

2018 Annual Security and Fire Safety Report

Crime and Fire Statistics for 2015, 2016, & 2017

Hatfield Marine Science Center Campus



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Introduction

Developed in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), the Annual Security Report informs current and prospective students and employees of the Clery Act crimes reported within the Clery Act geography of the Oregon State University-Hatfield Marine Science Center campus in the three most recent calendar years. This report reflects data from calendar years 2015, 2016, and 2017. The Annual Security Report provides the Hatfield Marine Science Center community with information and resources to make well informed and reasoned decisions about their personal safety. This report includes important safety information, such as campus crime statistics, a wide range of current policies, helpful university and local resources, and crime prevention programs available to the students and staff at the Hatfield Marine Science Center. The Annual Fire Safety Report, also included, contains information about fire safety practices and fire statistics for on-campus student housing facilities from calendar years 2015, 2016, and 2017.

The policies in this Annual Security and Fire Safety Report apply to the Oregon State University-Hatfield Marine Science Center campus in Newport, and it reflects current practices. Representatives from partner offices like University Housing and Dining Services, the Office of Equal Opportunity and Access, the Office of Student Conduct and Community Standards, Student Health Services, and the Department of Public Safety have reviewed them, and the Clery Act Compliance Team incorporates these policies into the Annual Security and Fire Safety Report.

Each year, an email notice is sent to university employees and students informing them of the availability of the report. This email also points to the Clery Act Compliance website, <https://hr.oregonstate.edu/clery>, and indicates how to obtain a printed copy of this Annual Security and Fire Safety Report. Notifications are also posted in the OSU Today and on university websites where prospective students and employees visit.

A printed copy of this report can be obtained from the director's office or the Guin Library; or a digital copy is available at https://hr.oregonstate.edu/sites/hr.oregonstate.edu/files/hmsc_campus_asfsr_final.pdf. Additionally, you may request a copy by sending an email to HR.Compliance@oregonstate.edu. Copies of the Annual Security and Fire Safety Report are provided at no cost.



Collecting and Preparing Crime Statistics

The Clery Act Compliance Team reviews reports of crimes and law violations from the Newport Police Department, Lincoln County Sheriff's Office, and other law enforcement agencies around the state of Oregon and abroad. More than 1,500 university designated Campus Security Authorities, such as resident assistants, coaches, and advisors of recognized student organizations, also provide reports. These reports, along with the data collected from a variety of additional sources including partner campuses and reporting university offices, are compiled into the crime statistics for the Hatfield Marine Science Center campus and disclosed to the U.S. Department of Education.

Reportable Crimes

The Clery Act specifies the standard set of crimes institutions of higher education must disclose in their annual statistics. These crimes must also have occurred within the Clery Act geography of the university, as designated by the U.S. Department of Education. The uniform guidelines allow institutions throughout the United States to be compared by the same standard. Complete definitions of the Clery Act geographical categories may be found in the [appendix](#). It is important to note that the terms "victim" and "survivor" are used interchangeably throughout this report.

The Clery Act requires universities to disclose statistics for all **reported** Clery Act offenses. Therefore, even if a local law enforcement agency or district attorney chooses not to charge an individual because they believe there is insufficient evidence to reach a conviction, the reported Clery Act offense(s) will still be counted in the crime statistics, if the incident occurred within the Clery Act geography of the university. If sworn law enforcement personnel determine that an incident could not have occurred or did not occur, the crime may be "unfounded" and will be included in the unfounded crime category of the annual report.

The Clery Act requires universities to disclose statistics for the following offenses:

Primary Criminal Offenses

- **Murder and Non-Negligent Manslaughter:** the willful killing of one human being by another.
- **Manslaughter by Negligence:** the killing of another person by gross negligence.
- **Sexual Assault:** an offense that meets the definition of rape, fondling, statutory rape, or incest as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is



“any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.”

- **Rape:** 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. This definition includes any gender of victims or perpetrator.
- **Fondling:** the intentional touching of the private body parts of another person for the purpose of sexual gratification without consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or temporary or permanent mental or physical incapacity.
- **Incest:** sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape:** sexual intercourse with a person who is under the statutory age of consent.
- **Robbery:** the taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force, 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.
- **Burglary:** the unlawful entry of a structure to commit a felony or a theft.
- **Motor Vehicle Theft:** the theft or attempted theft of a motor vehicle.
- **Arson:** any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.



Primary Criminal Offenses	
Crime:	Count by Number of:
Criminal Homicide-Murder and Non-negligent Manslaughter	Victims
Criminal Homicide-Manslaughter by Negligence	Victims
Sexual Assault-Rape	Victims
Sexual Assault-Fondling	Victims
Sexual Assault-Incest	Victims
Sexual Assault-Statutory Rape	Victims
Robbery	Incidents
Aggravated Assault	Victims
Burglary	Incidents
Motor Vehicle Theft	Vehicles
Arson	Point(s) of Origin

Hate Crimes

A primary criminal offense committed against a person or property motivated, in whole, or in part, by the offender's bias. Categories of bias are:

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

- **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.
- **National Origin:** a preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth.
- **Disability:** a preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age, or illness.

In addition to the primary criminal offenses, the following crimes are also classified as hate crimes when there is evidence that the offense was committed with bias against one of the categories listed above.

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

Hate Crimes	
Crime:	Count by Number of:
Hate Crimes (Any of the Primary Criminal Offenses)	Victims
Hate Crime-Larceny	Victims
Hate Crime-Simple Assault	Victims
Hate Crime-Intimidation	Victims
Hate Crime-Vandalism	Victims

VAWA Offenses

➤ Domestic Violence

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

➤ Dating Violence

- Violence committed by—
 - A person who is or has been in a social relationship of a romantic or intimate nature with the victim; and
 - Where the existence of such a relationship shall be determined based on the reporting party's statement and a consideration of the following factors:
 - The length of the relationship
 - The type of relationship
 - The frequency of interaction between the persons involved in the relationship.
 - Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 - Dating violence does not include acts covered under the definition of domestic violence.

➤ Stalking

- Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
 - Fear for the person's safety or the safety of others; or
 - Suffer substantial emotional distress.
- For the purposes of this definition—
 - Course of conduct means two or more acts, including, but not limited to, acts 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.
 - Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
 - Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Violence Against Women Act (VAWA) Offenses	
Offense:	Count by Number of:
Domestic Violence	Victims
Dating Violence	Victims
Stalking	Victims

For liquor, drug, and weapon offenses, the statistics are divided into two categories: individuals who were arrested and individuals who were referred to Oregon State University for disciplinary action as the result of a law violation.

- **Liquor Law Offenses:** the violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.
- **Drug Abuse Offenses:** the violation of state or local laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state and local law or ordinances, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.
- **Weapon Law Offenses:** the violation of state or local laws prohibiting the manufacture, sale, purchase, transportation, possession, concealment or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.



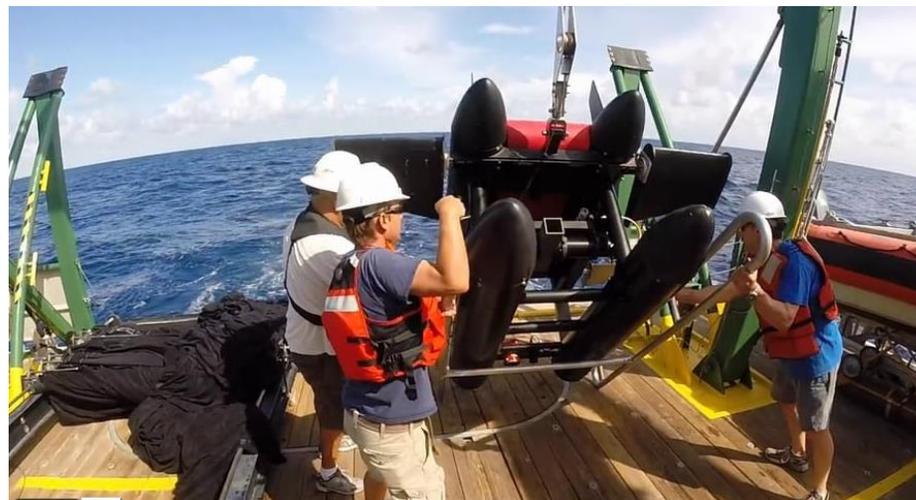
Arrests and Referrals for Disciplinary Action

Offense:	Count by Number of:
Liquor, Drug, and Weapon Law Offenses-Arrests	Individual(s) Arrested
Liquor, Drug, and Weapon Law Offenses-Referrals	Individual(s) Referred

Hierarchy Rule

The hierarchy rule states that when more than one primary criminal offense was committed during a single incident, institutions should only count the most serious offense. In accordance with the 2016 Department of Education Handbook for Campus Safety and Security Reporting, there are exceptions to the hierarchy rule, which apply to arson, sexual assaults, hate crimes, VAWA offenses, and liquor offenses, drug offenses, and weapons offenses.

- If arson is committed during the same incident as one or more offenses, it is always counted with the most serious offense.
- Sexual assaults will always be counted when occurring in the same incident as murder.
- All offenses committed in a multiple offense incident that are bias-motivated must be counted as hate crimes. No hierarchy is applied. For example, if a single incident involving both a rape and an aggravated assault that were also both hate crimes, only the rape is counted in the primary criminal offenses category, but both the rape and the aggravated assault are counted in the hate crimes category.
- If a VAWA offense is committed during the same incident as another crime, both will be counted.
- If multiple liquor, drug, and weapons offenses occur in the same incident, only the most serious offense will be counted. Liquor, drug, and weapons offenses are counted in addition to the most serious criminal offense in each category when occurring in a single incident. If offenses are equal in severity, Oregon State University will count the liquor law offense because the institution has determined that there are more adverse impacts to the community from alcohol-related behaviors.



Crime Reporting

Crimes may be reported to the Newport Police Department or to the Lincoln County Sheriff's Office in person or by phone. TCB Security Services patrols HMSC on weekdays from 1 a.m. to 7 a.m. and on weekends from 1 a.m. to 8 a.m. Upon receiving the report of a crime, TCB security officers will notify local law enforcement. Crimes occurring on campus should be reported to the Newport Police Department. Crimes occurring off campus, but within Newport city limits should be reported to the Newport Police Department. Crimes occurring outside of Newport city limits, but within Lincoln County should be reported to the Lincoln County Sheriff's Office. In Oregon, police reports are public records and the information contained in those records may not be kept confidential.

Security and Law Enforcement Contact Information	
All Emergencies: Dial 911	
On-campus HMSC:	TCB Security 4909 S Coast Hwy, Suite 1, South Beach, OR Non-emergency Line: 541-574-2828
On Campus/Off Campus Newport Non-emergencies:	Newport Police Department 169 SW Coast Hwy, Newport, OR Non-emergency Line: 541-574-3348
Off Campus Lincoln County Non-emergencies:	Lincoln County Sheriff's Office 225 West Olive Street, Newport, OR Non-emergency Line: 541-265-0777

Crimes can also be reported to individuals who have been identified as a Campus Security Authority (CSA). A CSA is required to report the allegations of crimes they receive and to provide resources to the reporting party. Please see the [appendix](#) for the official definition of a CSA and the list of resources. The university encourages the accurate and prompt reporting of all crimes to the appropriate police agencies, when the victim of a crime elects to, or is unable to, make such a report. HMSC does not have campus law enforcement.



If a victim reports a Clery Act offense to a CSA, but chooses to not report the incident to law enforcement, the CSA is still obligated by federal law to report the offense to the university. A CSA is required to accurately and promptly report ongoing criminal incidents to the Corvallis campus Department of Public Safety, so the university can determine if a Timely Warning or an Emergency Notification should be sent to the campus community through the OSU Alert system.

Although students and employees may report crimes to any CSA, here is a list of the preferred Campus Security Authorities on the HMSC campus.

HMSC Campus Preferred Campus Security Authorities	
HMSC Director's Office	Phone: 541-867-0211 Email: robert.cowen@oregonstate.edu Address: 2030 SE Marine Sciences Dr., Newport, OR
Office of Equal Opportunity and Access	Phone: 541-737-3556 Email: equal.opportunity@oregonstate.edu Address: 330 Snell Hall, Corvallis, OR
Office of Student Conduct and Community Standards	Phone: 541-737-3656 Email: SCCS@oregonstate.edu Address: 150 Snell Hall, Corvallis, OR
Office of Audit Services	Phone: 541-737-5547 Email: patricia.snopkowski@oregonstate.edu Address: 240 Kerr Administration Building, Corvallis, OR
Corvallis Campus Department of Public Safety Dispatch Center	Non-emergency Phone: 541-737-3010 Emergency Phone: 541-737-7000 General Business Only Email: https://publicsafety.oregonstate.edu/contact Address: 601 SW 17th Street, Corvallis, OR

[Voluntary Confidential Reporting](#)

The university recognizes that confidentiality helps to provide control of the process to survivors and may encourage them to seek support. Survivors who wish to discuss an incident and maintain **complete confidentiality**, without generating a report, may do so by contacting the Office of Counseling and Psychological Services at 541-737-2131, the Survivor Advocacy and Resource Center (SARC) at 541-737-2030, or the University Ombuds Office at 541-737-4537. These offices do not report or disclose crime statistics for inclusion in the Annual Security Report.

Counseling and Psychological Services (CAPS) provides mental health counseling to students, and consultation, outreach and education to all OSU community members. CAPS' mission is to (1) facilitate students' academic success, mental health, and personal development and (2) promote a culture of positive mental health at OSU.

SARC is dedicated to supporting those affected by violence, especially sexual violence. Oregon law grants confidentiality for the communications between a person seeking support as a result of sexual or relationship violence and the campus-based survivor advocate.

The University Ombuds Office assists with individual concerns through service and education. It also serves as a change agent to address group conflict and systemic concerns. Ombuds foster a culture of healthy, safe, and open dialogue and they facilitate cooperative problem resolution. However, confidentiality cannot be promised in matters relating to threats to public safety, child abuse, or when there is imminent risk of serious harm. Speaking with an ombuds does not constitute legal notice to the university of any problem, concern, or complaint.

If you contact this office to address a specific conflict, the University Ombuds Office will listen to your concerns, value diverse perspectives, help you explore options for resolution, provide facilitation or mediation services when appropriate, and remain impartial to all parties involved. The University Ombuds Office provides a safe place to share your concerns. The University Ombuds Office is not an office of record.

HMSC does not have established procedures to encourage pastoral or professional counselors to inform those they counsel to report crimes on a voluntarily, confidential basis for inclusion in the Annual Security Report. Victims or witnesses may also report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics by contacting the Office of Audit Services (OAS). OAS provides independent and objective consulting with voluntary, confidential, and anonymous reporting options. If employees or students do not feel comfortable discussing a matter directly with the OAS or with campus management, a report can be made through the OSU Accountability and Integrity Hotline: 1-855-388-4971 or at <https://secure.ethicspoint.com/domain/media/en/gui/41096/index.html>. OAS provides aggregate crime statistics for inclusion in the Annual Security Report.



Crime Statistics Reported for 2015, 2016, and 2017

Oregon State University – Hatfield Marine Science Center – Newport

Crime Classification	On-Campus						Noncampus	Public Property			Unfounded				
	On-Campus Total			On-Campus Student Housing				15	16	17	15	16	17		
	15	16	17	15	16	17		15	16	17	15	16	17		
Primary Crimes															
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
VAWA Offenses															
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	4	0	0	4	0	0	0	0	0	0	0	0	0	0	0
Arrests															
Weapons Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Abuse Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Referrals															
Weapons Referrals	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Abuse Referrals	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Referrals	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Hate Crimes

For **2015, 2016,** and **2017** there were **no hate crimes reported** at HMSC.

Security and Access Policy

Campus academic buildings are open to the public Monday through Friday, 8 a.m. to 5p.m., excluding state recognized holidays. Residence halls are locked 24 hours a day and residents are encouraged to keep their room doors locked at all times. All HMSC buildings, including residence halls, are secured by lock and key. HMSC requires the successful completion of a criminal history check for all staff who perform maintenance or repairs in student housing facilities. Criminal history checks are also done for employees who work one-on-one with minors or who have duties that require the possession of or access to master keys for housing and dining facilities.

Facilities staff and building managers walk the campus regularly to check for safety concerns such as malfunctioning lighting or obstructive landscaping. If you are aware of a maintenance issue, please submit a work order request at <http://hmsc.oregonstate.edu/main/webform/work-order-request>. Doors, windows, locks, and other elements of the security system for an individual building receive maintenance on a priority basis. For example, a housing facility with a broken window that allows access to the building will be secured as soon as maintenance personnel can be summoned to the location.



Law Enforcement and Jurisdiction

The Newport Police Department provides law enforcement services; investigates crimes; and may enforce municipal, state, and federal statutes on campus. The Newport Police Department has primary jurisdiction within the Newport city limits. Oregon Revised Statutes (ORS) 133.310 gives police officers with the Newport Police Department the authority to make arrests without a warrant, and ORS 133.235 (Arrest by Peace Officer) gives Newport police officers the authority to arrest someone for a crime at any hour of any day or night.

TCB Security Services, Inc. performs exterior patrols at the Hatfield Marine Science Center campus from 1 a.m. to 7 a.m. on weekdays and from 1 a.m. to 8 a.m. on weekends. TCB Security Services, Inc. does not have access to the interior of HMSC buildings. Officers with TCB Security Services, Inc. are certified by Oregon's Department of Public Safety Standards and Training. On occasion, TCB security officers respond to alarms and other requests for service, but refer all criminal incidents to the Newport Police Department. Officers with TCB Security Services do not have police arrest authority. Officers with TCB Security Services, Inc. have private person (citizen) arrest authority as defined in ORS 133.225, which

states a private person may arrest another person for any crime committed in the presence of the private person if the private person has probable cause to believe the arrested person committed the crime.

HMSC maintains a professional working relationship with the Newport Police Department, including involving them in tests of the campus response and evacuation procedures. HMSC does not have a memorandum of understanding with the Newport Police Department, Lincoln County Sheriff's Office, or Oregon State Police for the investigation of alleged criminal offenses. However, HMSC will cooperate with any law enforcement investigation involving the campus.



