



# 2022 Campus Security and Fire Safety Annual Report

Including Crime Statistics for the 2018, 2019, 2020 and 2021 Calendar Years

## **Oregon Institute of Technology**

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*Partners for a Safe Campus*

# 2022 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 2017, 2018, 2019 and 2020. *The listed projects and programs later shown in this report reflect the 2021-2022 academic year.*

## **Preparation and Disclosure of Annual Crime Statistics**

Oregon Tech Campus Safety 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 this report are distributed in all buildings on campus including office stenos and Housing & Residence Life locations. 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 107 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, 20 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 Diversity/Title IX Officer or to Housing and Residence Life director. An online campus incident report for is available through "Techweb" at: <https://techweb.oit.edu/students/incident-report>.

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 911.
- 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 Techweb at: <https://techweb.oit.edu/students/incident-report>.

### **Important Phone Numbers**

- Emergencies: 911
- 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, although Housing and Residence Life does provide this service if requested. 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 if any suspicious people are loitering in the parking lots.
- Remove all valuables from vehicles. Leave valuables 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. *Your valuables are not worth your life.*
- 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.

### **COVID-19 Impact in 2021-2022**

As with most colleges and businesses across the country, Oregon Tech locations were directly affected by COVID-19 restrictions. In the fall of 2021, many COVID-19 restrictions and requirements were still in effect for in-person activities on campus. Oregon Tech locations followed state guidelines or provided a combination of remote and in-person instruction to students for the academic year 2021-2022. Guidelines for Oregon Tech included masking with vaccines or weekly testing options for student and staff. A lifting of most of these COVID requirements ended for students and employees to begin the spring term in March of 2022. Face masks became optional for the campus community at this time. This information is added to this ASR to explain that some of the Clery-related presentations and programs continued to be disrupted during this period.

### **Academic Year 2021-2022 Programs**

#### **Topics: Sexual Misconduct Awareness and Prevention, Drug and Alcohol Abuse**

#### **Student Involvement & Belonging (SIB)**

- Safer Internet Day (Feb. 8 2022) 22 participants  
The staff tabled in the College Union in front of the Student Involvement and Belonging Office Suite and within the Treehouse Space. During the tabling they engage in conversations around "how to keep safe/be cautious when engaging on the internet" they talked about different platforms where they may be sexual predators, identity theft, and cyberbullying. They also printed out a manual that can be found in the SIB and Treehouse Space on tips to be cautious.
- Day of Silence (April 22 2022) 40 participants  
The staff tabled in the College Union in front of the Student Involvement and Belonging Office Suite for a week in preparation for "a day of silence". The Treehouse will be collaborating with The Rainbow Owls Club hosting a Day of Silence event On April 22nd. The goal of the event is to spread awareness about the effects of the bullying and harassment of lesbian, gay, bisexual, transgender, queer, and questioning students. Silence is a powerful message. On Day of Silence, the LGBTQ community and its supporters use the same silence that they are subjected to for highlighting issues they face and promoting the rights of the LGBTQ community. We will be handing out pins and pamphlets in front of SIB the day of the event so that we can show our support. The Treehouse will be showing our support by taking a vow of silence the day of the event.
- Denim Day (April 27 2022) 15 participants

This event was held at the Oregon Tech Fountain and was geared to standing in solidarity and showing individuals support for victims of sexual assault. The staff encouraged others to wear Denim for the day and engaged in dialogue on what the significance is of "Denim Day", bringing awareness to how to stay safe, along with providing resource on campus that can support them if they are a victim of sexual assault. The resources included, DICE, Integrated Student Health Center, and Campus Safety.

