Students will assist the survivor throughout the process.

What a reported incident can look like (from complainant's prospective):

Incident Being Reported:

Sexual Assault

Procedure Oregon Tech Will Follow:

1. Depending on when reported (immediate vs delayed report), Oregon Tech will assist complainants with access to medical care.
2. Oregon Tech will assess immediate safety needs of complainant.
3. Oregon Tech will assist complainant with contacting local police if complainant requests and complainant provided with contact information for local police department.
4. Oregon Tech will provide complainant with referrals to on and off campus mental health providers.
5. Oregon Tech will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate. Student victims have the option to request assistance in changing academic and living situations after an alleged sexual assault incident if these changes are reasonably available.
6. Oregon Tech will provide a "No trespass" directive to accused party if deemed appropriate.
7. Oregon Tech will provide written instructions on how to apply for Restraining Order through the local court system (see video for pursuing and filing an RO through the court system at http://www.oregon.gov/OSP/CJIS/news/REST_ORDER_VIDEO.avi).
8. Oregon Tech will provide a copy of the Sexual Misconduct Policy to complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution.
9. Oregon Tech will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is.
10. Oregon Tech will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation.

Incident Being Reported:

Dating Violence/Domestic Violence/Stalking

Procedure Oregon Tech Will Follow:

1. Oregon Tech will assess immediate safety needs of complainant.

2. Oregon Tech will assist complainant with contacting local police if complainant requests and complainant provided with contact information for local police department.
3. Oregon Tech will provide written instructions on how to apply for Restraining Order through the local court system (see video for pursuing and filing an RO through the court system at: http://www.oregon.gov/OSP/CJIS/news/REST_ORDER_VIDEO.avi)
4. Oregon Tech will provide written information to complainant on how to preserve evidence.
5. Oregon Tech will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate.
6. Oregon Tech will provide a "No trespass" directive to accused party if deemed appropriate.

Student Sanctions:

Sanctions Process

Following an on-campus disciplinary procedure, university sanctions for domestic or dating violence, rape, acquaintance rape or other sex offenses include actions from probation up to and including expulsion from school. The disciplinary procedures in all alleged sexual assaults include the following:

- The accuser and the accused are entitled to the same opportunities to have others present during a university disciplinary proceeding.
- Both the accuser and the accused shall be informed of the outcome of any university disciplinary proceeding alleging a sexual assault, sexual harassment, domestic violence, dating violence, or any sexual offense.
- Student victims have the option to request assistance in changing academic and living situations after an alleged sexual assault incident if these changes are reasonably available.

Implementation of Sanctions

Disciplinary actions or grievance decisions shall not be implemented until the time for appeal has expired, until the entire appeal process is completed, or if the individual or group voluntarily waives the right to appeal in writing. The exceptions to delaying sanctions until the process is complete include: 1) when interim suspension has been invoked by the vice president for student affairs or dean of students (see Interim Suspension procedures for details [Section II]); or 2) to protect the safety of others on the campus. The vice president for student affairs retains the authority, at his/her discretion, to convert any sanction imposed by a hearing panel to a lesser sanction, to rescind any previous sanction, or to return a recommended sanction to a hearing panel for review or reconsideration.

Disciplinary Files and Records

1. Case referrals will result in the development of a disciplinary file in the name of the accused student. If the student is found not responsible for the charges, the file will be marked no action, no record and shall not constitute a disciplinary record. Such files will be maintained for seven years, and then will be destroyed.
2. The files of students found responsible for charges against them, with sanctions less than suspension or expulsion, will generally be maintained in the office of Office of Student Affairs for seven years from the calendar year of record, and then will be destroyed.
3. Records of cases in which suspension or expulsion from the University occur, are kept indefinitely.
4. Confidentiality — All disciplinary records are private and may not be disclosed in whole or in part except as provided by law or by the written authorization of the student, under legal compulsion, or where the safety of other persons may be involved. Disciplinary records are maintained separate from the student's academic record but are part of the student's educational record.

Disciplinary Sanctions

Although not intended to be all inclusive, the following are possible sanctions that may be imposed either singularly or in combination for a student or group/organization if a violation of the Student Code is found.