At this time, no recognized student organizations control noncampus property. Therefore, criminal activity that occurs on noncampus property controlled by officially recognized student organizations is not monitored or recorded through local police agencies. However, crime statistics are requested annually from the Newport Police Department and other local law enforcement agencies for noncampus properties associated with HMSC.

Missing Students: On-Campus Student Housing

The university's missing student policy applies to any student who lives in an on-campus student housing facility, regardless of their age, status, or whether they have registered a confidential contact person. Any person, who is aware of a student who is missing, should report that information immediately to the Newport Police Department at 911 (emergency) or 541-265-4231 (non-emergency), or in person at 169 SW Coast Hwy, Newport, Oregon. Another reporting option includes the Lincoln County Sheriff's Office at 541-265-0777 or 251 W Olive St, Newport, Oregon. After contacting the Newport Police Department or Lincoln County Sheriff's Office, please call the Department of Public Safety Dispatch Center at 541-737-7000 (emergency) or 541-737-3010 (non-emergency) to notify officials at the Corvallis campus. All missing student reports must be referred immediately the Corvallis Department of Public Safety Dispatch Center so the university can initiate its missing student procedures and notify the missing student's confidential contact.

Each year, students may provide a confidential missing student contact when they register for on-campus student housing facilities. This contact is strictly for missing persons and can be the same as their general emergency contact, or students may also choose someone different. The missing student contact is registered, confidential, accessible only to authorized campus officials, and may not be disclosed except to law enforcement personnel in the furtherance of a missing person investigation. Once the university determines a student has been missing for 24



hours, the missing student procedures will be initiated. The university does not have to wait 24 hours before officially determining a student is missing. The student's confidential contact will be notified within 24 hours from the time the student has been determined missing by the Department of Public Safety, Newport Police Department, or local officials.

Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, HMSC will notify the local law enforcement agency that has jurisdiction in the area within 24 hours of the determination that the student is missing, unless the local law enforcement agency was the entity that made the determination that the student is missing. If the student is under 18 years of age and is not emancipated, the institution will also notify a custodial parent or guardian in addition to notifying any additional contact person designated by the student within 24 hours of the determination that the student is missing.

Timely Warnings

When ongoing Clery Act crimes occur on Clery Act geography, Timely Warnings are issued to the campus community so students and employees can take steps to protect themselves from similar crimes. In the annual request for crime statistics, HMSC asks local police agencies for their cooperation in informing the institution about situations reported to them that may warrant a Timely Warning. Anyone with information about an ongoing or serious threat to campus should immediately call the Corvallis DPS Dispatch Center at 541-737-7000 even if they already reported the incident to the Newport Police Department or Lincoln County Sheriff's Office.

If the Department of Public Safety Dispatch Center is notified that a serious or continuing Clery Act crime has occurred on Clery Act geography, members of the Department of Public Safety, Oregon State Police, University Relations and Marketing, and other senior university leadership will review the incident. Each incident is evaluated on a case-by-case basis



keeping in mind the type and location of the crime, and whether or not the incident is an ongoing or serious threat to the campus community.

The chief of public safety or their designee will lead the incident review discussion. If a Timely Warning is appropriate, this group collaborates to determine the content of the message. University Relations and Marketing and the Department of Public Safety have the authority to distribute a Timely Warning to the HMSC community. The chief of public safety is the ultimate decision maker for the group and a message may be sent without the participation of the full team if a life-threatening incident occurs. If new or pertinent information about the crime is received, an update may be sent to the campus community. If an incident does not require a Timely Warning, a Safety Alert or another type of communication may still be sent to the HMSC community.

Timely Warnings are sent through the OSU Alert system. OSU's Recorded Information Line (541-737-8000), the OSU Alert website, and social media may serve as additional distribution systems. A description of the incident, the recommended protective measures, and relevant campus resources are included in the message. HMSC will keep the names of victims confidential when issuing a Timely Warning, and will honor the victim's description of the suspect. In narrow circumstances, such as when a suspect is targeting a particular group or a specific location, some identifiable information may be included.

All university students and staff are automatically signed up to receive Timely Warnings through their university issued email accounts. To sign up for text messages, phone calls, or to add additional phone numbers or email addresses (parents, spouses, etc.), students and employees can manage their account at <https://oregonstate.edu/alerts/osu-alert-portal> using their ONID email and password.



Emergency Response and Evacuation Policies

If a dangerous situation is reported to the Newport Police Department, HMSC facilities manager, HMSC director, or HMSC operations manager, police officers with the Newport Police Department or university officials will determine if there is a legitimate threat by either responding to the scene or through the report of a credible witness. To report a significant emergency or dangerous situation on the HMSC campus, call the Newport Police Department (911), HMSC facilities manager (541-867-0260), HMSC director (541-867-0211), or HMSC program manager (541-867-0234). In the annual request for crime statistics, HMSC asks local police agencies for their cooperation in informing the institution about situations reported to them that may warrant an emergency response.

Upon confirming there is a significant emergency or a dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus, HMSC will, without delay, and taking into account the safety of the community, determine the content of the Emergency Notification and initiate the notification system, unless 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.

The HMSC director or designee will contact the Corvallis campus Department of Public Safety to initiate the Emergency Notification process. The Department of Public Safety, with the chief of public safety or their designee, acting as the incident commander, contacts University Relations and Marketing, Oregon State Police, and other university officials to create, approve, and send the Emergency Notification. Once the message is created and approved, the Department of Public Safety is the primary message sender. The chief is the ultimate decision maker for the group, and a message may be sent without the participation of the full team if a life-threatening incident occurs.

These aforementioned officials determine which segment or segments of the campus community receive a notification and the content of the message by evaluating the details of the incident. If, for instance, a fire is isolated to one building on campus, then an Emergency Notification may be sent to just that segment of the campus community. However, when appropriate, the university may send Emergency Notifications to the whole university community even if only a segment of the campus is affected.

Emergency Notifications will include details about which segment of the campus community is affected, a description of the incident, and recommended measures the campus community should take to protect themselves, such as evacuation, avoiding certain areas/buildings, or sheltering-in-place. Situations are evaluated on a case-by-case basis and will be continually assessed until the incident is resolved.

If new or pertinent information about the emergency is received, an update may be sent to the campus community using OSU Alert. If an incident does not require an Emergency Notification, a Safety Alert or another type of communication may still be sent. For more information about how to respond to specific types of emergency situations, please go to the Emergency Management website, <http://emergency.oregonstate.edu/>, or review the HMSC Emergency Operations Plan, https://hmsc.oregonstate.edu/sites/hmsc.oregonstate.edu/files/1_hatfield_eop_2021_fully_executed_small.pdf.

OSU Alert is the primary distribution system for Emergency Notifications. All university students and staff are automatically signed up to receive OSU Alerts through their university issued email accounts. To sign up for text messages, phone calls, or to add additional phone numbers or email

addresses (parents, spouses, etc.), students and employees can manage their account at <https://oregonstate.edu/alerts/osu-alert-portal> using their ONID email and password. OSU's Recorded Information Line (541-737-8000), the OSU Alert website (<http://main.oregonstate.edu/alerts>), vehicle public announcement systems, and social media may serve as additional distribution systems and are used to disseminate emergency information to the larger community. The Office of University Relations and Marketing is responsible for communicating via social media and the OSU Alert website.

HMSC has developed a team comprised of the HMSC director, HMSC facilities manager, HMSC program manager, network manager, and HMSC academic program manager to coordinate emergency response. In the event of a significant emergency or a dangerous situation, the HMSC response team will notify the appropriate emergency services, such as the fire department, emergency medical services, and law enforcement, unless those services have already been notified and are responding. Emergency services will typically be provided by the Newport Police Department, Lincoln County Sheriff's Office, Newport Fire Department and Emergency Medical Services, and other local officials. HMSC may also implement a building lockdown. This is how the HMSC response team will respond during an emergency:

HMSC Director:

- Organize the HMSC response command and control structure. The Incident Command System is one of several incident management structures available for use.
- Communicate with Lincoln county (541-265-4277)
- Determine the level of response-Level 1 Green, Level 2 Yellow, or Level 3 Orange.
 - Level 1 Green-A minor incident that is quickly resolved with internal resources or limited help.
 - Level 2 Yellow-A major incident that impacts a sizable portion of HMSC, or that may affect mission critical functions and/or life safety. The HMSC response team will be activated.
 - Level 3 Orange-A disaster that involves a major portion of OSU or surrounding community where emergency is substantial. The HMSC response team will be activated.
- Communicate with the Corvallis Department of Public Safety (541-737-3010)
- Communicate with the OSU Emergency Operation Center (through the Corvallis Department of Public Safety)
- Communicate with the OSU provost and vice president for research if needed
- Communicate with members of the response team
- Coordinate with non-OSU Hatfield campus partners (NOAA, etc.)

HMSC Facilities Manager:

- Ensure all essential facilities staff are on-site
- Will direct evacuation (via fire alarm pull station) if necessary
- Will organize response activities

HMSC Program Manager:

- Initiate communication to inform HMSC personnel of a closure

Network Manager:

- Post the message on the HMSC website
- Update the message on the general HMSC phone number, 541-867-0100

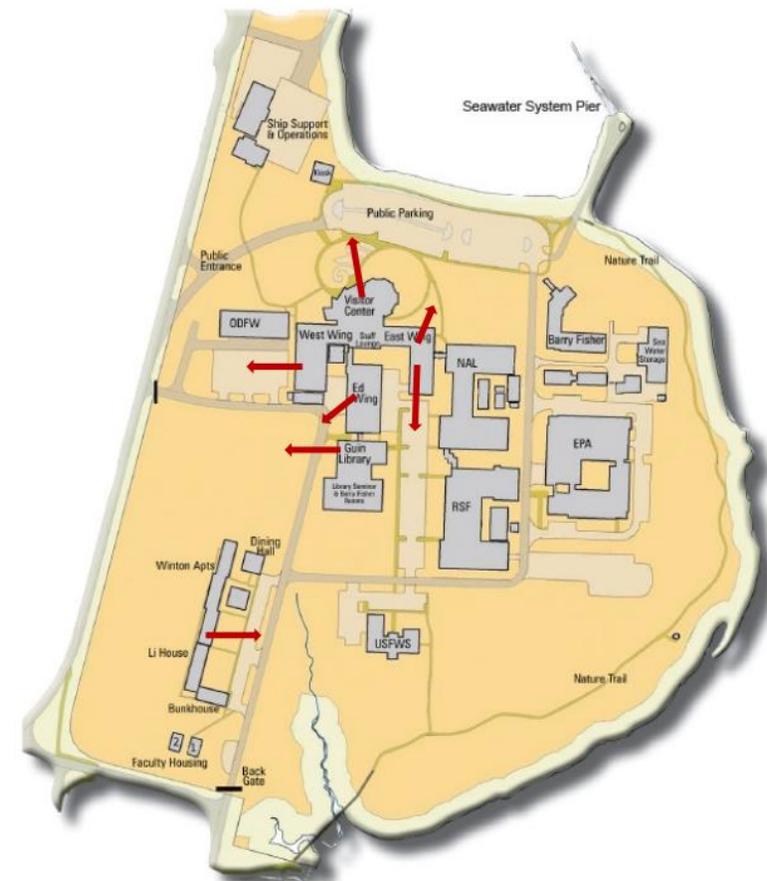
HMSC Academic Program Manager:

- Notify affected instructors, graduate and undergraduate students, intern programs, and visiting colleges/universities of the current situation

Oregon State has also prepared general evacuation procedures, which can be found here: <https://emergency.oregonstate.edu/emergency-preparedness/emergency-procedures/evacuation>. Here is a summary of the general evacuation procedures:

1. Immediately obey evacuation alarms and orders to evacuate.
2. If time allows and without endangering yourself, place equipment in a safe configuration, close doors and windows, inform others in your vicinity of the current situation, and/or take any personal items you may need.
3. Leave the building – do not use elevators.
4. Assist persons with mobility or other evacuation concerns.
5. Take your cellphone, valuables, and evacuation kit.
6. Proceed outside of the building to the evacuation assembly area and stay a minimum of 50 feet away from the building.
7. Conduct accountability for personnel under your supervision.
8. Wait for official notice before attempting to re-enter the building.
9. Report problems or concerns to the applicable department leadership.
10. Classroom/lab instructors and building managers have been identified to provide rescue assistance and medical aid.

Evacuation Map (non-tsunami)



Emergency Response and Evacuation Tests

HMSC also tests its campus-wide response and evacuation procedures on an annual basis. The emergency manager uses the Homeland Security Exercise and Evaluation Program (HSEEP) to conduct these tests. The HSEEP-format identifies the name, dates, scope, mission area(s), core capabilities, objectives, threat or hazard, scenario, sponsor(s), participating organizations, and point of contact for the exercise. The emergency manager uses tabletop exercises, and occasionally, full scale exercises to test response and evacuation procedures. The HSEEP-format documents a description of the exercise, the date the test was held, the time the test started and ended, and whether the test was announced or unannounced.

The HSEEP-formatted exercises are scheduled, contain objectives that test procedural operations, and involve the coordination of efforts. For example, after the emergency manager schedules the exercise, participants, such as emergency medical services, are invited to participate. The HSEEP exercise objectives and core capabilities describe the expected outcomes. The objectives and aligned core capabilities are guided by elected and appointed officials and selected by the exercise planning team. The exercise identifies a mission area(s), such as response, and establishes core capabilities. The emergency manager may evaluate skills, such as coordination, communication, public health, and medical services.

The exercise objectives test procedural operations, such as medical triage, radio communications, processing medical records, and disseminating information to the public. Depending upon the scope and mission of the exercise, the emergency manager may invite other agencies, such as the Environmental Protection Agency, National Oceanic and Atmospheric Administration, and Oregon Department of Fish and Wildlife, to participate. The exercise evaluates the coordination of any organizations invited to participate.

Upon completion, post-exercise and evaluation activities are conducted, including hot wash, controller and evaluator debriefings, participant feedback forms, exercise evaluation guides, after-action reports, improvement planning processes, and after-action meetings. A hot wash is a meeting that occurs at the conclusion of exercise play and assesses the strengths, areas of improvement, areas of clarification, and decision-making processes.

During the improvement planning process, observations recorded in the after-action report are resolved through the development of concrete corrective actions, which are prioritized and tracked as a part of a continuous corrective action program. The after-action meeting is held among decision- and policy-makers from the participating organizations, the lead evaluator, and members of the exercise planning team to debrief and review and refine the draft after-action report and improvement plan.

The emergency manager publicizes emergency response and evacuation procedures for Oregon State at least once per year. This posting can be found in the OSU Today and on the Emergency Management planning website, <https://emergency.oregonstate.edu/emergency-preparedness/planning>, which contains the Emergency Operation Plan (EOP), EOP templates, and other plans.

Quick Reference Guide

For a quick reference, please review the following response and evacuation procedures for these emergency situations:

Fire Evacuation Procedures



- Activate Fire Alarm
- Call 911 (cell phones work too)
- Notify occupants as you evacuate
- Feel doors-DO NOT open hot doors
- DO NOT use elevators
- Only attempt to extinguish a fire if trained to do so

Suspicious Person Procedures



- Do not confront the person
- Notice details (gender, age, face, hair, clothing, direction of travel, possible weapon)
- Lock doors, turn off lights, and wait until the threat leaves.
- Call **911 (emergency)** or **541-574-3348 (non-emergency)**

Hazardous Substance Release Procedures



- Contain spill if trained and if safe to do so
- For *routine service*, contact work coordination at **541-867-0260**
- For *immediate service*, call **911 (emergency)** or **541-574-3348 (non-emergency)**
- Move away or **evacuate** if there is a health risk
- Notify others and close doors as you leave
- Notify incident responders if you have details about the hazardous substance

Injury or Illness Procedures



- Call 911
- Keep victim still and comfortable
- Render first aid if trained
- Send someone to meet the ambulance
- If the injured person is an employee, report the injury to the department head or supervisor
- **Poison Control: 1-800-222-1222**

Suspicious Object Procedures



- DO NOT touch or move anything
- Call **911 (emergency)** or **541-574-3348 (non-emergency)**
- **Evacuate**

Power Outage Procedures



- Remain calm and stay where you are; refer to your department's **evacuation plan**
- If directed, **evacuate**
- Secure experiments; close chemical containers and fume hood sashes as you leave
- Turn off equipment as appropriate
- Assist others when safe to do so
- Do not re-enter a building without clearance to do so
- If there is an **emergency**, call **911**
- Call the Facilities Department at **541-867-0260** for information
- Notify others in your department according to your department's **emergency plan**

General Evacuation Procedures



- Follow your department's **evacuation plan**
- Assist others when safe to do so
- Move well away from the building if possible
- Never re-enter a building after evacuating unless cleared by emergency personnel

Bomb Threat Procedures



- Look at telephone display and write down the number
- Keep caller on the phone and listen for details (speech patterns, background noises, etc.)
- Call **911 (emergency)**
- **Evacuate**

Crime Procedures



- Do not attempt to apprehend or interfere
- Call **911 (emergency)** or **541-574-3348 (non-emergency)**
- Give your name, location, department, and as many details as possible

Security Awareness and Crime Prevention Programs

HMSC conducts a monthly Safety Awareness Forum at the Guin Library to address general concerns about and distribute information on campus safety. Please find additional information about the forum on their webpage at <http://hmsc.oregonstate.edu/safety-awareness-forum>. Due to the close proximity of HMSC to the Corvallis campus and because HMSC does not have campus law enforcement, the HMSC campus community is referred to the Corvallis campus for campus security and crime prevention programs. The Corvallis campus Department of Public Safety provides training during events, such as START and new employee orientation.

During START, a two-day, annual new student orientation program, participants learn about services offered by Oregon State Police and the Department of Public Safety. Thousands of students and parents attend presentations about student housing facility security policies, ways to maintain personal safety, personal property protection suggestions, and crime patterns on campus and in the surrounding neighborhoods. The START website, oregonstate.edu/newstudents/start/home, has essential information about first-year and transfer student orientation programs. Crime prevention programs that focus on topics, such as sexual assault, dating violence, domestic violence, and stalking, are offered on a continual basis. New employee orientation provides crime prevention and fire safety materials to new staff members. These programs are designed to encourage students and employees to be responsible for their own security and the security of those around them.