### **Integrated Student Health Center (Student Health)**

- *August 2021*
  - Title IX training for Athletics personnel
- *September 2021*
  - Facilitated RA training with regards to ISHC resources, how to handle crises (including sexual assault disclosure).
  - Facilitated the Suicide Prevention training with Campus Safety Officers.
- *October 2021*
  - Hosted Alcohol-Free Weekend, which is designed to encourage students to engage in alcohol-free activities.
  - Spoke with the Fraternity about substance abuse, and hosted tabling events about substance Abuse as well.
  - Spoke with new faculty at the Advisor training to explain ISHC as a resource, and that we are the confidential source regarding sexual assault on campus.
- *January 2022*
  - Conducted a substance abuse screening to identify students who might be struggling with this issue.
- *April 2022*
  - Facilitated the Sexual Awareness Walk again this year, as we have for the last several years.
  - Facilitated several Choose Well Sexual Assault Awareness tabling events.
- *June 2022*
  - Facilitated the Suicide Prevention training with CARES.
- *July 2022*
  - SIB (Student Involvement and Belonging) training on Title IX

### **Human Resources/Title IX**

Because Title IX awareness is crucial to the health and wellness of the Oregon Tech Community overall, annual training on Title IX and related laws is required for all Oregon Tech students, employees, volunteers at all Oregon Tech campus locations. Our Board of Trustees also attend annual Title IX training. Members of the Title IX Office, including the Title IX Coordinator, Investigator, and Deputy Title IX Coordinators receive additional training, as do Hearing Officers and Advisors. Human Resources provided the following on-line/virtual Title IX training opportunities in the fall of the 2021- spring term of 2022:

- *August 2021*
  - Title IX training for Athletics
- *September 2021-August 2022:*
  - Ongoing/self-paced Title IX training for students
  - Ongoing/self-paced Title IX training for adjunct faculty
- *June, 2022*
  - *Title IX training for Athletics*
- *July 2022*
  - Title IX training for SIB (Student Involvement and Belonging) staff

Online training is available through the Oregon Tech Title IX web page @ <https://www.oit.edu/title-ix/training>

### **Residence Life**

- *Fall term 2021 through spring term 2022*
  - All Hall and each community meetings fall, winter and spring terms addressed personal safety and ways to prevent any violent actions in terms of how to work to keep our residential communities

safe. Students were asked to lock doors, not prop any doors open, not let anyone follow them into spaces, and to always be on the lookout and to report anything odd or suspicious.

- All closing memos sent to students each term shared tips on how to leave campus safely and to think about their personal safety when traveling, as well as how to secure their personal belongings including cars in a safe manner over a break period.
- Student staff training did include sessions with Dr. Wilson from Title IX discussing dating/stalking and domestic violence so the student staff were taught to be aware of warning signs, and Campus Safety joined us as well to discuss their roles with our community and how your team also helps us keep our communities safe.
- *February 2022*
  - Housing hosted nationally known speaker David Coleman who talked about dating. His presentations include how to *not* stalk or be offensive/abusive in relationships.

*Residence Life programming when under pandemic expectation was more passive in nature so there were not many in-person activities or guests requested to address this community mainstay.*

### **Athletics**

The Athletics department requests that its student athletes from freshmen through seniors complete on-line courses through the NAIA website; <https://www.naia.org/student-athlete-wellness-center>. The health, safety and well-being of our student-athletes is the NAIA's top priority. The courses are designed to enhance awareness regarding drug and alcohol usage and performance/decision-making abilities, sexual assault awareness and prevention. All courses for the 2021-2022 academic year were held on line/remotely for COVID-19 safety protocols. The available courses include the following for Oregon Tech student athletes:

- *NAIA rules and Performance-Enhancing Drug awareness Introduction* –performance-enhancing drugs
- *Dietary supplements and Sports Nutrition*: Prescription and over-the-counter medications
- *Life Skills*
- *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 take the courses in order and by class status (freshman, sophomore etc.). COVID-19 made it difficult to participate in on-campus educational activities that have been a staple of Athletics in the past.

