



2023
Campus Security
Annual Report
Including Crime Statistics for the 2019, 2020, 2021 and 2022 Calendar Years

Portland Metro

Oregon Institute of Technology
Campus Safety Department

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Partners for a Safe Campus

2023 Portland Metro Campus Annual Security Report

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Annual Security Report

Introduction

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the Clery Act) requires that post-secondary schools participating in the Title IV Student Financial Aid Programs publish a statistical report of crimes occurring on or near the institution's campus and provide information about security policies, procedures and programs. The intent of the report is to inform you of the extent of reported crimes occurring in the four previous calendar years. The report also includes data from three years prior to the most recent year. In the case of this particular report, you will see data for calendar years 2019, 2020, 2021 and 2022. *The listed projects and programs later shown in this report reflect the 2022/2023 academic year.*

Preparation and Disclosure of Annual Crime Statistics

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

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

Distribution and Availability of the Current ASR

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

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

Excluded Crimes

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

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

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

2. **Listed Crimes** – The crime must be one of those listed in the Clery Act as a reportable crime.

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

Security Policies, Procedures and Programs

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

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

Campus Environment

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

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

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

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

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

Campus Safety is a Shared Responsibility

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

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

Members of the campus community are encouraged to report concerns and all campus crimes to Campus Safety. Students may also report concerns to the Dean of Students, the Diversity/Title IX Officer or to the Director of Student Services. An online campus incident report for anonymous reporting for is available through “Techweb” at:

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

2022-2023 Safety Programs and Trainings

Student Involvement & Belonging (SIB)

The Treehouse held the below events in April 2023

- The Bandana Project
Decorate a bandana and stand in solidarity while helping raise awareness about sexual violence against migrant farmworker women in the United States. Educations pamphlets/informational cards were shared about this issue.
- Denim Day
Denim Day is acknowledged in April, during Sexual Assault Awareness Month (SAAM). The purpose of this event is to show that no matter what you are wearing, it is not an invitation to be assaulted. People all over campus will be encouraged to wear a denim clothing article to show solidarity with assault victims. There will be a table set up with a jean jacket where students and staff can write messages on it to show solidarity as well.
- SAAM Breaking Plates 4/28/23
For Sexual Assault Awareness Month, anyone can come and write their experiences or feelings on a plate and break it. It is said that smashing plates symbolizes the smashing of the old-world order to make way for a new one. When you break a plate it can represent your own personal struggles with change, as well as the difficult process of breaking free from past events or feelings. Participants will be given a plate, sharpie, and a heavy-duty plastic bag to write, put in the bag, and drop to break.

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. Title IX office provided the following on-line/virtual Title IX training opportunities in the fall of the 2022- spring term of 2023:

- Convocation Presentation: Title IX training held on September 22, 2022.
- *Gearing Up: New Title IX Regulations*
- *Title IX Updates: What did I Miss?*
- *Title IX Basics for Faculty and Staff*
- *Title IX Training (webinar slides)*

Security Awareness and Crime Prevention

General Safety

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

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

Personal Safety

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

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

Property Protection

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

Bicycle Theft

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

Office Security

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

Key Control

- Those responsible for office keys should not leave them unattended, in plain sight on a desk, or in a top drawer where they could be taken or copied easily.
- Give keys only to those who have a legitimate need and make sure they are returned.
- If keys are lost or stolen, notify Trish Hower immediately at 503.821.1291.

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 Portland Metro staff or the Clackamas County Sheriff's Office immediately of any suspicious people loitering in the parking lot.
- Remove all valuables from vehicles. Leave them at home, carry them, or lock them in the trunk.

In a Threatening Situation

- If physically attacked, attract attention by yelling loudly or using a whistle.
- If using self-defense tactics or equipment such as pepper spray, run away as soon as the attacker is disabled *This suggestion would be for an off-campus application as pepper spray is not permitted on campus by Oregon Tech policy (OIT-50-010). This policy further defines weapons by [Oregon Revised Statute \(ORS\) 166.360](#) which includes mace, tear gas and pepper mace or any similar deleterious agent. See also ORS 166.370 and ORS 166.377.*
- Decide what to do in various situations before they occur. Try role-playing with a friend.
- If confronted by someone who only wants property, give it to them.
- Try to get an accurate description of the assailant. If a vehicle is involved, get the license number and call 911.

Campus Safety Tips

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

Service

Campus Safety provides coordination with local law enforcement and crime prevention services. Crimes can also be reported to the Director of Academic Affairs, the Associate Dean of Students, the Vice Provost for Research, the Vice President for Student Affairs and the Vice President of Finance and Administration.