1. **Warning** is an oral or written warning that further violations of University regulations could result in additional disciplinary action.
2. **Alternative Dispute Resolution** is a process by which a respondent is assigned to resolve an issue that has come to Office of Student Affairs collaboratively with the other people involved instead of having a hearing officer issue other sanctions. Any instances of alleged sexual misconduct and some other alleged violations are inappropriate for alternative dispute resolution.
3. **Loss of Privileges** is a limitation on a student's privileges for a period of time and may include but not be limited to the denial of the use of facilities or access to parts of campus, denial of the right to represent the University, or denial of participation in extracurricular activities.
4. **Voluntary Project** is community service or an education class or project beneficial to the individual, campus or community.
5. **Restitution** is the actual cost of repair or replacement for loss, damage or injury to property or person, such as medical bills.
6. **Fines** – financial assessment imposed by the hearing officer or panel

7. **Parental Notification** — The federal Family Educational Rights and Privacy Act permits educational institutions to notify parents of students under the age of 21 when a student has been found responsible for an alcohol or drug related violation. Students are generally notified when parents will be contacted and are given the opportunity to contact the parents first.
8. **Deactivation** is a group's loss of all privileges, including Oregon Tech recognition, for a specified period of time.
9. **Enrollment Hold** is a "hold" on enrollment privileges for failure to meet with the dean of students or other hearing officer or for failure to comply with assigned conditions or complete assigned sanctions. This hold can prevent the adding or dropping of classes or enrolling for subsequent terms.
10. **Cancellation of Enrollment** occurs when a previous hold has been cleared with the condition that the enrollment will be canceled for failure to meet the conditions of the clearance. If canceled, the refund of tuition or fees will be subject to the University's normal withdrawal policy.
11. **Class Removal** occurs when a student is dropped from a class or moved to another section of a class. The dean of students has the right to restrict a student from class pending a hearing for alleged violations of the Code of Conduct occurring in the classroom that substantially interfere with teaching or other students' ability to learn.
12. **Graduation Hold** is a hold on a student's participation in graduation exercises and diploma for failure to respond to a request to meet with the dean of students or other hearing officer, or for noncompliance with disciplinary sanctions. The vice president for student affairs may place a graduation hold.
13. **Revocation of Degree** — an academic degree previously awarded by the University may be revoked on proof that it was obtained by fraud or that a significant part of the work submitted in fulfillment of, and indispensable to, the requirements for such degree was plagiarized. The Academic Progress and Petitions Committee may, upon appeal of a university graduate subjected to a degree revocation, stipulate the requirements for legitimately obtaining the degree.
14. **Campus No Contact Order** is an absolute prohibition from contact with another person in any form whatsoever (including but not limited to contact in person, by phone, electronically, written document, or through another person). Violating a University-imposed No Contact Order may result in suspension or expulsion from the University.
15. **Residence Hall Suspension** is the separation of a student from the residence halls for a specified period of time, after which the student is eligible to return. Conditions for readmission may be specified.
16. **Residence Hall Expulsion** is the permanent separation of a student from the residence halls.
17. **Conduct Probation Level 1** is a specified period of time during which the student is placed on formal notice that he/she is not in good standing with the University and that further violations of University regulations will subject him/her to suspension or expulsion from the University. Probation may include additional conditions or sanctions. The probationary status and conditions are documented in writing.
18. **Conduct Probation Level 2** adds to Level 1 the stipulation that students are prohibited from participating in any extracurricular activities not directly associated with academics (e.g., intramural sports, attending athletic events, student organizations/clubs/associations, leadership positions within housing or fraternities/sororities or other organizations). Students must apply to get off Conduct Probation Level 2 by submitting documentation of their significant proactive efforts to become good citizens of the community and engage in responsible, productive behavior.
19. **Disciplinary Suspension** is the exclusion from enrollment in classes and other privileges or activities for a definite period of time and until the conditions which are set forth in the hearing outcome letter are met. Notification of disciplinary suspension will be provided in writing. Examples of violations for which the University will strongly recommend suspension include, but are not limited to, the following: selling or otherwise providing alcohol to underage students, selling or distributing illicit drugs, sexual violence/misconduct, hazing, actions that result in the serious injury or death of another person(s), violation of a University-imposed No Contact Order or repeated alcohol or drug offenses that jeopardize the individual's or community's educational opportunities or safety. Students who are suspended from Oregon Tech are not permitted on campus or in University buildings, facilities or activities at any time for any reason during the period of suspension, unless otherwise directed by the vice president for student affairs, the dean of students, or his/her designee. Conditions to conclude a suspension shall be stated in the written notification, including the approval of the Office of Student Affairs. Notation on the transcript is not made; however, a permanent record of the action is maintained in the student's record in the Office of Student Affairs for the entire seven year period for which such records are retained (referenced in Section VII, above).
21. **Disciplinary Expulsion** is termination of student status for an indefinite period. The conditions or readmission, if any, shall be stated in the hearing outcome letter. Notification of disciplinary expulsion will be provided in writing. Any refund of tuition or fees will be subject to the University's normal withdrawal policy.
22. **Admission and Reinstatement Requirements** are conditions for admission given to students whose admission requires a clearance from Office of Student Affairs (see Section IX).