### **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/October 2021:*
  - Student Manager training for the College Union staff
  - Active Shooter presentations for resident staff and students. These sessions were primarily presented by Campus Safety's training officer Chris Bowman. 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 realize that they will have a direct part to play in their own safety and the safety of others. These presentations are given at different times to faculty, staff, residents, and off campus students throughout each academic year beginning in September.
  - SOAR Campus Safety Services Presentation included in this presentation was all facets of Campus Safety services, including how to report a crime, "Night Ride" transports/escorts by working officers and tips on safety while on campus.
  - Coffee and Pastries with Campus Safety included all Campus Safety personnel and any students that wanted to know more about what Campus Safety does and services they provide.

- All Hall Campus Safety Presentation included provided services to residents and tips on safety and security.
- *Active Shooter* presentation was provided for the Oregon Health Sciences University (OHSU) School of Nursing program. Participants from the Nursing program included instructors, department staff and students. The training was presented in the OHSU Nursing space for a true application for “what to do, if” purposes.
- *October 2021*
  - All Hall Campus Safety Presentation included provided services to residents and tips on safety and security.
  - Active Shooter presentations for resident staff and students. These sessions were primarily presented by Campus Safety’s training officer Chris Bowman. 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 realize that they will have a direct part to play in their own safety and the safety of others. These presentations are given at different times to faculty, staff, residents, and off campus students throughout each academic year beginning in September.
  - Self Defense training for any campus community interested. The training included self-defense tactics and how to escape from an attacker if given opportunity.
- *November 2021*
  - Campus Safety Info table during Campus Preview Day. Any perspective student or parent was encouraged to ask questions about the department and services available to the campus community.
  - Active Shooter presentations for resident staff and students. These sessions were primarily presented by Campus Safety’s training officer Chris Bowman. 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 realize that they will have a direct part to play in their own safety and the safety of others. These presentations are given at different times to faculty, staff, residents, and off campus students throughout each academic year beginning in September.
  - *Active Shooter* presentation was provided for the Oregon Health Sciences University (OHSU) School of Nursing program. Participants from the Nursing program included instructors, department staff and students. The training was presented in the OHSU Nursing space for a true application for “what to do, if” purposes.
- *December 2021*
  - Safe Winter Driving presentation available to any campus member wanting to know more about how to drive in wintery conditions.
- *January 2022*
  - Safe Winter Driving presentation available to any campus member wanting to know more about how to drive in wintery conditions.
- *February 2022*
  - *Active Shooter* x2 to the campus community. A presentation and participation in scenario trainings for anyone interested. Officer Bowman again provided the presentations and training scenarios.
- *March 2022*
  - *Campus Safety Alcohol Awareness* table was part of the Safe Sprig Break presentation hosted by Integrated Student Health Center personnel.
  - *Self Defense Training* was made available to any campus community member.
  - *Parent/Student Safety Panel* at the different prospective new students at the Campus Preview event. The Camus Safety panel member described to participants what services Campus Safety provide on campus an answered any questions posed to the department.

- *April 2022*
  - *Campus Safety Info table* during Campus Preview Day. Any perspective student or parent was encouraged to ask questions about the department and services available to the campus community.
  - *Active Shooter* training to any campus community member.
  - *Parent/Student Safety Panel* at the different prospective new students at the Campus Preview event. The Campus Safety panel member described to participants what services Campus Safety provide on campus and answered any questions posed to the department.
- *May 2022:*
  - *Active Shooter x 2* presentation was provided for any campus community member. The training was presented for a true application for “what to do, if” purposes. There was a 3<sup>rd</sup> presentation specifically for Facilities employees on the same concepts.
  - *Campus Safety Info table* during Campus Preview Day. Any perspective student or parent was encouraged to ask questions about the department and services available to the campus community.