Campus Safety and Clackamas County Sheriff's Office

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

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

Crime Prevention and Education

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

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

Campus Safety provides the following crime prevention services:

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

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

Reporting a Crime

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

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

- Student Health @ 503.821.1250
- Associate Dean of Students Portland Metro @ 503.821.1296
- Vice President for Academic Affairs @ 541.885.1013
- Vice Provost for Academic Affairs @ 503.821.1279
- Clackamas County Sheriff's Office non-emergency line @ 503.655.8211
- Title IX Coordinator @ 541.885.0182

Building Access and Safety

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

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

Security of Campus Grounds

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

Keys

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

Fire Safety

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

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.

Portland-Metro 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.

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.

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 has 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 *Portland-Metro campus in Wilsonville*, contact Campus Safety at 541-891-2143 or the Vice Provost at 503-821-1279.

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 and check e-mails for details."

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

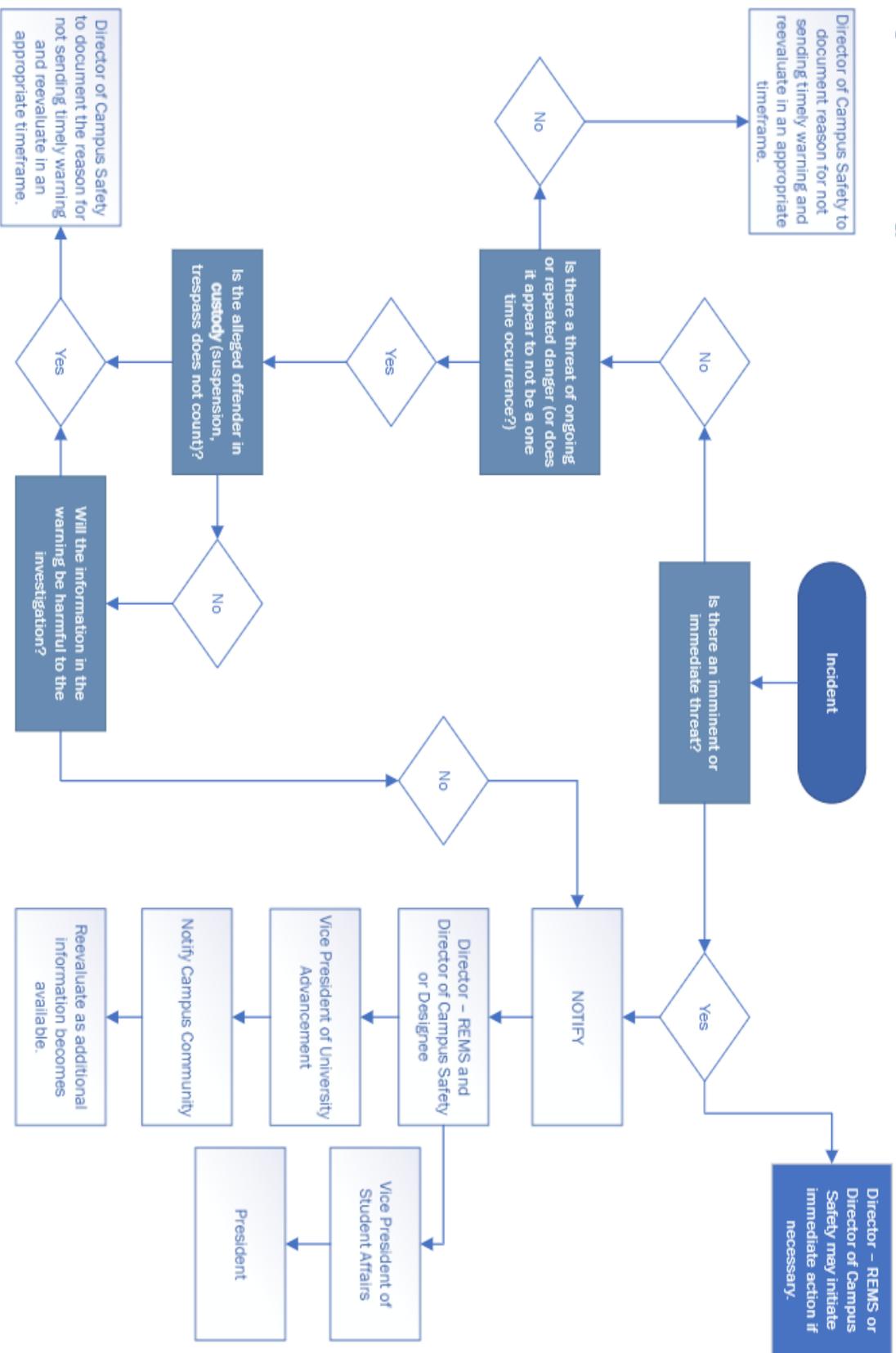
Phone: 541.885.1000

E-mail: OT Alert (do not reply)