At various locations throughout the year, DPS and OSP also give presentations about sexual assault prevention, emergency management, bomb threats, and active shooters. Information about alcohol and drug laws, motorist assists, SafeRide, suspicious packages, security assessments, and bicycle safety is also provided throughout the year. For more information or to schedule a safety presentation, please contact the Department of Public Safety Dispatch Center at 541-737-3010. Dispatch will forward your request to a sergeant with either the Oregon State Police or Department of Public Safety depending upon your needs.

The charts on the next page are provided as a quick reference for selected campus security and crime prevention programs offered by the Corvallis campus Department of Public Safety.

Campus Security Programs Addressing Security Procedures and Practices

Name:	Type:	Frequency:	Description:
Security Assessment and Presentation	Security Procedures and Practices	Provided upon request.	A sergeant or officer from the Department of Public Safety, upon request, will evaluate a building or departmental area and recommend safety updates or identify additional safety needs. These recommendations can include alternative locks, office set-up changes, and environmental improvements.
SafeRide Student Employee Training	Personal and Community Security	Provided for SafeRide once a year.	An overall safety presentation for our student employees with a question and answer portion specifically for SafeRide scenarios.
New Employee Orientation	Security Procedures and Practices and Personal and Community Security	Provided throughout the year.	An overall safety presentation discussing the safety measures and roles of the Department of Public Safety and the Oregon State Police on campus.
START Program	Security Procedures and Practices and Personal and Community Security	Provided during the summer each year.	A panel discussion where the Department of Public Safety covers topics such as overall campus safety, OSU Alert, DPS safety escorts, DamSafe app, and other safety/security topics that are the concerns of parents and attendees.

Crime Prevention Programs

Name:	Description:
Active Shooter/Emergent Threat Survival	This program is provided for students and employees by the Department of Public Safety throughout the year and upon request. This is an engaging presentation with facts and myths about what we know about the nation's past history of active shooters/ emergent threats with tips, tricks, and tools to aid in the decision making process of what to do if you are ever in an emergent threat situation in your everyday life. We cover safety measures and the Run, Hide, Fight method. We also talk about how you can assist OSU in staying the safest campus in the nation, as well as what we are doing as a University to move our safety initiatives forward.

Alcohol and Drug Abuse Policies

Alcohol

In the state of Oregon, it is illegal to possess or consume alcoholic beverages if you are under the age of 21. It is also illegal to provide alcoholic beverages to anyone under 21 or to anyone, regardless of age, who is visibly intoxicated. All students and employees are expected to know and abide by state laws and university policies regarding the use of alcoholic beverages. The university strictly regulates alcohol use on campus and a permit must be obtained for events held on campus serving alcohol. The Code of Student Conduct and UHDS Policy Guide address the use of alcohol by persons aged 21 or older in the housing units and for student activities. On the HMSC campus, the Newport Police Department manages the enforcement of state alcohol laws. Students and employees in violation of laws prohibiting driving under the influence of intoxicants, the sale or distribution of alcohol to minors, and minors using alcohol may be subject to a law enforcement citation and/or arrest, and university disciplinary proceedings.

Within residence halls, University Housing and Dining Services staff will dispose of alcohol found abandoned in public areas. Open containers of alcohol are not permitted in public or common areas either inside or outside of residential buildings. Common areas include, but are not limited to, outside entry or adjacent sidewalk areas, all lounges, lobbies, kitchenettes, recreation rooms, entertainment areas, hallways, bathrooms, stairways, fire exits, elevators, laundry rooms, and a student room with an open door. University officials will ask individuals who violate the alcohol policy to dispose of all alcohol in their possession, and have discretion to call the police. If you have any questions or concerns about alcohol use, you are encouraged to talk with UHDS staff members or attend the alcohol and health education programs sponsored within the residence halls and on-campus. Students who violate the alcohol policy may be referred for disciplinary action.

Below is the Code of Student Conduct policy that regulates the possession, use, and procurement of alcoholic beverages at HMSC.

§4.3-2 Code of Student Conduct - Alcohol.

The following behavior is prohibited under this policy:

- a) use, possession, or procurement of alcohol by persons under the legal drinking age; students are also considered to be in possession if the substance is in their bodies or the use is otherwise detectable;
- b) furnishing, manufacturing, distributing, or selling alcohol except as expressly permitted by law and the university's policies regarding alcohol;
- c) driving under the influence of alcohol in excess of the applicable legal limit;
- d) public intoxication, possession, or use while on university property or at events except as expressly permitted by university policies regarding alcohol;



- e) disruptive behavior or other code violations due to alcohol intoxication regardless of location;
- f) failure of a student organization to take all necessary steps to ensure that no person under the legal drinking age possesses alcoholic beverages at functions it sponsors or organizes, or within any property or transportation it owns, operates, and/or rents; or
- g) facilitating incapacitation or ingestion without consent through the use of alcohol.

Drugs

In the state of Oregon, it is illegal to possess or consume marijuana if you are under the age of 21. It is also illegal to provide marijuana to anyone under 21. All students and employees are expected to know and abide by state laws and university policies regarding the unlawful possession, use, manufacture, or distribution of all illegal drugs. On the HMSC campus, the Newport Police Department manages the enforcement of federal and state drug laws. The university will also cooperate with any federal law enforcement agency enforcing drug laws on university property. Students and employees in violation of laws prohibiting the unlawful possession, use, manufacture, or distribution of illegal drugs are subject to law enforcement citation and/or arrest, and university disciplinary proceedings.

Below is the Code of Student Conduct policy that regulates the possession, use, and sale of illegal drugs at HMSC.

§4.3-4 Code of Student Conduct - Drugs.

The following behavior is prohibited under this policy, where “drugs” includes but is not limited to federally controlled substances, synthetic drugs or inhalants, natural substances used for drug effects, and medication used/possessed/handled in non-prescribed manners:

- a. use, possession, or procurement of drugs or paraphernalia related to use; students are also considered to be in possession if the substance is in their bodies or the use is otherwise detectable;
- b. furnishing, manufacture, distribution, or sale of drugs except as expressly permitted by law;
- c. public intoxication due to drug use;
- d. driving under the influence of drugs;
- e. disruptive behavior or other code violations due to drug intoxication regardless of location;
- f. failure of a student organization to take all necessary steps to ensure that no person possesses or consumes drugs at functions it sponsors or organizes, or within any property or transportation it owns, operates, and/or rents; or
- g. facilitating incapacitation or ingestion without consent through the use of drugs.

§4.3-3 Code of Student Conduct - Marijuana.

The following behavior is prohibited:

- a. use, possession, or procurement of marijuana or its derivatives or paraphernalia related to use by persons under the legal age; students are also considered to be in possession if the substance is in their bodies or the use is otherwise detectable;
- b. public intoxication, possession, or use of marijuana or its derivatives or paraphernalia related to use while on University property or at university events;

- c. furnishing, manufacturing, distributing, or selling marijuana or its derivatives except as expressly permitted by law;
- d. driving under the influence of marijuana or its derivatives;
- e. disruptive behavior or other code violations due to marijuana intoxication regardless of location;
- f. failure of a student organization to take all necessary steps to ensure that no person under the legal age possesses or consumes marijuana or its derivatives at functions it sponsors or organizes, or within any property or transportation it owns, operates, and/or rents; or
- g. facilitating incapacitation or ingestion without consent through the use of marijuana or its derivatives.

HMSC is also committed to maintaining a workplace free from the unlawful manufacture, use, dispensing, possession, or distribution of controlled substances (as defined in section 102 of the Controlled Substances Act [21 U.S.C. 802]). University policy prohibits these acts in the workplace, and all university employees must abide by this policy. Employees found to be in violation of this policy may be subject to disciplinary sanctions consistent with applicable provisions of state laws and regulations, collective bargaining agreements, university policies and standards, as well as penalties under federal and state law.

If an employee is involved in work supported by a federal agency, the university will notify the federal agency within ten days of receiving notice of a criminal drug statute conviction. Within 30 days of receiving notification that an employee has been convicted of violating a criminal drug statute in the workplace, the university will take appropriate action against such an employee, or will require the employee to participate satisfactorily in a controlled substance assistance or rehabilitation program.

University employees are encouraged to seek assistance for controlled substance dependency through the Employee Assistance Program. Evaluation, counseling, and referral services are available to employees through this program, and assistance is provided on a confidential basis. The health benefits packages available to all university employees provide at least partial reimbursement for the treatment and rehabilitation associated with substance abuse problems. Information about the Employee Assistance Program can be obtained at the Office of Human Resources, 236 Kerr Administration Building, Corvallis campus, or by calling 541-737-8300.

Drug Free Schools and Communities Act (DFSCA)

Oregon State University Student Health Services provides the overall coordination of the Drug Free Schools and Communities Act. Each year, Oregon State University notifies each employee and student, in writing, of the : 1) standards of conduct; 2) sanctions for violation of federal, state, and local law and campus policy; and 3) health risks associated with alcohol and drug use. This annual notification is distributed to comply with part of the requirements of the 1989 amendments to the Drug-Free Schools and Communities Act (DFSCA), as articulated in the Education Department General Administrative Regulations (EDGAR) §86.1 – the Drug Free Schools and Campuses Regulations. Please find the most recent annual notification here: <https://studenthealth.oregonstate.edu/aod-annual-notification>. Here is a link to the most recent biennial review: <https://studenthealth.oregonstate.edu/aod-biennial-notification>.

Violence Against Women Act (VAWA)-Policies, Procedures, and Resources

VAWA Primary and Ongoing Prevention and Awareness Programs

HMSSC prohibits domestic violence, dating violence, sexual assault, and stalking as those terms are defined for purposes of the Clery Act. The university reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all people. HMSC does not discriminate on the basis of gender in its educational programs and sexual harassment and sexual violence are types of sex and gender discrimination. These acts can be sexually based or not, and include dating violence, domestic violence, and stalking.

HMSC provides prevention programs addressing dating violence, domestic violence, sexual assault, and stalking. For first year and new transfer students, HMSC requires a primary prevention and awareness program called Haven. From fall 2018 onward, Haven will be renamed to Sexual Assault Prevention for Undergraduates, which is offered by EVERFI, <https://everfi.com/offerings/listing/sexual-assault-prevention-undergraduates/>. The following description of Sexual Assault Prevention for Undergraduates is from the EVERFI website:

Sexual Assault Prevention for Undergraduates helps colleges and universities comply with the educational requirements relating to sexual misconduct in Title IX and the Clery Act. Built in collaboration with leading researchers and practitioners, this course combines cutting-edge instructional design and rich media to educate students about healthy relationships, the importance of consent, and the role of bystander intervention. Interactive exercises take students through real-world scenarios and encourage students to challenge sexist language and attitudes, provide guidance for supporting someone who has experienced harm, and promote healthy relationships based on positive communication and respect—empowering students to create safe, healthy campus environments.

For new Ecampus, graduate, and non-degree students, HMSC requires a primary prevention and awareness program called Haven Plus. From fall 2018 onward, Haven Plus will be renamed to Sexual Assault Prevention for Adult Learners, <https://everfi.com/wp-content/uploads/2018/02/SAP CourseSuite.pdf>. The following description of Sexual Assault Prevention for Adult Learners is from the EVERFI website:

Returning students and other adult learners have different relationships and experiences than traditional-aged students. Sexual Assault Prevention for Adult Learners emphasizes the importance of consent in long-term relationships and teaches adult learners to identify and address common forms of abuse such as financial abuse and child manipulation in personal and professional contexts. Adult learners build confidence to intervene with strategies suited for in-person and online environments.

At this time, HMSC does not offer primary prevention and awareness programs for employees. Ongoing presentations addressing VAWA offenses are available to employees throughout year. The university offers the following ongoing awareness and prevention programs for students and employees that focus on increasing the understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking. These programs use a range of strategies for audiences throughout the university.

For more information about sexual violence prevention programming, please contact Student Health Services at <http://studenthealth.oregonstate.edu/workshops> or 541-737-7880. Due to the close proximity of HMSC to the Corvallis campus, the HMSC campus community is referred to the Corvallis campus for ongoing awareness and prevention programs. The following chart displays a selection of programs that are available throughout the year.

Violence Against Women Act Ongoing Awareness and Prevention Programs

Blurred Lines Workshop (students): This session breaks down sexual consent – what it is, who can give it, and how to get it without coercion. Participants also explore the perceived blurred lines between consent and alcohol incapacitation. This program addresses sexual assault.

Clothing Optional Consent Required Workshop (students): This session is all about sexual consent; promoting consent and communication within relationships, and exploring what it means to have enthusiastic consent. This program addresses dating violence, domestic violence, and sexual assault.

Beavers Give a Dam Bystander Intervention Workshop (students): This is a customizable program that helps students recognize different types of sexual violence, understand sexual consent and when it can be given/received, understand the bystander effect, identify and practice ways to intervene, and learn about campus resources and how to support survivors of sexual violence. This program addresses dating violence, domestic violence, and sexual assault.

Athletics Training (students): All (male and female teams) receive Beavers Give a Dam bystander intervention workshop. This program addresses dating violence, domestic violence, sexual assault, and stalking.

Denim Day (students and employees): National awareness day in April that provides information about the negative impact of blaming survivors for their sexual assault. This program addresses sexual assault.

Take Back the Night (students and employees): A campus-wide rally and march held in April with the mission of ending sexual, relationship, and domestic violence in all forms. This program addresses dating violence, domestic violence, and sexual assault.

Behind Closed Doors with RAs (students): An annual training event for the resident assistants that provides demonstrations and opportunities to practice good interviewing skills when confronted with a disclosure of sexual or intimate partner violence. This program addresses dating violence, domestic violence, sexual assault, and stalking.

Faculty Advisors of Academic Programs (employees): This training provides information and resources to advisors in order to prepare them for disclosures of sexual and intimate partner violence, and helps them understand their role as a responsible employee. This program addresses dating violence, domestic violence, sexual assault, and stalking.

You've Got a Friend (students): Workshop provided throughout the academic year for student organizations that provides training on how to respond to disclosures of sexual and intimate partner violence in a trauma informed manner. This program addresses dating violence, domestic violence, sexual assault, and stalking.

Faculty and Department Training (employees): This program provides training to faculty and staff throughout that academic year on how to respond to disclosures of sexual and intimate partner violence within the boundaries of their duties as a responsible employee and with a trauma informed lens. This program addresses dating violence, domestic violence, sexual assault, and stalking.

Violence Against Women Act Ongoing Awareness and Prevention Programs (continued)

Safe Ride Staff Training (students): This workshop provides information about the role of a responsible employee, and helps to develop a survivor-centered trauma-informed response to disclosures of sexual and intimate partner violence. This program addresses dating violence, domestic violence, sexual assault, and stalking.

Information and Resources for Survivors (students and employees): Trained student volunteers engage in tabling events throughout the academic year to provide information about sexual assault, intimate partner violence, and resources for the OSU Campus and in the surrounding community. This program addresses dating violence, domestic violence, sexual assault, and stalking.

START Resource Fair (students): This multiple day event provides information and resources to students and their parents about the Survivor Advocacy and Resource Center and its role as a point of contact for a confidential disclosure of sexual and intimate partner violence. This program addresses dating violence, domestic violence, sexual assault, and stalking.

Law Enforcement and Department of Public Safety Training (employees): This workshop provides training to law enforcement and public safety on how to utilize a trauma informed lens when interviewing survivors. This program addresses dating violence, domestic violence, sexual assault, and stalking.

Understanding Dating and Domestic Violence (employees): This program trains UHDS employees on the dynamics of intimate partner violence. This program addresses dating violence and domestic violence.

How to Respond to a Disclosure if You are Faculty or Staff (employees): This workshop provides guidance and suggested language for navigating difficult and sensitive discussions with students who have entrusted you with a disclosure of violence. It includes helpful responses, language for your limits of confidentiality, and options for resources for your students. Additionally, this workshop will provide education on trauma and its effects so that you can be trauma-informed in your interactions with the campus community. This program addresses dating violence, domestic violence, sexual assault, and stalking.

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Jurisdictional Definitions of Domestic Violence, Dating Violence, Stalking, and Sexual Assault

The Oregon Revised Statutes (ORS) define domestic violence, stalking, and sexual assault. The ORS does not have a definition for dating violence that is similar to the Clery Act's definition.

Domestic Violence as defined by ORS 135.230 (oregonlaws.org/ors/135.230)

1. Domestic violence means abuse between family or household members.
2. Family or household members means any of the following:
 - a. Spouses.
 - b. Former spouses.
 - c. Adult persons related by blood or marriage.
 - d. Persons cohabiting with each other.
 - e. Persons who have cohabited with each other or who have been involved in a sexually intimate relationship.
 - f. Unmarried parents of a minor child.
3. Abuse means:
 - a. Attempting to cause or intentionally, knowingly, or recklessly causing physical injury;
 - b. Intentionally, knowingly, or recklessly placing another in fear of imminent serious physical injury; or
 - c. Committing sexual abuse in any degree as defined in [ORS 163.415 \(Sexual abuse in the third degree\)](http://oregonlaws.org/ors/163.415), [163.425 \(Sexual abuse in the second degree\)](http://oregonlaws.org/ors/163.425), and [163.427 \(Sexual abuse in the first degree\)](http://oregonlaws.org/ors/163.427).