**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. Five of the Campus Safety officers currently employed have been commissioned by the state of Oregon 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 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 request 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 on duty Campus Safety officer. 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 Housing and Residence Life at 541.885.1087
- Title IX Coordinator at 541.885.0182
- Campus Safety general office line (non-emergency/minor crime) at 541.885.1111
- Vice President of Finance and Administration at 541.885.1106

### **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.

### **Campus Housing Safety**

Campus Safety officers routinely patrol the Campus housing facilities, respond to requests and assist students as needed. Officers usually respond to calls within two to five minutes. Public areas are accessible to residents



and their guests. 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.

### **Emergency Notifications / Timely Warnings – OT Alert**

Under appropriate circumstances, Campus Safety will issue emergency notifications, and/or timely warnings regarding criminal activity or safety issues concerning campus as required by law.

- An OT Alert is an emergency notification of an incident that is currently occurring on, or imminently threatening the campus,
- An OT Timely Warning is notification of Clery crime(s) that have already occurred and are considered by the institution to represent a serious or continuing threat to students and employees,
- A Campus Safety Notification may be issued when an incident or crime has occurred and may affect members of the campus community, but an emergency notification or timely warning is not required.

Campus Safety is responsible for confirming facts that indicate a notification is necessary. Campus Safety has primary responsibility for issuing, coordinating, and determining content and methods of delivery of emergency notifications, timely warnings, and safety notifications. Campus Safety may delegate certain responsibilities to, or collaborate with other university personnel, including but not limited to the Director of Resilience, Emergency Management and Safety; Office of General Counsel; the Title IX Coordinator; the Vice President for Student Affairs; and the Executive Director of Marketing, Communications and Public Affairs.

### **Notification Procedures**

Information and instructions may be sent using one or more methods to all, or to a segment of the campus community for each location.

#### Klamath Falls Campus

Audio message to a cell phone or other telephone

- E-mail notification to your Oregon Tech email account
- Text message to your cell phone
- Designated websites
- Radio and TV alerts through local news media

The OT Alert system (text, e-mail and voice calling communications system) is tested at least semiannually.

### **Initiating the Emergency Notification System**

Once the existence of a significant emergency or dangerous situation is confirmed and that it poses an immediate threat to the health and/or safety of some or all members of the campus community, the Director of Campus Safety or the Director of Resilience, Emergency Management and Safety, or other assigned designees will assess the need to issue an emergency notification.

Campus Safety will, without delay, and considering the safety of the community, determine the content of the notification and initiate the notification system. The only instance there may be a delay, would be the case that issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. As soon as the condition that may compromise efforts is no longer present, the University will issue the emergency notification to the campus community.

### **Contents of the Emergency Notification**

Campus Safety has primary responsibility for coordinating the issuance of an OT Alert, determining the content of the OT Alert, and determining which of the methods available for issuance of the OT Alert will be utilized. The goal

is to ensure individuals are aware of the situation and that they know the steps to take to safeguard their personal and community safety.

### **Procedures for Disseminating Emergency Information to the Greater Community**

Dependent upon the situation, Oregon Tech may work through the office of Marketing, Communications, and Public Relations to notify the greater Klamath Falls and Wilsonville community through designated websites (<http://www.oit.edu>), radio and TV alerts through local news media, and other emerging communications platforms (e.g., Twitter, Facebook, etc.). However, in emergency situations, any police supervisor may authorize an Emergency Notification. For incidents involving off-campus crimes, the University may issue a Safety Notification if the crime occurred in a location used and frequented by the University population.

### **Timely Warning Reports**

In an effort to provide timely notice to the campus community in the event of a Clery Act crime that may pose a serious or ongoing threat to members of the community, Campus Safety issues “Timely Warnings.” Campus Safety will generally issue Timely Warnings for the following crimes:

- Arson
- Aggravated assault
- Burglary
- Criminal homicide
- Hate Crimes
- Motor Vehicle Thefts
- Robbery
- Sexual assaults
- Stalking
- Dating Violence
- Family Violence

Crimes that would not present a continuing threat and therefore might not merit a Timely Warning, include the following:

- An assault between two individuals who have a disagreement and know each other. This may be an isolated event and presents no ongoing threat to the community.
- In the case of a late report. These cases may be so delayed there is no possibility of issuing a “timely” warning to the community. These will be considered on a case-by-case basis depending on when and where the incident occurred, when it was reported, and the amount of information available.
- Crimes in which the perpetrator have been apprehended, thereby eliminating the threat.
- Crimes in which an identified perpetrator is only targeting specific individuals to the exclusion of others, such as domestic violence.