Additional Emergency/Timely Warning Information

Oregon Tech Campus Safety, in coordination with other departments on campus, will use a process and criteria in deciding to notify the campus community of incidents and events that have occurred or are ongoing. If the criteria is met, Campus Safety will coordinate with the other points of contact for a mass notification message to the campus community. If the decision is made not to inform the community at large, a completed notification form will be generated by the Campus Safety director outline the decisions made and the process of making the decision. *Please refer to the **Oregon Tech Timely Warning and Emergency Notification Decision Chart** and the **Emergency Notification/Timely Warning Decision Matrix** accompanying form.*

Timely Warning and Emergency Notification Decision Chart



Oregon Tech Campus Safety Department



Emergency Notification/Timely Warning Decision Matrix

Date/Time Campus Safety became aware of the incident: _____

Incident Number (if applicable): _____

1. Is the incident a Clery Crime? YES NO (If it is one of these crimes, please check and move on to #2).

<input type="checkbox"/> Homicide - (UCR definition)	<input type="checkbox"/> Motor vehicle theft - (UCR)
<input type="checkbox"/> Negligent Manslaughter (UCR)	<input type="checkbox"/> Arson - (UCR)
<input type="checkbox"/> Sex offense, forcible - (NIBRS)	<input type="checkbox"/> Hate Crime (Crime Clery offenses listed above and Theft, Simple Assault, Intimidation, Criminal Mischief)
<input type="checkbox"/> Sex offense, non-forcible - (NIBRS)	<input type="checkbox"/> Domestic Violence
<input type="checkbox"/> Robbery – (UCR)	<input type="checkbox"/> Dating Violence
<input type="checkbox"/> Aggravated assault - (UCR)	<input type="checkbox"/> Stalking
<input type="checkbox"/> Burglary - (UCR)	

2. Did the incident occur in a Clery location? (If it is one of these locations, please check and move on to #3).
 - On Campus**
 - Off Campus property that Oregon Tech owns, leases, or controls.**
 - Public Property within or immediately adjacent to campus** (Public property" is defined by the Clery Act regulations as all public property including thoroughfares, streets, sidewalks, and parking facilities that are within the campus, or immediately adjacent to and accessible from the campus. Include the sidewalk across the street from the campus, but do not include public property beyond the sidewalk).

3. Is this considered by the institution to represent a serious or continuing threat to students and employees? After a Clery crime is reported, you should consider whether students and employees are at risk of becoming victims of a similar crime. For example, if a rape is reported on campus and the alleged perpetrator has not been caught, the risk is there. If the alleged perpetrator was apprehended, there is no continuing risk. Does a criminal incident appear to be a one-time occurrence, or does it fall into a pattern of reported crimes? If an unknown person is randomly setting fires on campus, there is a continuing threat.

Examples of crimes that could constitute a continuing threat include but are not limited to:

 - A serial crime that targets certain campus populations such as sex crimes or race-based crimes in which the perpetrator has not been apprehended.
 - A crime in which there is no apparent connection between perpetrator and victim and the perpetrator has not been apprehended.

Examples of crimes that may not constitute a continuing threat include but are not limited to:

 - Crimes in which the perpetrator has been apprehended, thereby neutralizing the threat.
 - Crimes in which an identified perpetrator targets specific individuals to the exclusion of others, such as domestic violence.

Oregon Tech Campus Safety Department



Emergency Notification/Timely Warning Decision Matrix

Yes (Issue a Timely Warning and provide date/time of issuance): _____

Yes, but Issuing a Timely Warning would impede in law enforcement investigations (Provide an explanation below as to how the warning would hamper investigatory efforts)

No (check appropriate box and provide an explanation as to how the threat has been mitigated)

- Suspect in Custody
- Isolated Incident with no pattern
- Crime targeted at a specific individual
- Other: _____

Explanation:

The Timely Warning should include:

- a. A brief statement of the incident.
- b. Possible connection to previous incidents, if applicable.
- c. Physical description of the suspect.
- d. Composite drawing of the suspect, if available.
- e. Date and time the warning was released.
- f. Other relevant and important information including prevention tips.

If a Timely Warning has been issued, please check all the resources used to disseminate:

- | | |
|--|--|
| <input type="checkbox"/> Posters | <input type="checkbox"/> Classroom notification system |
| <input type="checkbox"/> Emergency Alert System | <input type="checkbox"/> SMS Text |
| <input type="checkbox"/> Mass Email | <input type="checkbox"/> General Campus Website |
| <input type="checkbox"/> Campus Safety Public web page | <input type="checkbox"/> Other: _____ |

Completed by: _____ Date/Time: _____

Evacuation Drills and Procedures

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

Standards of Conduct

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

Prohibited Conduct

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

[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. Lawful and responsible alcohol consumption is permitted for special events with approval per the campus alcohol policy (OIT-30-031).