Institutional Disciplinary Process

Procedures for adjudicating student conduct cases are outlined in the Student Code of Conduct. Hearings are conducted by professional staff and hearing boards who receive annual training on standards of conduct, adjudication procedures and on issues related to domestic violence, dating violence, sexual assault, and stalking. Hearings are conducted in a manner that is fair, prompt, and impartial, and protects the safety of the survivor. All hearings are closed to the public. What is stated in a hearing is confidential. The survivor has the option to attend the entire hearing with the exception of the committee's deliberation process, and may attend the hearing accompanied by a support person or advocate. The charged student is afforded the same rights in terms of attending the entire hearing and being accompanied by an advisor of the charged student's choosing. Hearing results are provided to

both the charged student and the survivor in writing. Both the charged student and the survivor have the right to appeal the results of the hearing.

Faculty Employees:

Academic employees found to have engaged in sexual harassment may be subject to an oral or written warning or reprimand in accordance with OAR 578-12-0010. Sanctions more severe than an oral or written warning or reprimand, such as removal from an assigned post and reassignment, suspension or termination shall be imposed in accordance with Oregon Tech policies OIT-21-321 and OIT-21-325.

Classified Employees:

Classified employees found to have engaged in sexual harassment may be subject to disciplinary action in accordance with current collective bargaining agreements. If a proven incident of sexual harassment occurs, sanctions in accord with the progressive discipline concept shall be instituted, including written reprimand, suspension, reductions of pay, demotion, and finally, termination of service.

Campus Sex Crimes Prevention Act

The federal Campus Sex Crimes Prevention Act of 2000 (CSCPA), which became law Oct. 28, 2000, but which delayed certain provisions until Oct. 28, 2002, amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act. CSCPA provides special requirements relating to registration and community notification for sex offenders who are enrolled in or work at institution of higher education. In addition to the Wetterling Act, CSCPA also amended the Clery Act, an annual crime-reporting law, and the Family Educational Rights and Privacy Act of 1974 (FERPA) to allow the disclosure of this information regarding students.

As provided in the Wetterling Act, any person required to register under a state sex-offender program must notify the state regarding each institution of higher education in that state at which the person is employed, carries on a vocation, or is a student. They also must alert the state of any change in enrollment or employment status.

These changes took effect October 28, 2002. The act also amends the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act to require institutions of higher education to issue a statement, in addition to other disclosures required under that act, to advise the campus community where to obtain law enforcement agency information provided by a state concerning registered sex offenders. These changes took effect October 28, 2002 and this notice has been a requirement beginning with the annual security report due October 1, 2003.

Oregon law was amended in 2005 (HB 2299) to make these requirements effective January 1, 2006. Under state law, sex-offender information may be obtained through local law enforcement agencies and the Oregon State Police and requestors may access this information using a variety of search criteria, such as name, address, ZIP code, or county. Another law passed in 2005, HB 3486, mandates the posting to a public Internet site of information about predatory sex offenders and dangerous, sexually violent offenders. Oregon sex offender law again changed in 2007 (HB2333), which amended the criteria for sex offender registration for certain crimes that do not qualify for sex offender registration based on the circumstances of the incident. To read the changes, effective January 1, 2008: http://www.oregon.gov/OSP/SOR/whats_new.shtml.

How to Obtain Sex Offender Information

Oregon State Police:

Oregon State Police will provide, upon request, a list (updated monthly) of sex offenders enrolled at, or employed at an institution of higher education. This list can be obtained by calling the Sex Offender Unit at 503-378-3725. A list of offenders, both on and off supervision, including those posted to the public website and those who are not, can be obtained by calling the Oregon State Police at 503-378-3725 Extension 44429 or by e-mailing a request to Sexoffender.Questions@state.or.us. Most requests are processed within 1 week, however, circumstances may require a longer response time.