Campus Safety may post these warnings through a variety of ways, including but not limited to: emails, phone call, text, and other media.

All initial Timely Warning messages will begin with “Oregon Tech Timely Warning” to indicate the severity of the message and will provide a brief description of the timely warning or emergency response notice. When additional information is available, it may be provided using one or more of the methods listed above. The information you receive may provide vital information on what actions you need to take if you are on campus during such a situation.

In the event a timely warning is disseminated, it may include following information:

- Type of crime
- Date, time, and location of the crime
- Brief description of the incident
- Available suspect information
- Safety tips to help with the risk of being involved in a similar incident

The purpose of these Timely Warnings is to notify the campus community of the incident and to provide information that may enable community members to protect themselves from similar incidents. The University will issue Timely Warnings whenever the following criteria are met:

- 1) A crime is committed
- 2) The perpetrator has not been apprehended; and
- 3) There is a substantial risk to the physical safety of other members of the campus community because of this crime.

Such crimes include, but are not limited to:

- 1) Clery Act crimes that are reported to any campus security authority or the local police; or
- 2) The University determines that the incident represents an on-going threat to the campus community.

Additionally, Campus Safety may, in some circumstances, issue Timely Warnings when there is a pattern of crimes against persons or property. At Oregon Tech, the Director of Campus Safety will make the determination, in consultation with other University officials, if a Timely Warning is required.

Anyone with information warranting a timely warning or emergency response notification for the Oregon Tech campuses may reference the list below for guidance of who to call. On the ***Kamath Falls campus***, contact Campus Safety at 541-885-1111 or 541-891-2143

If unable to reach someone at the numbers provided in the case of an emergency, please refer to the local law enforcement agencies within the area or call 911.

### **OT 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 OT 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 OT 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)

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

### ***How OT Alert Works***

We are committed to providing a safe learning environment for our 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. OT 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. OT 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 officer, 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 public Information Representative 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 OT 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 OT Alert. Reasons for an updated OT 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 OT Alert will be used**

Situations for which OT 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 OT Alert**

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

*"OT 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](http://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: OT Alert (do not reply)

### **Enrolling in the OT Alert System**

All Oregon Tech students, faculty, and staff are automatically enrolled into the OT Alert System with their primary phone number and Oregon Tech email. University community members are also encouraged to provide additional contacts (secondary email or phone number) and to regularly update their information at [www.oit.edu/ot-alert](http://www.oit.edu/ot-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 Procedures: On-Campus Student Housing**

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.

This missing student procedure applies to any student who lives in an on-campus student housing facility, regardless of their age, status, or whether they have registered a confidential contact person. Students, staff, faculty, parents/legal guardians, Campus Security Authorities, or any other person who is aware that a student, who resides on campus, is missing should report that information immediately. Missing students should be reported to a Campus Safety officer at 541-891-2143. Missing students can also be reported to Housing staff, 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 their status and well-being.

Oregon Tech Housing and Residence Life maintain emergency contact information for each student that lives in an on-campus housing facility. 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 after a 24-hour period. As with all emergency contact information will remain confidential, be accessible only to authorized campus officials and law enforcement and will not be disclosed outside of a missing student investigation.

The Campus Safety Department is responsible for determining that a student is missing. Once a student is 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 must 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: [Student Conduct | Oregon Tech \(oit.edu\)](http://oit.edu).

*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](http://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.).