Dating Violence: Under Oregon state law, there is no specific definition of dating violence. Oregon state law only defines teen dating violence, and requires public school district boards to adopt policies addressing it (ORS 339.366). ORS 147.450 (oregonlaws.org/ors/147.450) defines teen dating violence as:

1. Teen dating violence means:
 - a. A pattern of behavior in which a person uses or threatens to use physical, mental, or emotional abuse to control another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age; or
 - b. Behavior by which a person uses or threatens to use sexual violence against another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age. [2001 c.870 §23; 2007 c.71 §40; 2012 c.69 §2]

Stalking as defined by ORS 163.732 (oregonlaws.org/ors/163.732)

1. A person commits the crime of stalking if:
 - a. The person knowingly alarms or coerces another person or a member of that person's 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 victim's 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 victim's immediate family or household.
2. Stalking is a Class A misdemeanor.
 - a. Notwithstanding paragraph (a) of this subsection, stalking is a Class C felony if the person has a prior conviction for:
 - i. Stalking; or
 - ii. Violating a court's stalking protective order.
 - b. When stalking is a Class C felony pursuant to paragraph (i) of this subsection, stalking shall be classified as a person felony and as crime category 8 of the sentencing guidelines grid of the Oregon Criminal Justice Commission. [1993 c.626 §2; 1995 c.353 §2]
Note. See second note under [163.730 \(Definitions for ORS 30.866 and 163.730 to 163.750\)](#).

Sexual Assault as defined by ORS 163.305 (oregonlaws.org/ors/163.305)

1. Sexual assault means any unwanted sexual contact as defined in ORS 163.305 – ORS 147.450.
2. Deviate sexual intercourse means sexual conduct between persons consisting of contact between the sex organs of one person and the mouth or anus of another.
3. Forcible compulsion means to compel by:
 - a. Physical force; or
 - b. A threat, express or implied, that places a person in fear of immediate or future death or physical injury to self or another person, or in fear that the person or another person will immediately or in the future be kidnapped.
4. Mentally defective means that a person suffers from a mental disease or defect that renders the person incapable of appraising the nature of the conduct of the person.
5. Mentally incapacitated means that a person is rendered incapable of appraising or controlling the conduct of the person at the time of the alleged offense.
6. Physically helpless means that a person is unconscious or for any other reason is physically unable to communicate unwillingness to an act.
7. Sexual contact means any touching of the sexual or other intimate parts of a person or causing such person to touch the sexual or other intimate parts of the actor for the purpose of arousing or gratifying the sexual desire of either party.
8. Sexual intercourse has its ordinary meaning and occurs upon any penetration, however slight; emission is not required. [1971 c.743 §104; 1975 c.461 §1; 1977 c.844 §1; 1979 c.744 §7; 1983 c.500 §1; 1999 c.949 §1; 2009 c.770 §1]



Oregon State University policies define consent. The ORS does not define consent, but does define lack of consent:

OSU Consent Definition: Knowing, voluntary, and clear permission by word or action, to engage in mutually agreed upon sexual activity. Oregon State University uses this definition in the policies and procedures addressing VAWA offenses.

Incapacity to Consent as defined by ORS 163.315 (oregonlaws.org/ors/163.315)

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]

Bystander Intervention

Bystanders are defined as “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it” [Burn, S.M. (2009). *A situational model of Sexual Assault, Dating Violence, Domestic Violence, and Stalking Prevention through bystander intervention. Sex Roles, 60, 779-792*]. They play a critical role in the prevention of sexual and relationship violence. Oregon State University promotes a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. There are a variety of ways that bystanders can intervene without putting themselves in danger, and a range of situations that warrant bystander intervention. Some of the more common situations that could be encountered include:

- If you hear someone joking about sexual assault, dating violence, domestic violence, and stalking, making other degrading comments, or using demeaning language.
- If you witness micro-aggressions.
- If someone looks like they could be in trouble or need help.
- If you hear someone pressuring or encouraging others to drink or hook up.
- If you notice a person isolating an individual who appears intoxicated.
- If you witness what appears to be inappropriate or unwanted touching.
- If comments or actions from others indicate their intent on having sex regardless of the other person’s willingness or ability to consent.
- If someone is getting ready to have sex with a person who is intoxicated.



Active bystanders can follow a few general tips for keeping themselves safe while assessing a situation and intervening. Consider some of the following guidelines:

- Approach everyone as a friend.
- Don't be antagonistic.
- Avoid using violence.
- Be honest and direct whenever possible.
- Recruit help if necessary.
- Keep yourself safe.
- Tell others about your plans to intervene.
- If you aren't in a position to intervene for safety reasons, find someone who can.

If you are not sure how to intervene, there are many options. People choose to intervene in different ways based on their personality or the situational context. Anything done while maintaining safety is good intervention. Consider trying one of these intervention styles:

1. **The Divider:** Step in and separate both people. Let them know your concerns and reasons for intervening (e.g. because you are being a friend and acting in their best interest). Make sure each person makes it out the situation safely. Examples:
 - a. "Hey, I'm worried you might be making a mistake...How about you two meet up tomorrow?"
 - b. "I'm not sure you should do this...You seem pretty drunk right now."
 - c. "Looks like you might need help getting home. Want me to walk with you?"
2. **The Recruiter:** Recruit help from friends of both people to step in as a group. Make a plan and verbalize it..."I'll do A, you do B." Examples:
 - a. "I am going to ask if Sam wants to grab food. Do you want to see if Jordan is ready to go home?"
 - b. "Will you come with me to see if Cameron is ok?"
 - c. "I don't feel comfortable with what's happening. What do you think we could do?"
3. **The Disrupter:** Step in to redirect the focus somewhere else. Divert the attention of one person away from the other... Commit a party foul if you need to!
 - a. "I have to go to the bathroom; come with me."
 - b. "I'm starving. Want to grab food?"
 - c. Strike up a conversation with both people; don't give up when it gets awkward: "OMG: can you believe what happened on *Game of Thrones* this week?" or "Hey, didn't we have a class together freshman year?"
 - d. Spill your drink.

Regardless of what the specific situation may be, there are some key checkpoints when assessing the situation and deciding whether or not, or how, to intervene. Think about these things while approaching different scenarios:

- Is something going on?
- Is it a problem or emergency situation?
- Can I subtly investigate ambiguous situations?
- Should I take responsibility to intervene?
- Could the situation escalate if I don't intervene?
- Do I know how I could safely defuse the situation?
- Can I anticipate possible reactions (from all parties, including other witnesses) and pick a fitting intervention style?
- Are there potential social consequences of different intervention styles?
- Can I identify people to support me?
- Will I do SOMETHING to help?
- Ultimately...**If you see something, do something.** If you don't feel safe intervening directly, find someone who can. If you or someone else is in immediate danger, dial 911.

Risk Reduction

There is an important difference between preventing sexual assault, dating violence, domestic violence, and stalking and reducing the risk of such incidents. Preventing these offenses focuses on the people committing the acts, while risk reduction focuses on strategies that may reduce the risk of harm. Therefore, it is vital to recognize that no one deserves to be assaulted, that perpetrators of rape and violence are solely responsible for committing those crimes and that victims are never to be blamed for doing or not doing certain behaviors to avoid an assault. With these things in mind, the following strategies may reduce one's risk of victimization (from Rape, Abuse, & Incest National Network, rainn.org):

1. **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to **avoid isolated or poorly lit areas**. It is more difficult to get help if no one is around.
3. **Walk with purpose**. Even if you don't know where you are going, act like you do.
4. **Talk** with a friend on the phone while walking.
5. **Trust your instincts**. If a situation or location feels unsafe or uncomfortable, consider how you can remove yourself.



6. **If you see something suspicious, contact local law enforcement immediately** (local authorities can be reached by calling 911 in most areas of the U.S.).
7. **Don't allow yourself to be isolated** with someone who is crossing your boundaries, someone you don't trust, or someone you don't know very well.
8. **Avoid putting music headphones in both ears** and/or being overly focused on your phone so that you can be more aware of your surroundings, especially if you are walking alone. Perpetrators look for perceived vulnerabilities in their potential targets.
9. **When you go to a social gathering, go with a group of friends.** Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. **Don't accept drinks from people you don't know or trust.** If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common, open containers. These common sources often contain large amounts of alcohol masked by sweet mixers and could more likely contain so-called "date rape drugs."
11. **Watch out for your friends, and vice versa.** If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
 - a. **If you suspect you or a friend has been drugged, dial 911.** Be explicit with doctors so they can administer the correct tests (such as a urine test and possibly others).
12. **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby? If you need to get out of an uncomfortable or scary situation, here are some things that you can try:
 - a. **Remember that being in this situation is not your fault.** You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
 - b. **Be true to yourself.** Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
 - c. **Have a code word with your friends or family** so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
 - d. **Lie.** If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use include needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.

Response Options for Survivors

Here are procedures survivors can follow after an incident of sexual assault, domestic violence, dating violence, or stalking. Some of these procedures may overlap.

VAWA Offense	Procedures
Dating Violence and Domestic Violence	<ul style="list-style-type: none">• If in immediate danger, call 911• Preserve evidence by saving text messages, instant messages, social networking pages, other communications, pictures, logs, or other copies of documents• Consider seeking medical attention and forensic examination<ul style="list-style-type: none">○ Samaritan Pacific Communities Hospital, 930 SW Abbey St, Newport, OR, 541-265-2244• Consider contacting Equal Opportunity and Access<ul style="list-style-type: none">○ 541-737-3556, 330 Snell Hall, Corvallis campus○ Investigates alleged Title IX violations and sexual misconduct○ Helps survivors find medical care, SANE nurses, and information about their rights and options○ Can issue mutual no contact directives• Consider contacting the Survivor and Advocacy Resource Center (SARC)<ul style="list-style-type: none">○ Offers crisis stabilization and confidential support○ Connections to counseling, medical, or legal assistance○ SARC, 541-737-2030, 311 Plageman Hall, Corvallis campus• Consider contacting Counseling and Psychological Services (CAPS)<ul style="list-style-type: none">○ CAPS, 541-737-2131, 500 Snell Hall, Corvallis campus○ Completely confidential mental health counseling• Consider contacting My Sister's Place<ul style="list-style-type: none">○ 541-994-5959 (24-hours), 1-800-841-8325 (Toll Free), 541-574-9424 (Newport office), 934 SW 8th St, Newport, OR○ Provides services and support for survivors, such as confidential shelter, safety planning, legal advocacy, and support groups• Consider reporting to law enforcement<ul style="list-style-type: none">○ On campus and Off campus (within city limits): Newport Police Department, 911 (emergency), 541-265-4231 (non-emergency), 169 SW Coast Hwy, Newport, OR○ Off campus (outside of city limits): Lincoln County Sheriff's Office, 911 (emergency), 541-265-0777 (non-emergency), 251 W Olive St, Newport, OR

VAWA Offense	Procedures
Dating Violence and Domestic Violence (continued)	<ul style="list-style-type: none"> • Consider seeking a Mutual No Contact Directive, Restraining Order, Stalking Protective Order, or Sexual Abuse Protection Order <ul style="list-style-type: none"> ○ http://studentlife.oregonstate.edu/studentconduct/conduct-processes#am10 ○ http://www.courts.oregon.gov/programs/family/domestic-violence/Pages/restraining.aspx ○ http://www.courts.oregon.gov/programs/family/domestic-violence/Pages/stalking.aspx ○ http://www.courts.oregon.gov/programs/family/domestic-violence/Pages/sexual-abuse.aspx • The Mutual No Contact Directive listed above is not enforceable by law enforcement.
Sexual Assault	<ul style="list-style-type: none"> • If in immediate danger, call 911 • Preserve evidence by saving text messages, instant messages, social networking pages, other communications, pictures, logs, or other copies of documents. • If the survivor wishes to have forensic evidence collected, the survivor should not bathe, douche, smoke, change clothing, or clean the bed, linen, or area where the sexual assault occurred. • Consider seeking medical attention and forensic examination <ul style="list-style-type: none"> ○ Samaritan Pacific Communities Hospital, 930 SW Abbey St, Newport, OR, 541-265-2244 • Consider contacting Equal Opportunity and Access <ul style="list-style-type: none"> ○ 541-737-3556, 330 Snell Hall, Corvallis campus ○ Investigates alleged Title IX violations and sexual misconduct ○ Helps survivors find medical care, SANE nurses, and information about their rights and options ○ Can issue mutual no contact directives • Consider contacting the Survivor and Advocacy Resource Center (SARC) <ul style="list-style-type: none"> ○ Offers crisis stabilization and confidential support ○ Connections to counseling, medical, or legal assistance ○ SARC, 541-737-2030, 311 Plageman Hall, Corvallis campus • Consider contacting Counseling and Psychological Services (CAPS) <ul style="list-style-type: none"> ○ CAPS, 541-737-2131, 500 Snell Hall, Corvallis campus ○ Completely confidential mental health counseling • Consider contacting My Sister's Place <ul style="list-style-type: none"> ○ 541-994-5959 (24-hours), 1-800-841-8325 (Toll Free), 541-574-9424 (Newport office), 934 SW 8th St, Newport, OR ○ Provides services and support for survivors, such as confidential shelter, safety planning, legal advocacy, and support groups

VAWA Offense	Procedures
Sexual Assault (continued)	<ul style="list-style-type: none"> • Consider reporting to law enforcement <ul style="list-style-type: none"> ○ On campus and Off campus (within city limits): Newport Police Department, 911 (emergency), 541-265-4231 (non-emergency), 169 SW Coast Hwy, Newport, OR ○ Off campus (outside of city limits): Lincoln County Sheriff's Office, 911 (emergency), 541-265-0777 (non-emergency), 251 W Olive St, Newport, OR • Consider seeking a Mutual No Contact Directive, Restraining Order, Stalking Protective Order, or Sexual Abuse Protection Order <ul style="list-style-type: none"> ○ http://studentlife.oregonstate.edu/studentconduct/conduct-processes#am10 ○ http://www.courts.oregon.gov/programs/family/domestic-violence/Pages/restraining.aspx ○ http://www.courts.oregon.gov/programs/family/domestic-violence/Pages/stalking.aspx ○ http://www.courts.oregon.gov/programs/family/domestic-violence/Pages/sexual-abuse.aspx • The Mutual No Contact Directive listed above is not enforceable by law enforcement.
Stalking	<ul style="list-style-type: none"> • If in immediate danger, call 911 • Preserve evidence by saving text messages, instant messages, social networking pages, other communications, pictures, logs, or other copies of documents. • Consider contacting Equal Opportunity and Access <ul style="list-style-type: none"> ○ 541-737-3556, 330 Snell Hall, Corvallis campus ○ Investigates alleged Title IX violations and sexual misconduct ○ Helps survivors find medical care, SANE nurses, and information about their rights and options ○ Can issue mutual no contact directives • Consider contacting the Survivor and Advocacy Resource Center (SARC) <ul style="list-style-type: none"> ○ Offers crisis stabilization and confidential support ○ Connections to counseling, medical, or legal assistance ○ SARC, 541-737-2030, 311 Plageman Hall, Corvallis campus • Consider contacting Counseling and Psychological Services (CAPS) <ul style="list-style-type: none"> ○ CAPS, 541-737-2131, 500 Snell Hall, Corvallis campus ○ Completely confidential mental health counseling • Consider contacting My Sister's Place <ul style="list-style-type: none"> ○ 541-994-5959 (24-hours), 1-800-841-8325 (Toll Free), 541-574-9424 (Newport office), 934 SW 8th St, Newport, OR ○ Provides services and support for survivors, such as confidential shelter, safety planning, legal advocacy, and support groups

VAWA Offense	Procedures
Stalking (continued)	<ul style="list-style-type: none"> • Consider reporting to law enforcement <ul style="list-style-type: none"> ○ On campus and Off campus (within city limits): Newport Police Department, 911 (emergency), 541-265-4231 (non-emergency), 169 SW Coast Hwy, Newport, OR ○ Off campus (outside of city limits): Lincoln County Sheriff's Office, 911 (emergency), 541-265-0777 (non-emergency), 251 W Olive St, Newport, OR • Consider seeking a Mutual No Contact Directive, Restraining Order, Stalking Protective Order, or Sexual Abuse Protection Order <ul style="list-style-type: none"> ○ http://studentlife.oregonstate.edu/studentconduct/conduct-processes#am10 ○ http://www.courts.oregon.gov/programs/family/domestic-violence/Pages/restraining.aspx ○ http://www.courts.oregon.gov/programs/family/domestic-violence/Pages/stalking.aspx ○ http://www.courts.oregon.gov/programs/family/domestic-violence/Pages/sexual-abuse.aspx • The Mutual No Contact Directive listed above is not enforceable by law enforcement.

Law Enforcement Involvement

Survivors at HMSC have several options, including the option to notify local law enforcement, to be assisted by campus authorities in notifying law enforcement if they choose to do so, or to decline to notify such authorities. Contact information for on-campus and off-campus law enforcement agencies can be found in the following chart. HMSC will comply with a student's request for assistance in notifying authorities.

Organization	Address	Phone
Newport Police Department (on-campus and off-campus within Newport city limits)	169 SW Coast Hwy, Newport, OR	541-265-4231 (non-emergency) 911 (emergency)
Lincoln County Sheriff's Office (off-campus outside of Newport city limits)	251 W Olive St, Newport, OR	541-265-0777 (non-emergency) 911 (emergency)

If a survivor decides to file a police report, they can expect the following:

1. The survivor may contact either on-campus (Newport Police Department) or off-campus (Newport Police Department/Lincoln County Sheriff's Office) law enforcement.
2. The survivor will likely speak with a law enforcement dispatcher or records personnel first.
3. After the survivor gives basic contact information and incident details to the dispatcher, the dispatcher will notify a law enforcement officer of the call for service.
4. The law enforcement officer will respond to collect the survivor's information (name, date of birth, address, phone number, etc.), interview the survivor about the VAWA incident, obtain suspect(s) information, and collect evidence.

5. If a survivor decides to participate in a medical assessment, Oregon Senate Bill 795 requires medical assessment providers or law enforcement to contact a victim advocate and make reasonable efforts to ensure that a victim advocate is present and available at the medical facility.
6. The survivor can expect to be asked whether or not they wish to pursue charges against the alleged suspect(s).
7. The survivor could be contacted by the investigating law enforcement officer at a later date for a follow-up interview. The survivor may also be contacted by a detective depending upon the complexity of the case.
8. The survivor can expect to be notified of their rights as a victim. ORS 147.417 requires law enforcement officers in Oregon to notify victims of their rights under section 42, Article I of the Oregon Constitution.
9. If an arrest is made, the survivor can expect to be contacted by the district attorney's office.