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

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

Disciplinary Responsibility

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

A. Disciplinary Process

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

A.1 Complaints

1. Any member of the University community (faculty, staff or student) or any person who is unaffiliated with the University who has knowledge of an alleged violation of the Code of Conduct may file a complaint against a student alleging that a violation of the Code of Conduct has occurred. The University may itself initiate a complaint.
2. Such complaint shall be filed with Office of Student Affairs as soon as possible but typically within 180 calendar days (not University business days) of the alleged violation. A later complaint may be accepted with the approval of the vice president for student affairs, the dean of students, or designee.
3. The complaint must be submitted in writing and signed by the complainant(s), or submitted via approved online form and electronically signed by appropriate technical method, and must include the date, time, place, name(s) of person(s) involved (e.g., the accused, witnesses) and sufficient detail to make a determination of whether disciplinary action may be warranted.

4. Complaints may be initiated for incidents where concurrent criminal charges are pending. The University reserves the right to adjudicate incidents without regard to either pending civil litigation or criminal prosecution. University disciplinary proceedings may proceed before, during or after court proceedings.

A.2 Evidentiary Standards

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

Hearsay evidence and personal testimony may be considered but will be weighed accordingly.

A.3 Disposition of Charges

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

A.4. Victim Amnesty

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

B. Student Rights in Conduct Proceedings

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

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

C. Administrative Hearing

1. Upon determining that sufficient evidence exists to believe that a violation of the Code of Conduct may have occurred, the vice president for student affairs, the dean of students, or other hearing officer with jurisdiction will notify the student in writing of the alleged violations against him/her. The written notice will be delivered by one of the following methods: (1) hand delivery to the student, (2) sent electronically to the student’s institutional email address, or (3) sent by U.S. mail to the student’s last known address as filed in the Registrar’s Office. Students are responsible for providing and maintaining a current local address with the

Registrar's Office.

2. At the Administrative Hearing, the student will be provided with the following:
 - a. An explanation of the alleged violations of University policy;
 - b. A summary of the facts and information that substantiate the allegations;
 - c. The opportunity to reflect upon and respond with his/her account of the incident or circumstances pertaining to the allegation(s);
3. An explanation of the decision of the hearing officer that may result in the following:
 - a. The allegation(s) may be dismissed as unfounded;
 - b. The student may admit responsibility for the violation(s) and have a sanction imposed;
 - c. The student may be found responsible for violating the Code of Conduct and have a sanction imposed.
4. Any sanction, except disciplinary suspension, deferred suspension, and disciplinary expulsion may be imposed.
5. Decisions reached at an Administrative Hearing shall be final with no right to appeal or request other proceedings.
6. Failure to respond to a written allegation of charges or failure to complete the assigned sanction(s) will result in either a hold being placed on the student's enrollment privileges or graduation, the filing of additional charges, or a decision being made based on the information available at the time.

D. Student Hearing Commission

Hearing procedures are provided for allegations against an individual or group where suspension or expulsion from the University are possible if they are found responsible, and for grievances. An Administrative Hearing will be conducted in these cases when the individual or group admits responsibility for the Code of Conduct violation(s). A hearing before the Student Hearing Commission is available for cases where suspension or expulsion is possible and the individual or group denies responsibility for a Code of Conduct violation, or there are disagreements pertaining to the facts of the case.

A hearing before the Student Hearing Commission may not be available during dead week, final examinations, breaks, Summer Term, or other periods when a timely hearing is not possible.

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

E.1 Pre-Hearing Procedures

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

3. The Dean of students, or designee, will be available to meet with the complainant and the respondent, separately or together, to discuss and explain the hearing procedures and answer questions.

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

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

E.3 Hearing Process

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

*Honesty statement: The University expects that all information presented will be truthful and accurate. If false

information is willfully provided, a student will be in violation of Section III of the Code of Conduct and may be subject to disciplinary action.