*Please review the Student Code of Conduct for more information. It can be found on the Oregon Tech Student Affairs web page under "Student Information/Policies and Procedures".*

#### **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](http://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 office is designated to handle inquiries and complaints regarding this non-discrimination policy: Affirmative Action Officer, Oregon Tech, 3201 Campus Dr., Klamath Falls, OR 97601-8801; 541.885.1108; Fax 541.851.5200  
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 <https://www.oit.edu/sites/default/files/2020/documents/oit-30-031-possession-and-consumption-of-alcoholic-beverages.pdf#page=2>, and controlled substances at <https://www.oit.edu/sites/default/files/2020/documents/substance-abuse-controlled-substance-abuse-oit-30-033.pdf#page=1>.

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/ors/ors475.html](https://www.oregonlegislature.gov/bills_laws/ors/ors475.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 number of years, 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.

### **Other 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.

### **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 Diversity/Title IX Officer. The office number is 541.885.1073. Oregon Tech's Human Resources office handles complaints and grievances along with inquiries regarding discrimination or equity programs. The Human Resources number to contact for Oregon Tech is 541-885-1074 for Oregon Tech. "HR" 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 Campus Safety Director at 541.885.1117.*

### **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.

Please see [https://www.oit.edu/sites/default/files/2020/documents/interim\\_sexual\\_misconduct\\_policy.pdf](https://www.oit.edu/sites/default/files/2020/documents/interim_sexual_misconduct_policy.pdf) for more information that is Oregon Tech specific per sexual misconduct policy and definitions.

## **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 Safety, Vice President for Student Affairs, Student Health, the Diversity/Title IX Officer 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 Diversity/Title IX Officer, dial 5.1073 (on campus) or 541.885.1073 (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 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 Diversity/Title IX Officer, dial 5.1073 (on campus) or 541.885.1073 (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.
- 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](http://www.rainn.org).**
- **The US government website on sexual assault at <http://changingourcampus.org/about-us/not-alone/>.**

### 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 <https://www.oit.edu/sites/default/files/2020/documents/anonymous-report%281%29.pdf>. 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 Diversity/Title IX Officer at 541.885.1073. (<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. For incidents potentially falling under Title IX, Oregon Tech will work with complainants and respondents to assess the need to implement interim or long-term support measures for both complainants and respondents, if appropriate. Support measures may include, among other measures, the option to request assistance in changing academic and living situations after an alleged sexual assault incident, if these changes are reasonably available, mutual no-contact restraints, assistance with access to mental health counseling or resources, etc.
6. Oregon Tech will provide a "No trespass" directive to accused party if deemed appropriate. Generally, the Dean of students or the Director of Campus Safety may approve a written warning in these circumstances. The trespassed person should be informed in a written notice of the specific reasons and/or circumstances, a Campus Safety may hand deliver an original (and keep a copy) of the trespass warning, or the warning may be sent by certified mail to the residence of the individual.
7. Oregon Tech will provide written instructions on how to apply for a Sexual Abuse Protective Order (SAPO) through the local court system (see video for pursuing and filing an SAPO through the court system at): <https://www.youtube.com/watch?v=jiwl7eu7sqM>. The Campus Safety department will work with the complainant in this area if requested.



8. Oregon Tech will provide access to the Sexual Misconduct Policy to complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution (See [https://www.oit.edu/sites/default/files/2020/documents/interim\\_sexual\\_misconduct\\_policy.pdf](https://www.oit.edu/sites/default/files/2020/documents/interim_sexual_misconduct_policy.pdf).)