- To look up information on predatory sex offenders by name and location: <http://sexoffenders.oregon.gov/>
- Provides a sex offender FAQ section including the definition of "Predatory Sex Offender";
- <http://oregon.gov/OSP/SOR/pages/faqs.aspx>
- For information on the sex offender registration program: <http://www.oregon.gov/OSP/SOR/Pages/index.aspx>
- Further questions may be directed to the Oregon State Police Sex Offender Unit.
- Oregon State Police Sex Offender Registration Unit:
4th Floor, 255 Capitol SE, Salem OR 97310
Phone 503-934-1258, for sex offender questions, or 503-378-3725 for general questions

Additionally, the Director of Operations will maintain a list of sex offenders who have been required to report their sexual offender status to the institution under federal and/or state law.

Health Professional Reporting of Crimes and Annual Crime Statistics

The Student Health Center is comprised of staff that provides professional counseling and psychological services to their given clientele. For the purposes of supporting the client victim of a crime, staff will encourage and assist their client with how to report a crime to the Campus Safety department or local police agencies. This reporting will be done on a voluntary or confidential basis, should the health professional feel it is in the best interest of the client. There is also an option for the health professional to anonymously capture crime statistics disclosed confidentially during a given session.

Partners for a Safe Campus

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Campus Safety Activity Report - Wilsonville

Offense Type	2016			2015			2014			2013		
	Campus	Public Prop	Non-Campus	Campus	Public Prop	Non-Campus	Campus	Public Prop	Non-Campus	Campus	Pub Prop	Non-Campus
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses												
Forcible sex offenses(including forcible rape)	-	-	-	-	-	-	-	-	-	0	0	0
Non-forcible sex offenses	-	-	-	-	-	-	-	-	-	0	0	0
Rape	0	0	0	0	0	0	0	0	0	-	-	-
Statutory Rape	0	0	0	0	0	0	0	0	0	-	-	-
Incest	0	0	0	0	0	0	0	0	0	-	-	-
Fondling	0	0	0	0	0	0	0	0	0	-	-	-
Sexual harassment	0	0	0	0	0	0	1	0	0	0	0	0
Dating violence	0	0	0	0	0	0	0	0	0	0	0	0
Domestic violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0	0	0	0
Assault	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	2	0	0	0
Motor vehicle theft	0	0	3	0	0	0	0	0	0	0	0	0
Offense Type	2016			2015			2014			2013		
	Campus	Pub Prop	Non-Campus	Campus	Pub Prop	Non-Campus	Campus	Pub Prop	Non-Campus	Campus	Pub Prop	Non-Campus
Theft*	0	0	0	0	0	3	0	0	2	2	0	2
Criminal Mischief*	0	0	0	0	0	0	0	0	0	0	0	0
Criminal trespass*	0	0	0	0	0	0	0	0	0	0	0	0
Disorderly conduct*	0	0	0	0	0	0	0	0	0	1	0	0
Hate Crimes #												
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Forcible sex offenses (including forcible rape)	-	-	-	-	-	-	-	-	-	0	0	0
Non-forcible sex offenses (including statutory rape/incest)	-	-	-	-	-	-	-	-	-	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0	0	0	0

Campus Safety Activity Report - Wilsonville

Offense Type	2016			2015			2014			2013		
	Campus	Pub Prop	Non-Campus	Campus	Pub Prop	Non-Campus	Campus	Public Prop	Non-Campus	Campus	Public Prop	Non-Campus
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Theft	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0	0	0
Destruction/Damage/Vandalism of Property	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Actions or Arrests												
Liquor Law Violations	0+/0**	0+/0**	0+/0**	0+/0**	0+/0**	0+/0**	0+/0**	0/0**	0+/0**	0+/0**	0+/0**	0+/0**
Drug violations	0+/0**	0+/0**	0+/0**	0+/0**	0+/0**	0+/0**	0+/0**	0+/0**	0+/1**	0+/0**	0+/0**	0+/0**
Weapons possession	0+/0**	0+/0**	0+/0**	0+/0**	0+/0**	0+/0**	0+/0**	0+/0**	0+/0**	0+/0**	0+/0**	0+/0**

Hate Crimes: A criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias.
Bias: A preformed negative opinion or attitude toward a group of persons based on their race, gender, religion, disability sexual orientation or ethnicity/national origin.

* Denotes statistics not required by law

+ Referrals ** Arrests for drug/liquor law violations

There were no hate crimes reported for the 2013, 2014, 2015 or 2016 calendar years.

Partners for a Safe Campus

Campus Map



Oregon Institute of Technology
Wilsonville Campus
27500 SW Parkway Avenue
Wilsonville, OR 97070

Partners for a Safe Campus

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