Reporting to law enforcement can help survivors collect and preserve evidence. However, completing a forensic examination does not require a survivor to file a police report; it does help preserve evidence in case a survivor decides to file a police report at a later date. Preserving evidence may also assist in proving that the alleged criminal offense occurred or is occurring, and it may be helpful in obtaining an order of protection. As time passes, evidence may dissipate, become lost, or be unavailable, thereby making investigation, possible prosecution, student conduct proceedings, or obtaining an order of protection related to the incident more difficult. Law enforcement can also help survivors obtain medical assistance, and refer them to additional resources.

Protective Measures and Services

The university will maintain as confidential, any accommodations or protective measures provided to the survivor to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures. Personally identifiable information about the survivor will be shared only with persons who have a specific need to know because they are investigating, adjudicating the complaint, delivering resources or support services to the complainant, or classifying the incident in accordance with the Clery Act. The university does not publish the name of crime survivors or identifiable information regarding survivors in publicly available recordkeeping including the Daily Crime Log, the Annual Security and Fire Safety Report, or the published annual statistics.



Victims have the right to obtain various orders of protection in cases involving a VAWA offense. The university complies with Oregon law in recognizing orders of protection and restraining orders, and will assist university students and employees who obtain one from any U.S. state with information and safety planning. Individuals with protection or restraining orders should provide a copy to the Office of Equal Opportunity and Access. They may then meet with EOA or local law enforcement to develop a safety plan to reduce their risk of harm while on or coming and going from campus. This plan may include, but is not limited to, campus escorts, special parking arrangements, a temporary cell phone, changing classroom locations, or allowing a student to complete assignments from home, if possible. Employees who are survivors of domestic violence may be eligible to take intermittent or continuous leave in order to secure restraining orders, attend court, or the like.



The following charts give information about the available types of orders, which are all free of charge, and how to obtain each one.

<p>(Mutual) No Contact Directive for Students Only (**Not Enforceable by Law Enforcement**)</p>	<p>A university issued directive that describes the set of expectations given between two or more student parties to not contact or communicate with each other, including directly, through third parties, or online. No Contact Directives are usually reciprocal (mutual) and generally cannot be lifted without the express consent of all named parties. Certain OSU administrators are authorized to issue No Contact Directives that prohibits contact between students when a student is the recipient of threats or persistent unwanted or harassing contact, or have made allegations against one another. This directive is outlined in the Code of Student Conduct and EOA information, and is designed as a protective measure to mitigate potential problematic interactions in the future.</p>
<p>Office to Contact</p>	<ul style="list-style-type: none"> • Student Conduct and Community Standards 150 Snell Hall, Corvallis campus 541-737-3656 • Equal Opportunity and Access 330 Snell Hall, Corvallis campus 541-737-3556
<p>Filing Instructions</p>	<p>A student considering requesting a No Contact Directive may discuss the situation with a staff member of Student Conduct and Community Standards or Equal Opportunity and Access. The Survivor Advocacy and Resource Center can assist with filing a Mutual No Contact Directive.</p>
<p>Enforcement</p>	<p>To enforce a No Contact Directive, an individual should report any violations to Student Conduct and Community Standards. Violations of No Contact Directives issued by Oregon State University are not criminal offenses and are not enforceable by law enforcement officers. HMSC will honor requests for No Contact Directives and enforce violations of university-issued No Contact Directives.</p>

Restraining Order	A restraining order is a court order to protect the petitioner’s physical safety. It can tell the other person (the “respondent”) to move. The order can also specify locations where the respondent cannot go. The petition includes other things the petitioner can ask for if they believe it will help them stay safe.
Office to Contact	<ul style="list-style-type: none"> Lincoln County Courthouse 225 W Olive St, Newport, OR (541) 265-4236 General information: http://www.courts.oregon.gov/programs/family/domestic-violence/Pages/restraining.aspx Application Packet: http://www.courts.oregon.gov/forms/Documents/FAPA-APPLY-PACKET-Statewide.pdf
Filing Instructions	The application should be filed at the circuit court courthouse in the county where either the petitioner or the respondent lives. In Lincoln county, the application should be filed at the Lincoln County Circuit Court Courthouse, 225 W Olive St, Newport, OR. The Lincoln County District Attorney’s Office Victim Assistance Program, the Survivor Advocacy and Resource Center, and My Sister’s Place can help file the application. To review the requirements for a Restraining Order, review the application packet (see above link).
Enforcement	To enforce a Restraining Order, law enforcement should be contacted. A law enforcement officer must arrest the respondent if the officer believes they violated the order.

Stalking Protective Order	A Stalking Protective Order is a court order that tells a person who has made unwanted contact with you or a member of your immediate family or household to stop this behavior.
Office to Contact	<ul style="list-style-type: none"> Lincoln County Courthouse 225 W Olive St, Newport, OR (541) 265-4236 General information: http://www.courts.oregon.gov/programs/family/domestic-violence/Pages/stalking.aspx Application: http://www.courts.oregon.gov/forms/Documents/Stalking%20Protective%20Order.pdf
Filing Instructions	A Stalking Protective Order should be filed at the courthouse in the county where the respondent lives or where the unwanted contacts took place. In Lincoln county, the application should be filed at the Lincoln County Circuit Court Courthouse, 225 W Olive St, Newport, OR. The Lincoln County District Attorney’s Office Victim Assistance Program, the Survivor Advocacy and Resource Center, and My Sister’s Place can help file the application. To review the requirements for a Stalking Protective Order, go to this link, http://www.courts.oregon.gov/forms/Documents/Stalking%20Protective%20Order%20Instructions.pdf .
Enforcement	If the respondent does not obey a Stalking Protective Order, it is a crime and law enforcement should be called. Police must arrest the respondent if they have reason to believe the respondent violated the order.

Sexual Abuse Protective Order	A Sexual Abuse Protective Order (SAPO) is available in certain cases where a person was subjected to unwanted sexual abuse by another person who is not a family member or intimate partner. A SAPO is a court order that tells the respondent to leave the petitioner, petitioner’s children, and petitioner’s family alone. It can order the respondent not to enter a reasonable area around the petitioner’s residence. The petitioner can ask the judge to add other conditions (listed in the protective order) that they believe will help them stay safe.
Office to Contact	<ul style="list-style-type: none"> Lincoln County Courthouse 225 W Olive St, Newport, OR (541) 265-4236 General information and application: http://www.courts.oregon.gov/forms/Documents/SAPO-Obtain.pdf
Filing Instructions	A SAPO must be filed in the courthouse in the county where either the petitioner or the respondent lives. In Lincoln county, the application should be filed at the Lincoln County Circuit Court courthouse, 225 W Olive St, Newport, OR. The Lincoln County District Attorney’s Office Victim Assistance Program and My Sister’s Place can help file the application. To review the requirements for a Sexual Abuse Protective Order, review the application packet (see above link).
Enforcement	If the respondent does not obey the SAPO, law enforcement should be called. The petitioner should not contact the respondent. The officer must arrest the respondent if there is probable cause (a good reason) to believe a violation has occurred. The respondent can be charged with contempt of court. If the court finds the respondent to be in contempt, the respondent can be fined, placed on probation, or put in jail.

The university is sensitive to those who report sexual assault, domestic violence, dating violence, and stalking; and will provide written notification to students and employees of existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community.

HMSC is obligated to comply with a student’s reasonable request for a living and/or academic situation change following an alleged sex offense. Oregon State will provide written notification to victims about options for, available assistance in, and how to request changes to academic, living, transportation and working situations, or protective measures. The university will make such accommodations or provide such protective measures if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to local law enforcement.

When a student or employee reports to the Office of Equal Opportunity and Access that they have been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, EOA will provide the student or employee a written explanation of their rights and options. Students and employees may also request their directory information be removed from public sources at the Office of the Registrar (541-737-4331) and the Office of Human Resources (541-737-3103) respectively.

When assisting a survivor with their rights and options and deciding what measures to take, the university considers the specific need expressed by the survivor; the age of the students involved; the severity or pervasiveness of the allegations; any continuing effects on the survivor; whether the survivor and alleged perpetrator share the same residence hall, dining hall, class, transportation or job location; and whether other judicial measures have been taken to protect the survivor (e.g. civil protection orders).

The university understands some survivors do not want to report to law enforcement, but may still wish to utilize other resources found on campus, within the community, or nationally. The following chart is a quick reference for organizations on campus and within the Newport and Corvallis campus communities, as well as national organizations, that can assist and provide resources to survivors of dating violence, domestic violence, sexual assault, and stalking:



Resource	Address/Location	Email/Website	Phone
Counseling and Psychological Services (confidential)	500 Snell Hall, Corvallis campus	CAPS@oregonstate.edu	541-737-2131
Department of Education, Office for Civil Rights	400 Maryland Avenue, SW Washington, DC 20202-1100	https://www2.ed.gov/about/offices/list/ocr/index.html	800-421-3481
Department of Justice Sexual Assault Resources	950 Pennsylvania Avenue, NW Washington, DC 20530-0001	https://www.justice.gov/ovw/sexual-assault	877-739-3895 (National Sexual Violence Resource Center)
Department of Public Safety and Oregon State Police	200 Cascade Hall, Corvallis campus	https://publicsafety.oregonstate.edu/	541-737-3010 (non-emergency) 541-737-7000 (emergency)
Employee and Labor Relations	204 Kerr Administration Building, Corvallis campus	employee.relations@oregonstate.edu	541-737-5355
Lincoln County District Attorney's Office Victim Assistance Program	225 W Olive St. Room 100, Newport, OR	http://www.co.lincoln.or.us/da/page/victim-assistance-information	541-265-3462

Resource (continued)	Address/Location	Email/Website	Phone
My Sister's Place	934 SW 8th St, Newport, OR	http://mysistersplace.us/	541-994-5959 (24-hours) 1-800-841-8325 (Toll Free) 541-574-9424 (Newport office)
Office of Audit Services	240 Kerr Administration Building, Corvallis campus	https://secure.ethicspoint.com/domain/media/en/gui/41096/index.html	541-737-5547
Office of Equal Opportunity and Access (including Title IX)	330 Snell Hall, Corvallis campus	equal.opportunity@oregonstate.edu	541-737-3556
Office of Student Conduct and Community Standards	150 Snell Hall, Corvallis campus	SCCS@oregonstate.edu	541-737-3656
Office of Student Life	A200 Snell Hall, Corvallis campus	https://studentlife.oregonstate.edu/	541-737-8748
Rape, Abuse, and Incest National Network	1220 L Street, NW, Suite 505 Washington DC 20005	https://www.rainn.org/	800-656-4673 (RAINN/ National Sexual Assault Hotline)
Student Health Services Certified Sexual Assault Nurse Examiner (confidential)	201 Plageman Building, Corvallis campus	https://studenthealth.oregonstate.edu/survivor-advocacy-resource-center/sexual-assault-nurse-examiner	541-737-9355
Survivor and Advocacy Resource Center (confidential)	311 Plageman Building, Corvallis campus	survivoradvocacy@oregonstate.edu	541-737-2030
University Ombuds Office	116 Waldo Hall, Corvallis campus	ombuds@oregonstate.edu	541-737-4537

Student and Employee Disciplinary Proceedings for VAWA Offenses

Equal Opportunity and Access Investigation and Resolution Process

The Office of Equal Opportunity and Access (EOA) is charged with investigating all alleged VAWA offenses for the university. The following information is a summary of EOA's investigation and resolution process for VAWA offenses and is intended to provide a framework. For the entire policy, please follow this link: https://eoa.oregonstate.edu/sites/eoa.oregonstate.edu/files/investigation_and_resolution_process.pdf.

EOA is responsible for investigating claims brought by students, employees, volunteers, or anyone prevented from participating in a university program, or against students, employees, university contractors, volunteers, and other campus community members. Upon receiving a report of an alleged violation, EOA will promptly evaluate whether the allegation is within the scope of their investigative authority. EOA does not generally investigate anonymous reports, but reserves the right to do so based on the determination of the Title IX coordinator.

EOA will attempt to bring all allegations to a resolution within a sixty calendar day time-period, which can be extended as necessary for good cause as determined by the Title IX coordinator. In the event of a concurrent criminal investigation, EOA may reasonably delay the timeline in order to cooperate with the requests of law enforcement. However, EOA may resume the investigation after notification that law enforcement has completed the evidence gathering stage of the criminal investigation. EOA will provide all parties involved regular status updates when possible and appropriate.

The applicable evidentiary standard for all allegations of VAWA offenses is a preponderance of the evidence. This standard is met when the evidence shows that it is more likely than not that the alleged misconduct occurred. All disciplinary proceedings include a prompt, fair, and impartial process from the initial investigation to the final result. All disciplinary proceedings are also conducted by officials, who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking, including how to conduct an investigation and hearing process that protects the safety of the victims and promotes accountability; ensures equitable due process rights to respondents; and includes any new proposed guidance from the U.S. Department of Education. Please see pages 45 through 50 for a list of protective measures the university offers to victims following an allegation of a VAWA offense.

Oregon State University will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in Section 16 of Title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim.



How to File a Complaint

Complaints regarding students or employees can be reported to EOA, 330 Snell Hall, Corvallis campus, 541-737-3556. To file a complaint with EOA online, go to https://cm.maxient.com/reportingform.php?OregonStateUniv&layout_id=2. The reporting party may submit a complaint form, submit a written signed statement, or make an oral statement to an equity associate. Any oral reports will be documented by the equity associate. The documented report will be provided to the reporting party, who must review and sign it to affirm its accuracy.

To file a complaint involving students, one may also contact the Office of Student Conduct and Community Standards in person, 150 Snell Hall, Corvallis, OR, or by phone, 541-737-3656. The staff is available to explain procedures and talk about concerns around reporting an incident or situation. To file a complaint online, go to <http://studentlife.oregonstate.edu/studentconduct/reporting> and select the appropriate form.

All Oregon State University employees, except confidential resources, are considered "Responsible Employees" and must consult with the Office of Equal Opportunity and Access when they are made aware or have reason to believe that a VAWA offense has occurred.

Steps in the Proceeding

1. A complaint, report, or investigation is filed with EOA or SCCS. The director of SCCS refers reports of VAWA offenses to EOA for investigation. Campus law enforcement may also forward reports of alleged VAWA offenses to EOA.
2. EOA will issue a notice of investigation to the parties via campus e-mail or U.S. mail.
 - a. The notice will provide a summary of the allegations, including: date, time, and location of the alleged violation, if known; the specific sections of university policy that are alleged to have been violated; and the rights of and on-campus resources available to each party.
 - b. Upon receiving the notice of investigation, the responding party must contact EOA within three business days to set an appointment with the equity associate or to notify the equity associate that they do not wish to meet. Responding parties may attend a meeting with the equity associate to obtain information on the process only. However, the investigation will continue even if the responding party does not choose to participate. Responding parties can choose to participate at any point in the investigation, but may not be permitted to offer evidence to EOA once the case is presented to SCCS or the Office of Human Resources (OHR).
 - c. At any stage of the process, the responding party may be accompanied by any one advisor of their choice, so long as the advisor is not a party to the alleged incident (such as a witness, complainant, or additionally accused responding party) and that their presence, participation, or availability does not hamper the timeliness or procedure of a meeting, investigation, or hearing.
 - d. The advisor is not permitted to speak on behalf of the responding party in a conduct hearing or meeting; the responding party will be expected to speak for themselves at all times. By bringing an advisor, the responding party explicitly consents to university officials speaking openly regarding their information in the presence of any advisor while they accompany them.
3. After the notice of investigation is sent, the equity associate will conduct a thorough and impartial investigation, gathering relevant and necessary information about the alleged misconduct. During the investigation, the reporting party and responding party shall have equal

opportunity to provide the equity associate with the names and contact information of fact witnesses, documentation, and any other relevant evidence related to the alleged misconduct.

- a. A written record of the statements of each person interviewed will be provided to that person. All statements made to the equity associate during the investigation, and prior to the final investigative meeting, will be offered for review for accuracy by the individual who provides the information. Individuals may suggest changes and additions, or submit alternative language that they believe more accurately reflects what was said during the investigation interview. Individuals reviewing their statements must provide a response to the equity associate(s) within five business days of receiving the written record.
 - b. Relevancy of evidence will be determined by the equity associate conducting the interviews. Witnesses who only intend to provide evidence of a party's character will not be interviewed.
 - c. Failure to offer evidence known during the process does not constitute grounds for appeal on the basis of new evidence.
 - d. If evidence of additional possible university policy or Code of Student Conduct violations has been found during the investigation, the party accused of that violation will be notified of those allegations in writing. An amnesty provision applies in some circumstances.
 - e. If either party leaves or graduates from the university during the investigation, EOA will continue the investigation. EOA will continue to offer a party who has left or graduated the opportunity to participate in the process.
4. At the completion of the investigation, the equity associate will develop a written report that documents the investigation.
- a. The equity associate will offer the parties an individual final meeting to provide an overview of the draft investigation report and offer the parties an opportunity to provide additional information.
 - b. The draft investigation report and supporting documents will be made available for in-person review in the EOA offices. No copies or photographs of the investigation report will be permitted.
 - c. The investigation report will contain all relevant information obtained in the course of the investigation, including statements by the parties and witnesses, evidence submitted by the parties and witnesses, and any other evidence. The investigation report will also contain the findings and credibility determinations reached by the equity associate. Relevancy will be solely determined by the equity associate conducting the investigation.
 - d. The parties will be offered the opportunity to provide supplemental evidence at their final meetings or within two business days. If, in the sole determination of the equity associate, any supplemental evidence provided by a party is relevant to the investigation, the equity associate may reopen the investigation phase of the process.
 - e. The parties will be offered the opportunity to submit written questions for the other party involved in the case. At the discretion of the equity associate, the questions submitted may be asked as provided, asked as modified by the equity associate, or not asked at all, based on the equity associate's determination of whether or not the questions are relevant or may provide clarity to the investigation.

A written record of the questions actually asked by the equity associate and the answers to those questions will be provided to each party.