9. If a formal complaint has been officially filed, 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. Please see Oregon Tech's Anti-retaliation policy is here:

[https://www.oit.edu/sites/default/files/2021/documents/2020-08-12.POL\\_Reporting%20misconduct\\_retal\\_INTERIM2.pdf](https://www.oit.edu/sites/default/files/2021/documents/2020-08-12.POL_Reporting%20misconduct_retal_INTERIM2.pdf)

*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 Sexual Abuse Protective Order (SAPO) through the local court system (see video for pursuing and filing an SAPO through the court system at: <https://www.youtube.com/watch?v=jjwl7eu7sqM>). The Campus Safety department will work with the survivor in this area if requested.
4. Oregon Tech will confirm with the complainant to preserve information or documents for potential future use.
5. Oregon Tech will assess need to implement bilateral support measures to protect the complainant, if appropriate.
6. Oregon Tech will provide a "No trespass" directive to accused party if deemed appropriate. Generally, the Dean of students or the Director of Campus Safety may approve a written warning in these circumstances. The trespassed person should be informed in a written notice of the specific reasons and/or circumstances, a Campus Safety officer may hand deliver an original (and keep a copy) of the trespass warning, or the warning may be sent by certified mail to the residence of the individual.

### ***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 I** 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 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.

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. [student-conduct-code92019.pdf \(oit.edu\)](#)

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 2019 (HB2045B), which resulted in two new reporting requirements that go into effect **January 01, 2021**. For the state of Oregon sex offender requirements and other SO information see the following web site: <https://www.oregon.gov/osp/programs/SOR/Pages/offenderinformation.aspx>.

### **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](mailto: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": <https://www.oregon.gov/osp/programs/SOR/Pages/statuteslaws.aspx#levelingclassificationoffenders>.
- 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.

## Campus Safety Activity Report - *Klamath Falls*

Offense Type	2021			2020			2019			2018		
	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
<b>Sex Offenses</b>												
Rape	1	1	0	1	1	0	3	3	0	1	1	0
Statutory rape	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	1	0	0	0	0	0	1	1	0
Sexual harassment*	0	0	0	0	0	0	0	0	0	2	0	1
Dating violence	0	0	0	1	1	0	0	0	0	0	0	0
Domestic violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	1	1	0	0	0	0	4	4	0	2	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0	0	0	0
Assault	1	1	0	1	1	0	0	0	0	1	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	1	0	0	1	1	0	0	0	0	0	0	0
Motor vehicle theft	1	1	0	0	0	0	1	0	0	1	0	0
Theft*	5	4	0	6	2	0	13	1	0	13	3	1
Criminal mischief*	3	0	0	6	2	0	2	2	0	5	0	0
Criminal trespass*	2	0	0	3	1	0	0	0	0	1	0	0
Disorderly conduct*	2	1	0	1	0	0	3	0	0	0	0	0
<b>Hate Crimes #</b>												
Murder/Non-negligent manslaughter	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
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	1	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

## Campus Safety Activity Report - *Klamath Falls*

Offense Type	2021			2020			2019			2018		
	Campus	Res Halls	Non-Campus	Campus	Res Halls	Non-Campus	Campus	Res Halls	Non-Campus	Campus	Res Halls	Non-Campus
<b>Disciplinary Actions or Arrests</b>												
Liquor Law Violations	26+/0**	26+/0**	0+/0**	8+/0**	8+/0**	0+/0**	3+/0**	3+/0* *	0+/0**	0+/2**	0+/2**	0+/0**
Drug violations	5+/0**	5+/0* *	0+/0**	0+/0**	0+/0**	0+/0**	0+/1**	0+/1* *	0+/0**	3+/2**	3+/2**	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.

\* Denotes statistics not required by law

+ Denotes Referrals

\*\* Denotes Arrests for drug/liquor law violations

**There were no reported hate crimes for calendar years 2018, 2019 and 2021**

**2020:** *There was a Simple Assault reported to the Campus Safety department involving off campus persons that were taking part in a public event in the College Union building. The Klamath Falls police were informed and arrived on campus to take the lead investigating the incident.*

### Other Oregon Tech Locations

#### Portland-Metro Campus

Oregon Tech's urban campus is located in Wilsonville, 18 miles from downtown Portland. The Oregon Tech Portland-Metro Campus is designed to provide an industry-focused urban university educational experience at the heart of Silicon Forest. *For the Portland Metro Annual Security Report (ASR) for 2022, please search Oregon Tech's Campus Safety web page.*

#### Chemeketa Community College (CCC)

CCC in Salem, Oregon is the home of Oregon Tech's second Dental Hygiene program site. In checking with the Salem police department and administrators at CCC, there are few Clery statistical crimes to report at that location within the past 4 years. The statistics below were reported as occurring immediately within or adjacent to the Oregon Tech Dental Hygiene footprint at the CCC location.