E.4 Hearing Panel Deliberations and Decision

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

Victim Notification

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

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 complaint or the respondent resulted;
- b. The evidence presented at the previous hearing does not support the finding that was made; that is, whether there were facts in the case that, if believed by the fact finder, were sufficient to support the Panel's findings;
- c. New evidence that could substantially affect the outcome of the previous hearing has been discovered since that hearing. The evidence must not have been available at the time of the original hearing. Failure to present evidence that was available is not grounds for an appeal under this provision;

- d. The sanction is not appropriate for the violation. This provision is intended to be utilized when a determined sanction is inherently inconsistent with University procedures. Simple dissatisfaction with a sanction is not grounds for overturning a sanction under this provision.
3. The president will review the record of the original hearing, including documentary evidence, and issue a finding as to the merits of the criteria cited as the reason for appeal.
 - a. If the appeals panel finds there is no merit to any of the grounds appealed, it will issue a finding as such.
 - b. If the appeals panel is presented with new evidence that could not have been presented at the original hearing, the matter may be remanded to the original hearing panel for a rehearing.
 - c. If the sanction is determined to be inappropriate for the violation, the appeals panel may recommend the sanction be modified by the vice president for student affairs and state the reasons for that recommendation.
4. If the president finds there is no merit to any of the submitted grounds for appeal, that decision shall be final. The final decision will be communicated in writing by Office of the President or the Office of Student Affairs to the complainant and the respondent. The decision will normally be communicated within ten University working days of receiving the written recommendation, but it may take longer during University recesses, in a complex case, or other reasonable circumstances.
5. If the president recommends modifying the outcome or the sanction, the final decision will be communicated in writing by the vice president for student affairs to the complainant and the respondent. The decision will normally be communicated within ten University working days of receiving the written recommendation, but it may take longer during University recesses, in a complex case, or other reasonable circumstances. The decision of the University president shall be final.

Other University Policies

Drug Free School and Workplace Programs

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

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

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

Readmission Requirements for Students Suspended for Disciplinary Reasons

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

Notice of Nondiscrimination

Oregon Institute of Technology does not discriminate on the basis of race, color, ethnicity, national origin, gender, disability, age, religion, marital status, sexual orientation or gender identity in its programs and activities. The following office is designated to handle inquiries and complaints regarding this non-discrimination policy: Human Resources, Oregon Tech, 3201 Campus Dr., Klamath Falls, OR 97601-8801; 541.885.1120; Fax 541.851.5200. Hard copies of policies may be requested through the Office of Student Affairs on the Klamath Falls campus room 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.

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>

and controlled substances at <https://www.oit.edu/sites/default/files/2020/documents/substance-abuse-drug-free-workplace-policy-oit-30-034.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 Clackamas County Sheriff’s Office. 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.

Firearms, Munitions and Explosives

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

Clery Crime Updates and Clarification

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

Violence Against Women Act Legislation

On March 7, 2013, President Obama signed into law a bill that strengthened and reauthorized the Violence Against Women Act (VAWA), which affords additional rights to campus victims of sexual violence, dating violence, domestic violence and stalking. Included in the VAWA legislation were numerous amendments to the Clery Act requiring updates to policies and procedures and collection and reporting of statistics for sexual assaults, dating violence, domestic violence and stalking.

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. Please Note: Because the VAWA legislation was not passed until March of 2013 and schools may not have collected data for these crimes for the entire year, the Department of Education does not require schools to report statistics for the full 2013 calendar year.

Changes to Reporting Practices

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

The *National Incident Based Reporting System* (NIBRS) is an incident-based reporting system for crimes in which agencies collect and report data on each single crime occurrence. For example, if multiple crimes are committed, each individual crime is reported under NIBRS, which covers a broad range of reportable data with 22 offense categories made up of 46 specific offenses. This applies to reports of incidents and to arrests. Under Clery, schools are required to classify the sex offenses of Fondling, Statutory Rape and Incest according to NIBRS guidelines (this was prior practice and has not changed).

The *Uniform Crime Reporting Summary System* (UCR) is a hierarchy-based crime reporting summary system, which means if more than one offense is committed during a single incident, only the most serious offense is counted, which is defined as the “hierarchy rule.” For example, if a murder and a sex offense occur, only the murder is counted under UCR guidelines. The UCR system divides

offenses into two groups, Part I and Part II crimes. Part I offenses are limited to murder and non-negligent manslaughter, rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft, and arson. The Part II offenses consist of 21 additional crimes, for which only arrest data are collected. Under Clery, schools are required to classify all Clery crimes, with the exception of Fondling, Statutory Rape and Incest in accordance with UCR guidelines; applying the UCR hierarchy rule when counting Clery crimes. In 2014, the Department of Education created an exception to the hierarchy rule, which states that in situations in which an individual is a victim of a sex offense and a murder during the same incident, the murder *and* the sex offense will be counted. This new exception, if applicable, will be reflected in the Clery crime statistics reporting tables and disclosed to the Department of Education.