- f. If no relevant supplemental evidence is provided, the equity associate will finalize the investigation report.
- g. The equity associate will forward the final investigation report and all relevant evidence to SCCS or OHR. Upon conclusion of the case, the EOA investigation report is finalized and officially distributed to the relevant parties. The complainant and responding parties will receive outcome letters from the equity associate summarizing the investigation and findings.

For students, the director of SCCS will review the final investigation report from EOA and all relevant evidence to make a determination and finalize sanctions, if any. At this point, the director of SCCS, or designee, becomes the primary university contact for the student parties. The director of SCCS will contact the parties to provide contact information and to describe the administrative conference process. For a description of this process, please see page 54. For employees, the final steps will depend upon classification. The processes for faculty are on page 58; SEIU-represented classified employees are on page 64; and AFT-represented graduate employees are on page 68.

Administrative Conference-Students

The administrative conference is a process intended to provide an opportunity for each party to respond to the information in the investigation report. The university uses the administrative conference to assess whether university policy or the Code of Student Conduct has been violated and, as appropriate, to recommend formal disciplinary action and other outcomes.

The administrative conference process will be conducted by the director of SCCS, or designee. The director of SCCS will review all information contained within the investigation report developed by the equity associate. The director of SCCS will use the factual findings of the equity associate who conducted the investigation. The director of SCCS may request that the equity associate provide additional information or investigation, at the sole discretion of the director of SCCS.

All parties will be given the opportunity to submit written statements that address the charges and investigation report. Written statements by parties must be submitted within five business days of the initial communication to the reporting and respondent parties by the director of SCCS. The statements of each party will be provided to the other. Each party will then be provided five business days to provide a written response to the other party's statement. The parties may also submit rebuttal evidence and witnesses for review by the director of SCCS.



Either party may choose not to submit a final statement. If a party chooses not to submit a final statement, the director of SCCS will make a determination based upon the available information. At their election, either party may meet with the director of SCCS to discuss the information provided in the written statement. Relevancy will be solely determined by the director of SCCS.

Decision and Outcome

The director of SCCS may designate another individual within the Office of Student Conduct and Community Standards to fulfill all roles of the director of SCCS under this process.

The director of SCCS will prepare an outcome letter based on the evidence, factual findings, statements and other documents submitted during the administrative conference, determine whether university policy and/or the Code of Student Conduct was violated, and determine appropriate sanctions, if any. This document will serve as the determination of the university on the matter.

The director of SCCS has final decision-making authority with regard to sanctions, subject to appeal. Any sanctions will be determined in accordance with the Code of Student Conduct or other applicable university policy. Where the responding party is found in violation, SCCS will monitor compliance with the sanctions imposed. Where no violation is found, the investigation will be closed unless appealed.

Both the reporting and responding parties will receive simultaneous written notification of the outcome of the case, to the extent permitted or required by law. This written notification of the decision shall be delivered to the parties without undue delay between the notifications and will advise the parties of appeal rights and procedures. Upon the issuance of the decision by the director of SCCS any party may appeal the decision.

Appeal

In conduct hearings that involve sexual misconduct or crimes of violence, the complainant, if one exists, may appeal the conduct decision. In the case where the complainant is informed of the outcome of the matter and an appeal is submitted by the complainant or by the accused, the other party will be informed of the appeal and provided an opportunity to submit any relevant information they want considered by the appellate authority. This information must be submitted within five business days of notification that an appeal has been submitted. The appeal will be heard in an impartial manner by the vice provost for the Division of Student Affairs, an impartial decision-maker trained in issues related to sexual misconduct and Title IX.

The vice provost for the Division of Student Affairs has the authority to accept, modify, or reject the sanctions in part or entirely. The vice provost for the Division of Student Affairs may also remand the case to EOA for further investigation. The decision of the vice provost for the Division of Student Affairs serves as the final decision of the university on the matter; no additional appeals are available.



Possible Sanctions for Alleged VAWA Offenses

- **Warning:** Official notice to a student or student organization exhibiting behavior that violates any part of the Code of Student Conduct. The continuation of such behavior may result in further conduct action.
- **Required Educational Activities:** Mandatory participation in educational activities. Such educational activities include but are not limited to completion of a report or attendance at a seminar or other educational program or presentation.
- **University/Community Service Work Hours:** Requirement to complete a specified number of hours of service to the university or general community.
- **Behavioral Expectations:** A written list of specific behavioral expectations the university has for the student in order for the student to continue at the institution.
- **Restitution:** A requirement that a student or student organization provide reimbursement by dollar amount, by transfer of property, or by provision of services to the university or a member of the community in accordance with the nature of the violation and in an amount not in excess of actual expenses, damages, or losses incurred.
- **Restriction/Exclusion:** Restrictions on participation in meetings, denial of entry to specific university facilities, prohibition of presence in certain areas, or other restrictions consistent with the violation committed. For a student organization, restrictions may include denial of specific university privileges including, but not limited to, participation in sponsored social activities; sponsored parties or philanthropy; participation in intramurals; representing the university; and any travel in connection with such representation, recruitment, membership or representation on a governing council, use of university space for a meeting or event, participation in competition and events, and receipt of institutional funding.
- **Mutual No Contact Directive:** A directive to a student to refrain from any intentional contact, direct or indirect, with one or more designated persons through any means, including personal contact, e-mail, telephone, social media, or third parties.
- **Removal from a Class:** A student's removal from a class may be temporary or permanent. Permanent removal from a class may be authorized by the director of SCCS with concurrence from the dean of the college in which the class is offered. A student who is permanently removed from a class will receive a "W" (Withdrawal) on the academic transcript, unless removed in conjunction with an academic misconduct violation that warrants an "F" grade for the course, in which the student will receive an "F" on the academic transcript. In instances where a student is removed from class due to a finding of responsibility for under the Code of Student Conduct, no automatic refunds for tuition or other class fees will be made.



- **Residential Disciplinary Probation:** Applies to students who have a contract with University Housing and Dining Services (UHDS). Residential disciplinary probation means that the student is not in good standing with UHDS, and any further violations may result in relocation or cancellation of a student's housing contract.
- **University Conduct Probation:** Placement on probationary status during which there is review of behavior and the student or student organization must demonstrate compliance with the Code of Student Conduct. Terms of the conduct probation will be determined at the time the probation is imposed and may include additional sanctions including but not limited to loss of privileges, restrictions, restitution, and/or required educational activities. University conduct probation means that the student is not in good standing with the university, and any further violations may result in the student or student organization's suspension or expulsion from or loss of recognition with the university.
- **Conduct Suspension:**
 - **Deferred Suspension:** Deferred suspension is applied when it is determined that the actions and behavioral pattern warrant separation from the institution, but the hearing body and sanctioning authority deems it allowable for the student to remain enrolled, contingent on completion of and adherence to all terms of sanctions assigned and all university policies and rules. Failure to complete sanctions as assigned or meet identified conditions of continued enrollment or another violation of the Code of Student Conduct during a period of deferred suspension will result in immediate suspension when either substantiated through a student taking responsibility for the behavior or through an additional student conduct process. Further violation(s) may increase the period of suspension or subject the accused to further sanctions such as expulsion or degree revocation.
 - **Suspension:**
 - Student - Suspended students are denied the privileges and services provided to currently enrolled students, including residing in university-owned or recognized student housing, attending class, or using other university services or facilities. A sanction of suspension carries with it exclusion from the university and all university property for a specific period of time, unless otherwise noted. Suspension is generally for at least one year; however, the period of suspension may be specified for any period of time.
 - Student Organization – Loss of university recognition or registration for a specified period of time. A suspended student organization may not use university resources or participate in university activities in a manner that emulates the activities of a recognized student organization, including but not limited to recruitment, initiation, or group participation in service, philanthropy, or events. The organization must comply with all sanctions prior to being registered or recognized again.
 - The conditions of suspension take effect immediately when the student or student organization is informed of the outcome in a notice of decision. If a suspended student files an appeal, the imposition of the suspension will be stayed until the conclusion of the appeal process as long as the student is not excluded from the campus under administrative suspension.
 - If a pending conduct hearing or appeal may result in suspension, awarding of a student's academic degree will be postponed pending the outcome of the conduct proceedings.

- **Expulsion:** Removes the student from their academic program and separates the student from the university without the opportunity to graduate or reenroll in the future. Expelled students will also be excluded from the university and all university property, unless otherwise noted.
 - The conditions of expulsion take effect immediately when the student is informed of the outcome in a notice of decision. If an appeal is filed, the imposition of the expulsion will be stayed until the conclusion of the appeal process as long as the student is not excluded under administrative suspension.
 - If a pending conduct conference, hearing, or appeal may result in expulsion, awarding of a student's academic degree will be postponed pending the outcome of the conduct proceedings.
- **Student Organization Recognition Revocation:** Permanent revocation of university recognition of a student organization. The conditions of recognition revocation take effect immediately when the student organization is informed of the decision. If an appeal is filed, the imposition of the recognition revocation continues to be in effect pending the outcome of the appeal.
- **Degree Revocation:** A degree awarded from the university may be revoked for fraud, misrepresentation, or other violation of university standards in obtaining the degree, or for other serious conduct violations committed by a student prior to graduation. The Office of the Registrar maintains the authority to revoke academic credit and degrees awarded in error. Therefore, in instances where an investigation as outlined in the Code of Student Conduct would result in a recommended sanction of degree revocation, such a recommendation will be made to the Office of the Registrar by SCCS. For more information about degree revocation, please see Oregon State University Credit and Degree Revocation Policy.

Faculty Disciplinary Process

After EOA investigates the alleged VAWA offense involving an accused employee, they prepare a determination draft, which is reviewed by a combination of the Office of General Counsel, the senior vice provost of academic affairs, and Employee and Labor Relations in the Office of Human Resources. This group reviews the EOA findings and may return the determination draft to EOA for additional considerations. In situations where a policy violation is found, a combination of the accused employee's supervisor, Employee Labor and Relations and the senior vice provost of academic affairs will review the level of discipline issued in similar, previous situations and make a determination, which may be formal discipline that could range from a written letter of warning up to and including termination for cause. When coaching or a letter of reprimand is determined to be appropriate, the direct supervisor, Employee and Labor Relations or the senior vice provost for academic affairs will draft a letter of discipline based upon the investigation by EOA. Sexual assault, domestic violence, dating violence, and stalking are criminal acts which may subject the accused to criminal and civil penalties under federal and state law. If discipline above verbal or written coaching or a written reprimand is determined, two routes may be pursued, (1) the President's Initiative in Bringing Investigation or Charges and (2) the Board's Initiative in Bringing Investigation or Charges.

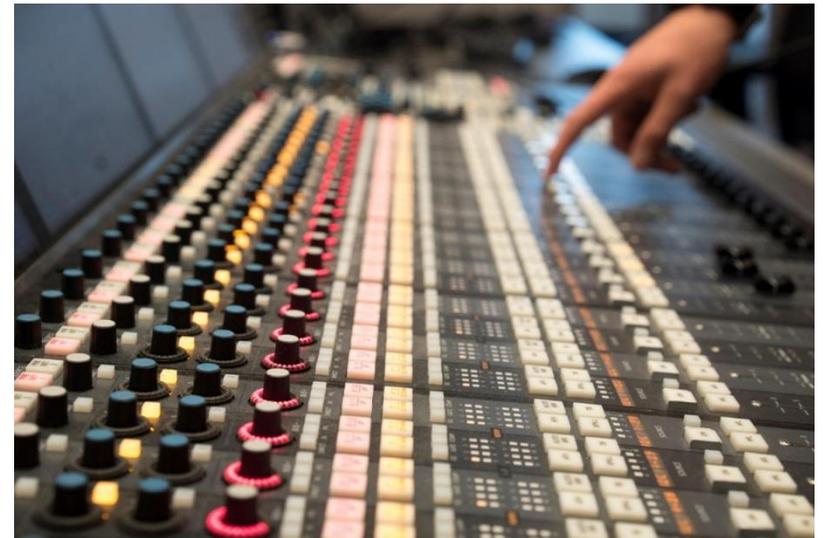
President's Initiative in Bringing Investigation or Charges

If the president determines that there is probable cause to impose a sanction or sanctions more severe than an oral or written warning or reprimand on an academic or professional faculty member (hereafter referenced as “employee” for this section), the president shall attempt to reach a satisfactory resolution of the matter. If no satisfactory resolution is reached within a reasonable time, the president shall authorize the preparation of formal charges in accordance with institutional procedure. The charges shall specifically state the facts believed to constitute grounds for imposition of a sanction or sanctions. The person authorized to prepare the charges shall not participate in evaluating the charges. Charges shall be filed with the president, and a copy personally delivered, or sent by certified mail, to the employee within ten days after the authorization of preparation of charges. The charges or a notice accompanying the charges shall inform the employee of the right to a formal hearing on the charges and of the employee's duty to notify the president within ten days after the charges have been delivered or sent whether such hearing is desired.

No restraints shall be placed on the employee between the filing of charges and the president's action on the hearing committee's report. However, if at any time during the pendency of charges against an employee, the president makes a written finding stating the reason that there is a clear and present danger that the employee's continued performance of duties will be harmful to the institution, to the employee or to the public at large, the president may suspend the employee, without loss of compensation, from some or all duties.

Within ten days after the personal delivery or mailing of a copy of the charges to the employee, the employee who is so charged shall state in writing to the president whether a formal hearing on the charges is desired. This ten-day period may be reasonably extended by the president. If the employee requests in writing that a formal hearing not be held, the president may impose an appropriate sanction or sanctions on the employee to be effective as determined by the president. The president shall promptly give written notice thereof to the employee provided, however, that the appointment of an employee shall not be terminated except as provided in the last paragraph of this section.

Unless the employee requests in writing that a formal hearing on the charges not be held, such hearing shall be held before a special ad hoc committee of from three to five members. Committee members shall be selected in the following manner: the advisory council, faculty senate, or other proper elective faculty body shall appoint one or more permanent panels each consisting of ten faculty members; from one, or if necessary, two, of the permanent panels, the same elective body will name from three to five to serve as the hearing committee. The employee and the administration are each allowed one preemptory challenge; a committee member so challenged will then be replaced from the same panel or panels of ten each by the elective body initially charged with impaneling. The committee shall be constituted promptly and shall complete the hearing and its report within 30 days of its constitution, if possible. The hearing committee shall elect a chair from among its members.



The committee shall set a date for the hearing, giving the employee and the administration sufficient time to prepare the case. The employee and the administration shall have the option of assistance by counsel, both in preparing for and at the hearing. Not less than one week before the hearing date, the employee shall file with the committee any written statement regarding the case. The committee shall review the charges and the employee's statement, if any, prior to the hearing.

The committee shall consider the case on the basis of the obtainable information and decide what, if any, sanction or sanctions it will recommend be imposed on the employee. The employee shall have the option of a public or private hearing. The conduct of the hearing shall be under the control of the committee chair, subject to the requirements of this chapter and the procedure of the committee. The committee chair shall have the powers of a hearing officer.

A verbatim record of the hearing shall be kept. At the hearing, the committee shall receive the testimony of witnesses, on oath or affirmation, and other evidence concerning any disputed facts. The administration shall have the burden of proving its formal charges against the employee, and the committee findings shall be according to the preponderance of the evidence.

The committee shall not be bound to follow court procedures or rules of evidence, except as otherwise required by law. The employee shall have the right to appear, to participate in the hearing, and to present relevant evidence to the committee. The employee may be represented by counsel with or without being present. The employee and the administration shall have the right to confront and cross-examine all witnesses. Insofar as possible, the administration will secure the cooperation, for attendance at the hearing, of witnesses requested by the employee. The employee and the administration shall be given reasonable opportunity to submit rebuttal testimony or other evidence. At the conclusion of the testimony, the committee may permit each side to make an oral or written summation; if the privilege is extended to one side, it must be extended to the other side. When the committee is satisfied that all pertinent and available evidence has been received, and that such summations as it deems appropriate have been presented, the hearing will be adjourned. The committee will then go into executive session for the purpose of deliberation.

The committee, by agreement of a majority of the members thereof, shall make explicit findings based on the hearing record with respect to each specification in the formal charges lodged against the employee. Within ten days following determination of its findings, the committee shall recommend, by agreement of a majority of its members what, if any, sanction or sanctions shall be imposed on the employee. The president and the employee shall be given copies of the findings and recommendation. The verbatim record of the hearing shall be made available to the president and to the employee. A copy shall be made available at cost on request by the employee.

If deemed necessary, the president may refer the matter back to the committee for further findings of fact. The president shall, promptly after receipt of the committee's final report and after reasonable opportunity to consult with the chancellor and others, give the employee and the



chancellor written notice of the decision. If the decision is to impose a sanction or sanctions on an employee, the notice shall include the reasons therefor, and when it is to be effective, provided, however, that the appointment of an employee shall not be terminated except as provided in the next paragraph.

If the appointment of an employee is to be terminated for cause, the appointment shall neither be terminated earlier than one month nor later than one year from the date of the written notice of the president's decision, provided however, that an employee having indefinite tenure whose appointment is terminated for cause other than misconduct shall continue to receive salary at the current rate for one year from the date of the written notice of the president's decision.

The Board's Initiative in Bringing Investigation or Charges

On any occasion when it appears to the board that there is probable cause to impose a sanction or sanctions on an academic or professional faculty member (hereafter referred to as "employee" in this section), the board may direct the president to determine whether there is such probable cause. If the president finds that there is probable cause to impose a sanction or sanctions on the employee, the president shall have formal charges prepared and proceed with the case as provided above. If the president finds that there is not probable cause to impose a sanction or sanctions on the employee, the president shall transmit such report to the board, including a full statement of reasons for the finding. If the board, after receipt of the report, deems that the facts of the case warrant the filing of formal charges, the board shall provide the president with a statement explaining its exceptions to the findings and may direct the president to have formal charges prepared or, at the request of the president, the board may direct some person within the department to prepare the formal charges. The subsequent procedure shall be the same as if charges were initially authorized to be prepared by the president.