**2018, 2019, 2020 and 2021 calendar years:** There is nothing clearly meeting the location threshold for Oregon Tech's Dental Hygiene location and footprint. If the reader is interested, CCC has to follow federal standards and has their Annual Security Reports listed for public inspection. Please search CCC's website for specific crime stats and information.

**2019:** There was one (1) stolen vehicle from the CCC campus that was reported to Dental Hygiene administrators.

#### Oregon Manufacturing and Innovation Center (OMIC)

The Oregon Manufacturing Innovation Center, Research & Development, abbreviated as OMIC R&D, is a research facility located in Scappoose Oregon. OMIC R&D is a collaborative environment bringing together industry, higher education, and government in partnership to develop new tools, techniques, and technologies to address near-term manufacturing challenges through applied research and advanced technical training. OMIC R&D is modeled after the University of Sheffield Advanced Manufacturing Research Center (AMRC) with Boeing in Sheffield, England. The 33,800 square foot facility was purchased in part by Oregon Lottery Revenue Bonds and a substantial investment by Oregon Technology. The city of Scappoose Police Department confirms that there are no definitive crime statistics specific to Clery mandates that are in any way connected to OMIC since its inception. OMIC opened for course work and Oregon Tech students in January of 2017. *The city of Scappoose Police Department was contacted for any 2021 Clery-related criminal activities on file on or adjacent to the OMIC facility. They did not provide any statistics for this calendar year.*

# 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, and 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 skillets, 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 Housings Fire Safety Systems**

<b>Oregon Tech Residential Facilities</b>	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 <sup>1</sup>		X	X	X
Partial Sprinkler System <sup>2</sup>	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 B Extinguishers** should be used on fires involving flammable liquids, such as grease, gasoline, oil, etc.

**Class C Extinguishers** are suitable for use on electrically energized fires.

**Class D 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 2021**

There were no reported fires in any on-campus housing facility in the calendar year 2021. On-campus housing consists of the Traditional Residence Hall and Sustainable Village buildings #1, #2 and #3.

### **Oregon Tech Campus Housing Fire Statistics 2020**

There were no reported fires in any on-campus housing facilities in the calendar year 2020. On-campus housing consists of the Traditional Residence Hall and Sustainable Village buildings #1, #2 and #3.

### **Oregon Tech Campus Housing Fire Statistics 2019**

There were no reported fires in any on-campus housing facilities in the calendar year 2019. On-campus housing consists of the Traditional Residence Hall and Sustainable Village buildings #1, #2 and #3.

### **Oregon Tech Residence Halls Fire Statistics 2018**

Oregon Tech Residential Facilities	Traditional Residence Hall	Village Bldg. #1*	Village Bldg. #2*	Village Bldg. #3*
Total Fires in Each Building	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>
Cause	<b>Laptop Fire</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
Date	<b>08/18/2018</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
Time	<b>8:00am</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
# of Injuries that Required Treatment at a Medical Facility	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
# of Deaths Related to a Fire	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Value of property Damaged	<b>Replacement of Laptop</b>	<b>N/A</b>	<b>0</b>	<b>0</b>
Incident Number	<b>18-0063</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>

### **Fire Drills**

Oregon Tech complies with federal fire drill standards by performing fire drills in each building on campus quarterly. For instance, there are 4 residential buildings on campus and they alone receive 16 fire drills annually.

### **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.