Clery Crime Definitions and Terminology

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

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

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

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

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

- A. **Rape:** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- B. **Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.
- C. **Date Rape Drug:** Under Clery, the administration of a date rape drug in an unsuccessful attempt to incapacitate and sexually assault the victim, and investigation determines that the perpetrator's attempt was to commit a sex offense, is a sexual assault. Administration of a date rape drug in which intent cannot be proven is an Aggravated Assault.

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

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

Domestic Violence

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

Dating Violence (Federal Definition)

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

- (1) The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction

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

Note: *There is no state definition for Dating Violence.*

Stalking:

A. State Definition

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

B. Federal Definition

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

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

The Oregon Revised Statutes defines the inability to consent as:

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

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

Evaluate and Communicate Your Intentions

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

Both women and men should consider the following:

- Pay close attention to what is happening around you. Clearly communicate your desires, limits and intentions to your date, partner, or friend.
- Intercourse becomes rape when a person is under the influence of any intoxicating or controlled substance and is thereby prevented from resisting or consenting to the sexual contact. Be aware that alcohol and other drugs can impair your judgment; make you slow or unable to escape from a dangerous situation.
- Previous sexual contact, regardless of frequency, does not constitute consent for sexual activity in the present or future. A current or previous dating relationship does not constitute the basis for implied consent.

- Do not assume that sexual intercourse is permissible if a person is dressed in a certain way or is incapacitated and does not give consent.
- Being turned down for sexual activity is not necessarily a personal rejection. It should be accepted as expressed because "NO" means "NO."
- Assaultive behavior is never acceptable.

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

Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed. Aggravated assault includes poisoning (date rape drug, etc.).

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

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

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

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

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

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

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

Clery Act Hate/Bias Crimes

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

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

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

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

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

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

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

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

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

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

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

Other Crime Definitions

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

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

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

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

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

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

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

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

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

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

If you believe you are being or have been sexually harassed, please contact the Title IX and Diversity Office. Oregon Tech's Title IX Coordinator is Dr. Jennifer Wilson. She is available at 541.885.0182. Dr. Wilson will also 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 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

Please err on the side of reporting any matter shown above. See [OIT-01-004 Prohibited Sexual Misconduct WV.pdf](#)

If You Are Sexually Assaulted

For Students:

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

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

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

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

For Employees:

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

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

- For Campus Safety assistance, dial 541.885.1111.
- For Integrated Student Health Center, dial 541.885.1800.
- For the Title IX Coordinator, dial 541.885.1108.

- For Clackamas County Sheriff's Office assistance, dial 911 (on or off campus).
- Talk to someone you trust about the incident--a good friend, a family member, and/or a member of the university community. Talking to someone can help you clarify your options.
- Do not wash, shower, douche, change, destroy or clean the clothes you wore during the assault. These provide vital evidence should you later decide to prosecute.
- Contacting the police department does not mean you must press charges. Ask about filing an "informational" (informal) report, which covers the expenses for a rape exam and provides a record of the incident if you later decide to file charges.

Rape Evidence Collection Examination

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

General Medical Attention

You can receive medical attention from the following areas:

- **Multnomah County Walk-in Clinic** – 2415 SE 43rd Ave, Portland, OR. Open 7 am to 10:30 pm, seven days a week. <https://web.multco.us/mhas/mental-health-crisis-intervention>
- **Geneva Health Center & Urgent Care** – In Wilsonville. Provides both primary care and urgent care walk-in appointments. Phone: 503-685-9165. The center is open M-F 9:00am-7:00p,m and 10:00am-4:00pm weekends <https://urgentcarelist.com/provider/geneva-health-center-urgent-care-wilsonville-or-97070>

For Immediate Counseling

- Oregon Tech Integrated Student Health Center at 541.885.1800 (Klamath Falls). The counseling center is open Monday through Friday from 8:00 a.m. to 5:00 p.m. to schedule appointments.
- Stop by the Wilsonville main office and ask to see Nicki Young. She is available at 503.821.1319
- **Oregon Tech Sexual Assault Hotline** at 541.891.00IT (0648)
- The **Clackamas Crisis and Support Line** is also available for advocacy and consultation. The 24-hour hotline is 503.655.8585 (ask to speak to a crisis counselor).
- **The Multnomah County Crisis Line** is 503.988-4888
- **The Washington County Crisis Line** is 503.291.9111
- **The RAINN (Rape, Abuse and Incest National Network)** is **1.800.656.HOPE (4673)** or www.rainn.org.
- **The US government website on sexual assault** at <http://changingourcampus.org/about-us/not-alone/>.
- Campus Safety at 541.885.1111 has emergency contact capability for counselors who can assist after business hours.
- Dial 988 for the **988 Suicide and Crisis Lifeline**. Check out their website at: <https://988lifeline.org/>

Additional Reporting Information and Options

- Oregon Tech Vice President for Student Affairs Office at 541.885.1013. 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 541.885.1111. They will help you in any manner possible, including contacting a counselor, helping you get a medical exam, reporting an assault to the Clackamas County Sherriff's Office.
- Clackamas County Sheriff's Office at 503.682.1012 or call 911 in an emergency. They hold jurisdiction for any criminal action occurring in the city of Wilsonville. Officers will respond and assist in getting an incident documented and can follow up on any needed action.