If a contested case hearing is to be held by the board, or by a hearing officer designated by the board, the board shall ascertain the time most convenient for the hearing and shall give all parties thereto at least ten days' notice of the time, place and nature of the hearing. The time may be shortened or extended by stipulation of all parties. Motion for continuance or postponement of any hearing may be granted by the board for good cause.

Subpoenas requiring attendance of witnesses or the production of documentary or tangible evidence at a hearing may be issued by the board, when authorized by law, on request by any party to the proceeding, including the Board itself, on proper showing of general relevance or reasonable scope of the evidence sought. Each party may be represented by counsel. Any individual may appear for himself or herself, and any member of a partnership that is a party to any proceeding may appear for such partnership on adequate identification.

The following rules of evidence apply in these proceedings:

- The testimony of witnesses at a hearing shall be on oath or affirmation administered by an officer of the board authorized to administer oaths and shall be subject to cross-examination.
- Any witness may, in the discretion of the board, be examined separately and apart from all other witnesses except those who are parties to the proceeding.

- The board may limit oral argument in its discretion.
- The oath or affirmation taken by a witness before testimony shall be in the same form and manner as is provided by law.
- Every party shall have the right to present a case or defense by oral, documentary, or other satisfactory evidence, to submit evidence in rebuttal, and to conduct such cross-examination as may be required for a full and complete disclosure of the facts.
- The party having the affirmative of the issue shall have the burden of proof.
- Admission and exclusion of evidence:
 - Evidence of a type commonly relied on by reasonably prudent persons in the conduct of their serious affairs shall be admissible, but irrelevant, immaterial, or unduly repetitious evidence shall be excluded.
 - Hearsay evidence shall not be admissible over an objection based on lack of opportunity to cross-examine;
 - The board may limit expert and opinion evidence in its discretion.
- If a party objects to the admission or rejection of any evidence or to the limitation of the scope of any examination or cross-examination, that party shall state briefly the grounds of such objection, whereupon the board shall give the party adversely affected by its ruling on the objection an automatic exception.
- After first advising all parties of its intention to do so, the board may take notice of judicially cognizable facts as is provided by law and of general, technical or scientific facts within the specialized knowledge of the board members.
- Informal disposition may be made of any contested case by stipulation, agreed settlement, consent order, or default, unless precluded by law.
- The stenographic or mechanical record of the testimony and exhibits, together with all pleadings, motions, and rulings filed in the proceedings, all stipulations, statements of matters officially noticed, questions, and offers of proof, objections and rulings thereon, and proposed findings and exceptions, shall constitute the exclusive record for decision. The record shall also include any board proceeding on disqualification of any hearing officer and the proposed, intermediate or final order, if any.
- Decision:
 - (1) Except as provided in section (2) of this rule, the board shall render its decision within 60 days after completion of the hearing. The decision shall be accompanied by findings of fact and conclusions of law. A copy of the decision and the findings of fact and conclusions of law shall be mailed to each party.
 - (2) If a majority of the board officials has not heard the proceedings or read the transcript, a proposed decision of the board, including findings of fact and conclusions of law, shall be mailed to each party, who shall have 15 days after receipt to submit

written exceptions to the proposed decision to the Board and to request an opportunity to present argument to the board. The board shall grant such opportunity for argument as soon as it can reasonably be arranged. The board shall render its decision, accompanied by findings of fact and conclusions of law, within 60 days after presentation of the argument.

Appeals

The board shall review any case involving imposition of a sanction or sanctions on an employee having indefinite tenure on written notice of appeal by the employee. The appeal shall be filed with the board secretary within ten days (or within such extension of time as permitted by the chancellor) of the date of the written notice of the president's decision, stating grounds for the appeal, with a copy to the president. The board may on its own initiative review any case involving the question of imposing a sanction or sanctions on an employee. On receiving written notice of appeal by an employee having indefinite tenure or on notice of the board's decision to review a case, the president shall forward to the board secretary a copy of the charges in the case and the employee's written statement, if any, in answer thereto, and the verbatim record of the hearing, and any exhibits, the committee's findings and recommendations and a copy of the notice of the president's decision.

The board may review the case on the record only; return the case to the institution from which it came for the receipt of further evidence or testimony; conduct such hearings as it deems proper for its review; refer the matter to a committee of board members for consideration, including possible hearings, and recommendations; or refer the matter to a hearing officer for hearings and recommendation. The board shall make such determination of the case, pursuant to its policies, as it deems just.

If the board sustains the decision to impose a sanction or sanctions on the employee, the sanction or sanctions shall be effective at the date originally named by the president, or such later date as determined by the board.



SEIU-Represented Classified Employees Disciplinary Process

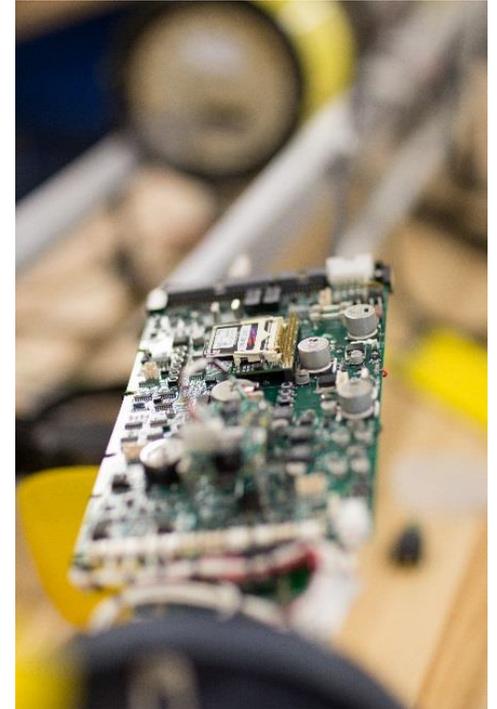
After EOA investigates the alleged VAWA offense involving an accused employee, EOA prepares a determination draft, which is reviewed by the Office of General Counsel and Employee Labor Relations in the Office of Human Resources. Within 15 days, this group will issue a letter of discipline to employee and forward the case to the SEIU-Represented Classified Employees Collective Bargaining Agreement. The following steps will then be followed in accordance with Article 17 of the collective bargaining agreement.

Steps in the Process

1. A complaint or report is filed.
2. The principles of progressive discipline shall be used when appropriate. Discipline shall include, but not be limited to: written reprimands, denial of an annual performance pay increase, reduction in pay, demotion, suspension (with and without pay), and dismissal. Discipline shall be imposed only for just cause. Sexual assault, domestic violence, dating violence, and stalking are criminal acts which may subject the accused to criminal and civil penalties under federal and state law.
 - a. The university shall have the following statement appear on all disciplines noted above:
 - i. “If you choose to contest this action you have a right to be represented by the SEIU Local 503, OPEU and you must file an appeal within thirty (30) calendar days from the effective date of this action in accordance with Article 18 - Grievance and Arbitration Procedure.”
 - b. Included with this statement will be the name of the chief steward or a steward designated by the union with their work phone and/or home phone number. Failure to include this notice will not void the disciplinary action.
3. An employee who receives a written reprimand, denial of an annual performance pay increase, reduction in pay, demotion, or suspensions (with or without pay) shall receive written notice of the discipline with the specific charges and facts supporting the discipline at the time disciplinary action is taken.
 - a. In cases where an employee has been placed on administrative leave, written notice of the allegations as they are known at the time, must be provided to the employee within seven (7) calendar days of the effective date of the action. Investigatory suspensions with pay become disciplinary when the investigation:
 - i. Results in further disciplinary action; or
 - ii. Extends beyond fourteen (14) calendar days unless, prior to the 14th day, the employer notified the affected employee and the chief steward or union designee that the investigation is extended up to a total of forty-five (45) calendar days. Such notice shall provide the reason(s) for the extension.

iii. Suspensions with pay will not be recorded in employee personnel files or used in any manner against an employee if no disciplinary action is subsequently taken.

4. A written predissmissal notice shall be given to a regular status employee who is being considered for dismissal. Such notice shall include the then known complaints, facts and charges, and a statement that the employee may be dismissed. The employee shall be afforded an opportunity to refute such charges or present mitigating circumstances to the university's chief human resource officer, or designee, at a time and date set forth in the notice, which date shall not be less than seven (7) calendar days from the date the notice is received or, at the option of the employee, by written response by that date. The employee shall be permitted to have an official union representative present. At the discretion of the university's chief human resource officer, or designee, the employee may be suspended with or without pay or be allowed to continue to work as specified in the predissmissal notice. Should an employee be suspended without pay, the employee will first be afforded notice and the right to present mitigating circumstances to the university's chief human resource officer or designee.
5. Employees in initial trial service with the university shall have no right to appeal removals from service under Article 17. Employees in trial service as a result of promotion who are returned to their former classification shall have no right of appeal under Article 17 for such removal. However, an employee in trial service as a result of promotion who is dismissed from service may have his/her dismissal appealed by the union under Article 17.
6. Upon request, an employee shall have the right to union representation during an investigatory interview that an employee reasonably believes will result in disciplinary action or in a meeting with an employee called to deliver disciplinary action other than written reprimands under step 2 of this article. The employee will have the opportunity to consult with a local union steward or union organizer before the interview, but such consultation shall not cause an undue delay.
7. If no disciplinary action is taken, investigation material will not be recorded in the employee personal file or used in any manner against the employee.



Appeal

If an employee decides to appeal a disciplinary decision, the following steps will be followed in accordance with Article 18 of the collective bargaining agreement. Grievances shall be filed within thirty (30) calendar days of the date the grievant or the Union knows or by reasonable diligence should have known of the alleged grievance, or in the case of discipline, within thirty (30) calendar days of the effective date of the action. In the event that a deadline for filing a grievance, submitting a grievance response, or appealing a grievance response falls on a Saturday, Sunday or university holiday, such action will be considered timely if it is taken by 5:00 p.m. on the following business day (Monday – Friday).

Grievances shall be reduced to writing, and shall be signed by the grievant(s), stating the specific article(s) alleged to have been violated and clear explanation of the alleged violation, sufficient to allow processing of the grievance. In the case of group grievances, the grievance shall specifically enumerate, by name, the affected employees, when known. Otherwise, the affected employees will be generically described (i.e., work location, classification, approximate number of employees) in the grievance. Grievances shall be filed at all steps of this procedure on the form identified as the Official Statement of Grievance Form. Once filed, the union shall not expand upon the original elements and substance of the written grievance.

At the request of either party, a meeting between the union and the employer representatives will take place at any step of the grievance procedure within thirty (30) calendar days from the date of the request. If a meeting is held at the request of the grievant and/or the union, any time limit for the employer's response set forth below shall run from the date of the meeting.

Time limits specified in the collective bargaining agreement shall be strictly observed, unless either party requests a specific extension of time, which if agreed to, must be stipulated in writing and shall become part of the grievance record. "Filed" for purposes of all grievances shall mean postmarked (dated by meter or U.S. Post Office), or faxed, emailed or hand-delivered by the close of the business day (5:00 p.m.) to the appropriate office. If at any step of the grievance procedure, the employer fails to issue a response within the specified time limits, the grievance may be advanced to the next step of the grievance procedure. If the grievant or union fails to meet the specified time limits, at any step of the grievance and arbitration procedure, the grievance will be considered withdrawn and it cannot be resubmitted. Grievance steps referred to in this article may be waived by mutual agreement in writing. Such written agreements shall become part of the grievance file.



Grievances are processed through the following procedures:

- Step 1-Grievances regarding letters of reprimand are initially filed at this step. The grievant(s), or the union on behalf of the grievant(s), shall file the grievance consistent with the above requirements with his/her immediate excluded supervisor, except in the case of grievances involving discipline other than letters of reprimand and dismissal. The supervisor shall respond in writing to the grievant(s) within thirty (30) calendar days from the receipt of the grievance.

The parties agree that all step 1 grievance settlements are non-precedential and shall not be cited by either party or their agents or members in any arbitration or fact-finding proceedings now or in the future. Step 1 grievance settlements shall be reduced to writing and signed by the grievant and the immediate excluded supervisor.

The settlement shall include the statement: "Step 1 grievance settlements are non-precedential and may not be cited by either party or their agents or members in any arbitration or fact finding proceedings now or in the future."

- Step 2-Grievances involving discipline other than letters of reprimand and dismissal are initially filed at this step. When the response at step 1 does not resolve the grievance, the grievance must be filed by the union within thirty (30) calendar days after the step 1 response is due or received, whichever occurs first. The appeal shall be filed in writing to the university president or designee, who shall respond in writing within thirty (30) calendar days after receipt of the step 2 appeal.
- Step 3-Grievances involving cases of dismissal are filed at this step. If a grievance is not settled in accordance with step 2, the appeal, if pursued, must be filed by the union and received by the Director of Labor Relations of University Shared Services Enterprise (USSE), or his/her successor, within thirty (30) calendar days after the step 2 response is received. The appeal must include the response being appealed and indicate whether a meeting is requested. Failure to include the response being appealed shall not void the appeal. A copy of the appeal must be sent concurrently to the Office of Human Resources. Within five (5) business days of receipt of the appeal, the director of labor relations or his/her successor may request that a meeting be held. The director of labor relations or his/her successor shall respond in writing within thirty (30) calendar days from the receipt of the step 3 appeal or conclusion of the meeting, if one is requested by the grievant or union. A copy of the step 3 response shall be sent concurrently to the union representative filing the step 3 appeal, the union's legal department, and the union's member resource center.
- Step 4-Grievances that are not satisfactorily resolved at step 3 may be appealed to arbitration. For disputes other than dismissals, the union must file a Notice of Intent to Arbitrate with the appropriate panel arbitrator within fifty-five (55) calendar days of receipt of the step 3 response by the union's legal department. For dismissals, the union must file such notice within twenty (20) calendar days of receipt of the step 3 response by the union's legal department.

The union may request, and the university may agree, to an additional thirty (30) calendar days in which to file a request to select an arbitrator. However, any additional time agreed to will not be used in calculating the university's liability for any remedy awarded by an arbitrator. Notices of Intent to Arbitrate must concurrently be sent to the director of labor relations of USSE, or his/her successor, and the Office of Human Resources. In the event the union fails to submit the Notice of Intent to Arbitrate to the director of labor relations or their successor within the time limits proscribed above, the grievance shall be considered withdrawn and it cannot be resubmitted.

The arbitration will be handled in accordance with the rules of the Federal Mediation and Conciliation Service (FMCS). The arbitrator shall have the authority to hear and rule on all issues that arise over substantive or procedural arbitrability. Such issues, if raised, must be heard prior to hearing the merits of any appeal to arbitration. Upon motion by either party to bifurcate the hearing on procedural or substantive arbitrability issues, the arbitrator will make the determination on bifurcation. Should the arbitrator choose to take the arbitrability issue



under advisement and proceed with the merits, they shall issue a written decision on the arbitrability issue only, should the issue be found to be nonarbitrable.

The parties agree that the decision or award of the arbitrator shall be final and binding on each of the parties. The arbitrator shall issue their decision or award within thirty (30) calendar days of the closing of the hearing record. The arbitrator shall have no authority to rule contrary to, to amend, add to, subtract from, change or eliminate any of the terms of the collective bargaining agreement, and shall be confined to the application and interpretation of the agreement. The arbitrator shall not make any decision that limits or interferes with the authority of the employer, except as modified by this agreement.

AFT-Represented Graduate Employees Disciplinary Process for VAWA Offenses

After EOA investigates the alleged VAWA offense involving an accused employee, EOA prepares a determination draft, which is reviewed by the Office of General Counsel and Employee Labor Relations in the Office of Human Resources. Within 15 days, this group will issue a letter of discipline to employee and forward the case to the Coalition of Graduate Employees AFT-Represented Employees Collective Bargaining Agreement. The following steps will then be followed.

Steps in the Process

1. A complaint or report is filed.
2. Discipline may take the form of written reprimands, reduction in duties, reassignment, suspension without pay, and dismissal. Disciplinary action shall be conducted in private and imposed in accordance with the principles of progressive discipline. Sexual assault, domestic violence, dating violence, and stalking are criminal acts which may subject the accused to criminal and civil penalties under federal and state law.
3. Prior to imposing a disciplinary action, the university will advise the employee of the charges and complaints that potentially give rise to such action. The employee will be provided an opportunity to refute the charges or to present extenuating circumstances. An employee is entitled to representation by a union representative at investigatory meetings which may result in discipline, if they so chooses. The union will make a representative available to attend an investigatory meeting within two (2) work days.
4. All forms of discipline will be issued to the employee in writing. Such written notice will state the level of discipline being imposed and the charges and complaints which give rise to the disciplinary action. All such written notices will include the following disclaimer: “Employee’s signature indicates only that the supervisor has discussed this material with the employee and they have received a copy. The employee’s signature does not indicate agreement or disagreement with its content.” Employees will be required to sign disciplinary notices containing this disclaimer.

5. Within thirty (30) days of receiving a notice of discipline, the employee may provide a written rebuttal to be placed in their file with the notice of discipline.
6. Upon written request from the employee, warnings and disciplinary notices shall be removed from their file after two (2) years. Disciplinary notices may be removed sooner if, in the judgment of the head of the administrative unit in which the employee works, or the assistant vice president of human resources, or their designee, if the graduate employee is appointed to a different department, the employee's performance and conduct warrants such removal. In the event that the head of the administrative unit is the employee's supervisor, the employee may forward the request to the assistant vice president of human resources, or their designee.
7. An employee who alleges that disciplinary action was without just cause may file a grievance under the provisions of Article 18. It is understood that an employee's right under this agreement to grieve disciplinary action applies only to the employee's performance and conduct as an employee. Employees may not grieve, under this agreement, decisions to impose sanctions for academic reasons or violations of the Code of Student Conduct.
8. Employees who voluntarily or involuntarily lose status as a graduate employee (i.e. student status) shall have no right to continued employment and shall be considered to have resigned from their service appointment.

Appeal

If an employee decides to appeal a disciplinary decision, the following steps will be followed in accordance with Article 18 of the collective bargaining agreement. All grievances shall be processed in accordance with this Article which shall be the sole and exclusive method of resolving grievances. Grievances may be filed with union representation or, consistent with statute, employees may present grievances to the employer and have such grievances adjusted without union intervention, provided: 1) The adjustment is not inconsistent with the terms of this agreement; and 2) The union has been given an opportunity to be present at meetings which may result in adjustment to the grievance.