If you are sexually harassed, assaulted, or a victim of sexual violence, you should contact the Title IX Coordinator Dr. Jennifer Wilson at 541.885.0182. (<https://www.oit.edu/title-ix>)

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

Reporting Options

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

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

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

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 the complainant and respondents to assess the need to implement interim or long-term protective measures to protect the 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; and assistance with access to mental counseling or resources etc. Student victims have the option to assistance in changing academic and living situations after an alleged sexual assault incident if these changes are reasonably available.
6. Oregon Tech will provide a "No trespass" directive to accused party if deemed appropriate. 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.
7. The Clackamas County Sheriff's Office will work with the complainant in this area if requested. They will provide instructions on how to apply for a Restraining Order through the local court system (see video for pursuing and filing an RO through the court system at: <https://www.youtube.com/watch?v=jiwl7eu7sqM>).

8. Oregon Tech will provide access to the Sexual Misconduct Policy to complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution.
 9. If a formal complaint has been 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.
- 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

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. The Campus Safety department will work with the survivor in this area if requested. Oregon Tech will provide written instructions on how to apply for Restraining Order through the local court system (see video for pursuing and filing an RO through the court system at: <https://www.youtube.com/watch?v=jiwl7eu7sqM>.)
4. Oregon Tech will provide written information to complainant on how to preserve evidence.
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. 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).

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

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

Institutional Disciplinary Process

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

Faculty Employees:

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

Classified Employees:

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

Campus Sex Crimes Prevention Act

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

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

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

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

Oregon sex offender law again changed in 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. 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, the Director of Operations and the Vice President for Student Affairs 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.

Campus Safety Activity Report - *Portland Metro*

Offense Type	2022			2021			2020			2019		
	Campus		Non-Campus									
Murder/Non-negligent manslaughter	0		0	0		0	0		0	0		0
Negligent manslaughter	0		0	0		0	0		0	0		0
Sex Offenses												
Rape	0		0	0		0	0		0	0		0
Statutory Rape	0		0	0		0	0		0	0		0
Incest	0		0	0		0	0		0	0		0
Fondling	0		0	0		0	0		0	0		0
Sexual harassment *	0		0	0		0	0		0	0		0
Dating violence	0		0	0		0	0		0	0		0
Domestic violence	0		0	0		0	0		0	0		0
Stalking	0		0	0		0	0		0	0		0
Aggravated assault	0		0	0		0	0		0	0		0
Assault	0		0	0		0	0		0	0		0
Arson	0		0	0		0	0		0	0		0
Robbery	0		0	0		0	0		0	0		0
Burglary	0		0	0		0	0		0	0		0
Motor vehicle theft	0		0	0		1	0		0	1		0
Theft*	0		7	0		3	1		0	2		0
Criminal mischief*	0		0	0		2	0		0	0		0
Criminal trespass*	0		0	0		0	0		0	0		0
Disorderly conduct*	0		0	0		0	0		0	0		0
Hate Crimes #												
Murder/Non-negligent manslaughter	0		0	0		0	0		0	0		0
Robbery	0		0	0		0	0		0	0		0
Aggravated assault	0		0	0		0	0		0	0		1
Burglary	0		0	0		0	0		0	0		0
Motor vehicle theft	0		0	0		0	0		0	0		8
Arson	0		0	0		0	0		0	0		0
Theft	0		0	0		0	0		0	0		0
Simple Assault	0		0	0		0	0		0	0		0
Intimidation	0		0	0		0	0		0	0		0
Destruction/Damage/Vandalism of Property	0		0	0		0	0		0	0		0

Campus Safety Activity Report - *Portland Metro*

Offense Type	2022			2021			2020			2019		
	Campus		Non-Campus									
Disciplinary Actions or Arrests												
Liquor Law Violations	0+/0**		0+/0**	0+/0**		0+/0**	0+/0**		0+/0**	0+/0**		0+/0**
Drug violations	0+/0**		0+/0**	0+/0**		0+/0**	0+/0**		0+/0**	0+/0**		0+/1**
Weapons possession	0+/0**		0+/0**	0+/0**		0+/0**	0+/0**		0+/0**	0+/0**		0+/0**

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

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

* Denotes statistics not required by law

+ Referrals ** Arrests for drug/liquor law violations

There were no hate crimes reported for the 2019, 2020, 2021 or 2022 calendar years.

Other Oregon Tech Locations

Klamath Falls main campus

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

For the Klamath Falls Annual Security Report (ASR) for 2020, 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.

2017, 2018 and 2020 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. If interested, 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 had been no definitive crime statistics specific to Clery mandates that were 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.* For the **2022 calendar year**, the city of Scappoose Police Department provided the following information for statistical consideration.

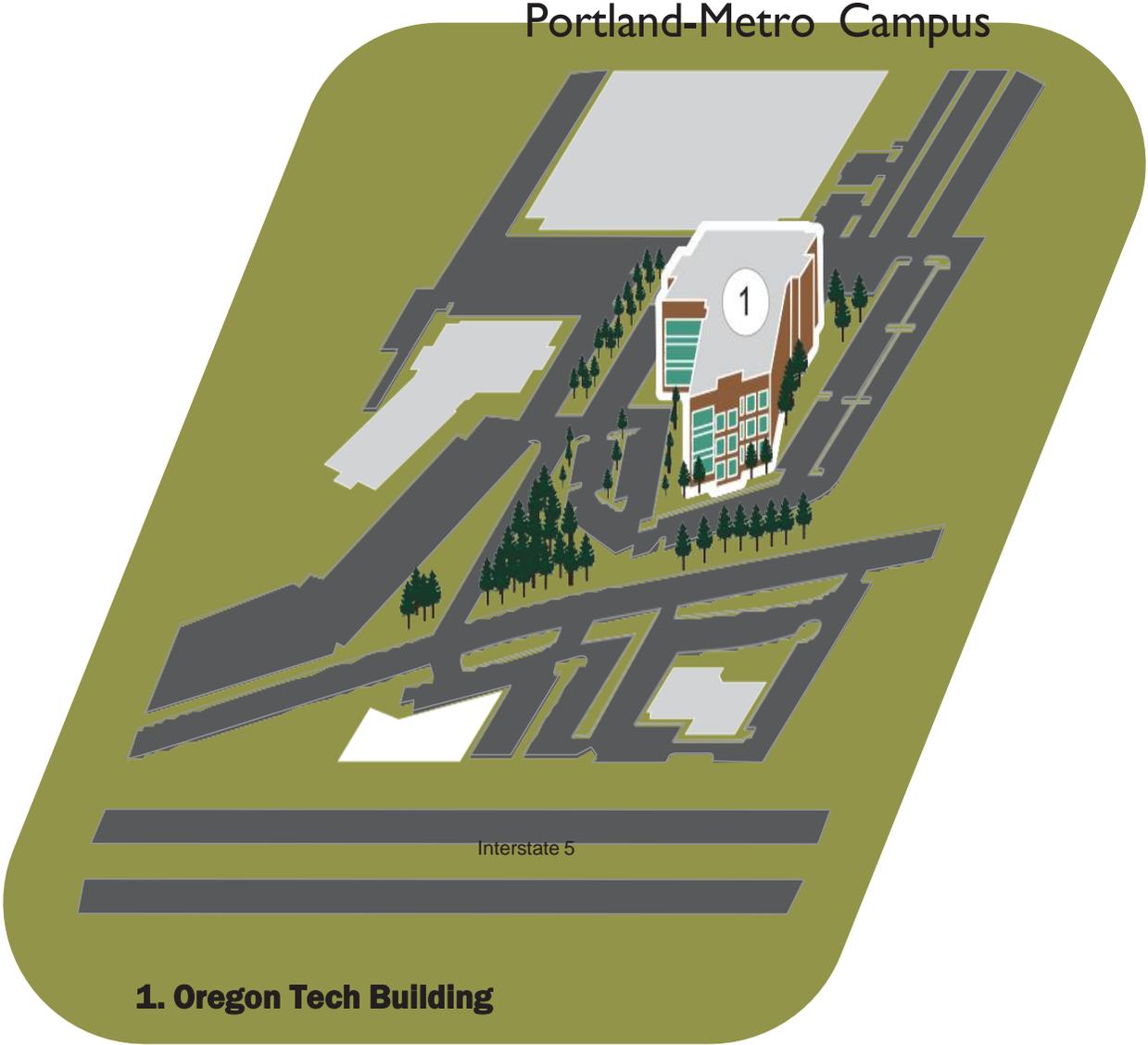
1 x Trespass from OMIC property

2 x Cold Theft reports

1 x Burglary in process report

Partners for a Safe Campus

Campus Map



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