Grievances shall be filed within thirty (30) calendar days of the date the grievant or union knew or should have known of the facts giving rise to the alleged grievance. In the event that the deadline for filing a grievance, submitting a grievance response, or appealing a grievance response falls on a Saturday, Sunday, or university holiday, such action will be considered timely if it is taken by 5:00 p.m. on the following business day (Monday – Friday).

Grievances shall be reduced to writing, stating the specific article(s) alleged to have been violated, a clear explanation of the alleged violation, a statement that it is a grievance being filed under Article 18, the remedy sought and to whom the response should be directed. Once filed, neither the grievant nor union shall expand upon the original written grievance.

Time limits specified in the collective bargaining agreement shall be strictly observed, unless the parties mutually agree to extend them. If agreed to, extensions of time limits shall be stipulated in writing. "Filed" for purposes of all grievances shall mean postmarked (dated by meter or U.S. Post Office), or the actual date of receipt. Grievances received after close of regular business hours shall be considered received on the following business day. If at any step of the grievance procedure the university fails to issue a response within the times specified, the grievance shall be

considered denied. The grievant or union may file the grievance at the next step. If the union or grievant fails to file the grievance at the subsequent step within the time specified, the grievance will be considered withdrawn and cannot be resubmitted.

Grievances involving multiple employees from multiple departments shall be filed initially at step 2 (see below). At the request of either party, a meeting between the union and the university's representative will take place at any step of the grievance procedure. If a meeting is held at the request of the grievant and/or the union, any time limit for the employer's response set forth below shall begin with the date of the meeting.

The parties acknowledge the benefit of resolving grievances at the lowest possible step. Prior to filing a grievance under this article, employees are encouraged to address issues informally with their supervisor or other university representative with authority to resolve the specific issue. Use of this informal process will not alter timelines required to file a formal grievance.

Grievances are processed through the following procedures:

- Step 1-Should a grievance not be resolved informally, or should a grievant decide not to use an informal process, a formal grievance shall be filed with head of the administrative unit in which the employee works (chair, director, dean, superintendent). The head of the administrative unit shall respond in writing within thirty (30) calendar days. Should the head of the administrative unit also be the grievant's academic advisor, the grievance shall be filed at step 2. The parties agree that all step 1 grievance settlements shall not violate this agreement as non-precedential and shall not be cited by either party or their agents or members in any arbitration or fact-finding proceedings now or in the future. Step 1 grievance settlements shall be reduced to writing and signed by the grievant and the head of the administrative unit. Actions taken pursuant to step 1 settlement agreements shall not be deemed to establish or change practices under the collective bargaining agreement.
- Step 2-Should a grievance not be resolved at step 1, the employee or union may file the grievance with the university president or their designee within thirty (30) calendar days from receipt of the step 1 response or if a response was not received within thirty (30) days from when the response was due. The university president or their designee shall respond in writing within thirty (30) calendar days.
- Step 3-Should the grievance not be resolved at step 2; the employee or union may file the grievance with the USSE director of labor relations or their designee within thirty (30) calendar days from the date on which the employee or union receives the step 2 response or if no response was received within thirty (30) days from the date the response was due. Grievances filed with the USSE director of labor relations or their designee shall be responded to within fifteen (15) calendar days. Should a grievance not be resolved at step 3, the union may request arbitration.
- Step 4-The following is the process for arbitration. The union must notify the university of its decision to arbitrate within twenty-one (21) calendar days of receipt of the step 3 response or if no response was received within twenty-one (21) days from when the response was due.

Within fifteen (15) calendar days from the union's notification of intent to arbitrate, the union will notify the Federal Mediation and Conciliation Service (FMCS) of the dispute and request a list of arbitrators that shall be specifically limited to Oregon, Washington, and Idaho arbitrators. The parties shall attempt to reach agreement on a permanent panel of arbitrators and a process for using such arbitrators. In the absence of agreement on such a panel and process, the current selection process will be retained and the union will request a list of five (5) arbitrators from the Employment Relations Board. The parties will then alternately strike names, one at a time. The party striking the first name will be determined by the flip of a coin. The last remaining name shall be the arbitrator selected to hear the current grievance.

The arbitrator shall have authority to hear and rule on issues which arise over arbitrability. Such issues if raised must be heard prior to hearing the merits of the grievance advanced to arbitration. The parties may mutually agree to allow the arbitrator to take procedural issues under advisement and to proceed with the hearing on the merits. If the arbitrator rules the grievance is non-arbitrable, they shall not issue a ruling on the merits.

If either party request that post-hearing briefs be filed, the arbitrator shall set the date for submission of those briefs. The parties agree that the decision and award of the arbitrator shall be final and binding. The arbitrator shall have no authority to rule contrary to or change any of the terms of this agreement.

The arbitrator shall have no authority to hear or decide any grievance relating to an academic decision or judgment concerning the employee as a student. The arbitrator shall have no authority to reinstate an employee who is no longer a student or otherwise does not meet the criteria to be a graduate employee.



Sex Offender Registration Information

The "Campus Sex Crimes Prevention Act" of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Clery Act, and the Family Educational Rights and Privacy Act of 1974, require Oregon State University to provide information on how to access information on registered sex offenders. In Oregon, the Oregon State Police maintain the sex offender registry that can be accessed at sexoffenders.oregon.gov/.

The information found in the registry is provided for general public safety. Users are authorized to use the information only to protect themselves or children who may be at risk. The release of the information to the public is meant to assure public protection, **not** to punish an offender or harass an offender's family. Anyone who uses the information to commit a criminal act against another person is subject to criminal prosecution and civil action.

Annual Fire Safety Report

HMSC publishes this Fire Safety Report in compliance with the Higher Education Act of 1965 and as a part of its annual Clery Act compliance. This report contains fire safety policies and statistics for university on-campus student housing facilities. This report reflects data from calendar years 2015, 2016, and 2017. These fire statistics are also reported to the U.S. Department of Education each year.

Fire safety is a priority of HMSC, University Housing and Dining Services (UHDS), and the local fire department. UHDS staff conduct a minimum of one fire drill annually per UHDS student housing facility to practice the safe and orderly evacuation of the buildings. Evacuation guidelines are posted in each room.

[Fire Safety Rules for University Housing and Dining Services \(UHDS\)](#)

The UHDS Policy Guide provides the following list of fire safety rules:



- Students may not tamper with, disable, cover, or damage fire equipment, including but not limited to sprinkler heads, smoke detectors, alarms/strobe lights, exit signs, pull stations, sprinkler system, fire doors and fire extinguishers, heat sensors, and fire safety signage. Students who tamper with fire equipment may face disciplinary action, a monetary fine, or both and may also be referred to law enforcement authorities. Students may not hang items from the sprinkler heads, cages covering the sprinkler heads, or pipes associated with sprinklers.
- Students may not use or possess candles, incense, and any other object that smolders or produces an open flame inside of UHDS buildings and within 30 feet of UHDS buildings (for any purpose, including ceremonial, decorative, or burning purposes). If you are in need of a religious and/or spiritual accommodation, please contact the UHDS office at housing@oregonstate.edu.
- The following items may not be used or possessed inside of UHDS buildings and within 30 feet of UHDS buildings: extension cords without fuse protectors, combustible materials or liquids, live cut trees, dried plants, light bulbs that generate excessive heat (including halogen and/or incandescent bulbs that exceed 60 watts), or other large flammable material. See Possession of Prohibited Items section for additional approved and prohibited items. (<http://uhds.oregonstate.edu/housing/what-bring-leave-behind>)
- Hall fire doors MUST be closed at all times unless they are held open by magnets that are connected to the fire alarm system. These doors must be free of obstruction and able to close should the fire alarm sound.
- Students may loft their bed if they follow the rules outlined at the following site: <http://oregonstate.edu/uahds/loft-kits>

- Students may not plug power strips or extension cords into other power strips or extension cords. Hallways must remain clear of all items that pose a tripping hazard. These items include, but are not limited to shoes, bikes, bed parts, and trash.
- Residents and their guests are not allowed to sleep in public or common areas.
- Residents and their guests may not leave food unattended while cooking. Residents may only put food and items that are microwave safe into a microwave.
- Doors and walls in the hallway must be clear of large coverings that are taped or tacked to the surface. No more than 30% of any door or wall surface may be covered with combustible materials. Wall surfaces include doors, resident doors, windows, ceilings and floors. Please refer to the UHDS General Promotion Guidelines for additional information about posting materials anywhere other than your assigned residence hall room door.
- When a fire alarm is activated, all persons inside a residential or dining facility are required to leave the building immediately, even if it is believed to be a drill or false alarm.

The following items are never approved in the residence halls:

- Air conditioners, barbecues and grills, electric fryers, electric grills and sandwich makers/presses, electric woks, extension cords, fog, smoke, and haze machines, gasoline, electric, or hybrid powered scooters, hookahs, hookah smoking accessories, e-cigarettes, vaporizers, hot plates, microwaves (unless microwave/refrigerator combination unit), portable space heaters, and wireless network routers and wireless access points.
- If you have a special need for an exception, please talk to your resident director, who can guide you through the process.

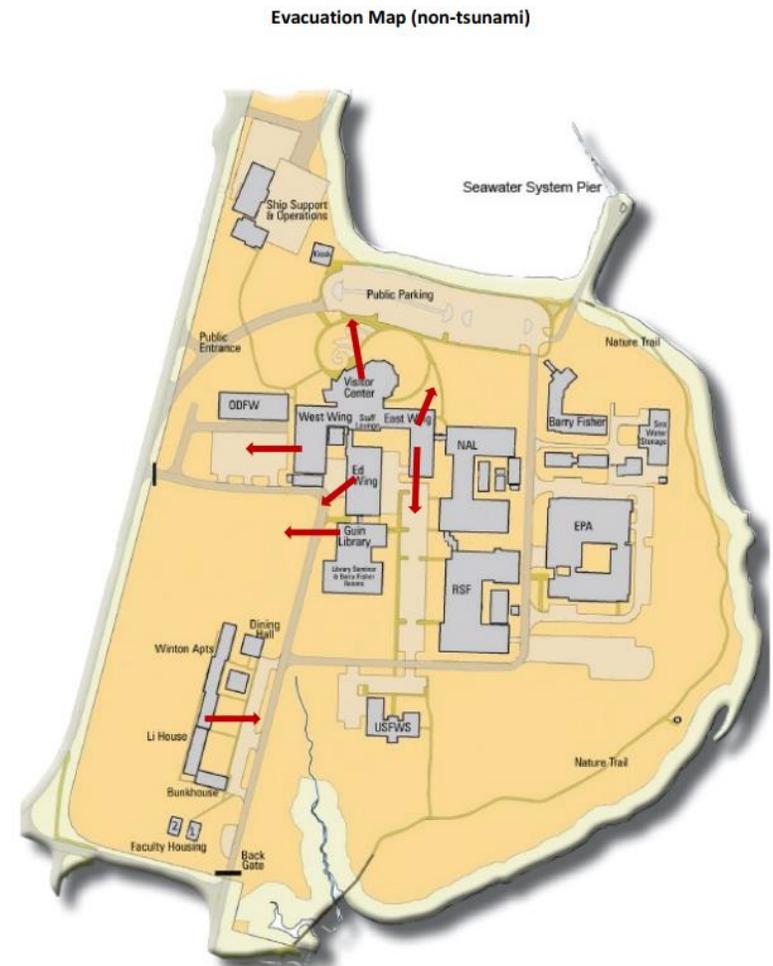
Exceptions

- Coffee makers. As long as your coffee maker doesn't use a warming plate to keep the coffee warm, you can use it in your room. Coffee makers with warming plates are permitted only in Halsell Hall, and only if it remains in the kitchen area of the suite and has an automatic shut off function.
- Toasters and toaster ovens. All toasters and toaster ovens may be stored and used in the community kitchen or in-suite kitchens within Halsell Hall and Orchard Court in your building after talking to your resident director.
- Clothes irons, curling irons, hot curlers, and flat irons. These items are permitted as long as they are used according to manufacturer's instructions.
- Power strips or a plug multiplier. Power strips and plug multipliers must have built in circuit breaker to be permitted within the residence halls.

If the use of your item poses a health or safety concern, causes a disruption to the community, causes property damage or property loss, regardless of whether the item is approved, you may be subject to disciplinary action and associated costs or sanctions.

Fire, Smoke, or an Explosion Evacuation Procedures:

1. Activate the nearest fire alarm pull station to alert building occupants and call 911. Provide as much detail as possible about the location and possible cause of the fire.
 - Fire alarm will sound
 - Buildings equipped will also have strobe light activation to indicate an active fire alarm
2. Everyone leave the building immediately when an alarm sounds. Notify others of the evacuation, but do not delay evacuating
 - If time allows:
 - i. Place equipment into a safe configuration before evacuating
 - ii. Close doors and windows before evacuating, if this can be accomplished quickly and safely. It is particularly important to close doors to contain the fire in the room/area of origin
3. Evacuate through the nearest safest exit. Do not use elevators during an evacuation. If evacuation routes are blocked, remain in your room, stand by a window, call 911 to report your location, and wait for fire department assistance. If the building is equipped with a fire escape, all other exit routes are blocked, and you cannot wait for the fire department to rescue you from a window area, proceed with caution down the fire escape.
4. Individuals with mobility or evacuation concerns:
 - Students, staff, and visitors who are blind should be assisted through hallways and down stairways
 - People with mobility issues should follow evacuation routes on the ground floor of a building. If not on the ground floor, proceed to the nearest assembly area (stairway door). Rescue personnel will search these areas first, and help individuals with disabilities evacuate the building.
 - i. If no pre-identified area, go to an area that provides a barrier between you and the hazard
 - ii. Communicate with responders
 - iii. Dial 911 or HMSC Facilities: 541-867-0260
 - iv. Place a cloth or clothing out a window to attract attention
 - v. Notify others who are evacuating to inform responders of your location
5. Call 911 to report the fire alarm, after evacuating building
6. Do not re-enter the building until fire or police give permission to do so
7. Move to the evacuation assembly area (see right). If evacuation area cannot be reached or is unknown, move as far away from the building as



- practical, so as not to be in danger or in the way of emergency responders (a minimum of 50 feet)
8. Once safely outside, check to make sure no one is missing, and inform emergency responders/building manager/HMSC leadership if someone is unaccounted for.
 9. Staff/faculty are not required to attempt to fight a fire. If you are trained to do so, and can safely do so, use the appropriate fire extinguisher to attempt to extinguish small fires (office trash can size). Ensure 911 has been called prior to attempting to extinguish the fire.

Reporting Extinguished Fires

If a member of the HMSC campus community finds evidence of a fire that has been extinguished, they should immediately notify the Newport Police Department at 169 SW Coast Hwy, Newport, Oregon, or 541-574-3348 (non-emergency), and then contact the HMSC director at 2030 SE Marine Science Dr., Newport, Oregon, or 541-867-0211 and robert.cowen@oregonstate.edu.

Fire Safety Education and Training

Emergency response and evacuation training is provided by the emergency manager at Oregon State University. HMSC tests its response and evacuation procedures on an annual basis by using the Homeland Security Exercise and Evaluation Program (HSEEP) to conduct these tests. The HSEEP-format identifies the name, dates, scope, mission area(s), core capabilities, objectives, threat or hazard, scenario, sponsor(s), participating organizations, and point of contact for the exercise. The emergency manager uses tabletop exercises, and occasionally, full scale exercises to test response and evacuation procedures. The HSEEP-format documents a description of the exercise, the date the test was held, the time the test started and ended, and whether the test was announced or unannounced.

Plans for Fire Safety Improvement

HMSC continues to assess and upgrade fire safety equipment as an ongoing process to ensure that all equipment meets national fire safety standards. Future improvements will be made as needed as a part of the ongoing assessment process.



On-Campus Student Housing Fire Safety Systems

Oregon State University—Hatfield Marine Science Center—Newport

Facility/Address	Fire Alarm Monitoring On-Site*	Sprinkler System	Smoke Detection	Fire Extinguishers	Evacuation Plans / Placards	Evacuation Fire Drills per Year
Bunkhouse 2030 SE Marine Science Dr Bldg 902 Newport, OR 97365	N*	N	Y	Y	Y	1
Li House 2030 SE Marine Science Dr Bldg 903 Newport, OR 97365	N*	N	Y	Y	Y	1
Winton House 2030 SE Marine Science Dr Bldg 907 Newport, OR 97365	N*	N	Y	Y	Y	1
Faculty and Family Housing 2030 SE Marine Science Dr Bldg 1 Newport, OR 97365	N*	N	Y	Y	Y	1
Faculty and Family Housing 2030 SE Marine Science Dr Bldg 2 Newport, OR 97365	N*	N	Y	Y	Y	1

*There is no central station monitoring the fire alarms. HMSC Facilities maintains the smoke detectors in each on-campus student housing facility.

Fire Statistics Reported for 2015, 2016, and 2017

Oregon State University—Hatfield Marine Science Center Campus—Newport

2017 Facility/Address	Total Fire(s) in Each Building	Fire Number	Cause of Fire	Number of Injuries	Number of Deaths	Value of Property Damage
Bunkhouse 2030 SE Marine Science Dr Bldg 902, Newport, OR 97365	0	N/A	N/A	0	0	0
Li House 2030 SE Marine Science Dr Bldg 903, Newport, OR 97365	0	N/A	N/A	0	0	0
Winton House 2030 SE Marine Science Dr Bldg 907, Newport, OR 97365	0	N/A	N/A	0	0	0
Faculty and Family Housing 2030 SE Marine Science Dr Bldg 1, Newport, OR 97365	0	N/A	N/A	0	0	0
Faculty and Family Housing 2030 SE Marine Science Dr Bldg 2, Newport, OR 97365	0	N/A	N/A	0	0	0

2016 Facility/Address	Total Fire(s) in Each Building	Fire Number	Cause of Fire	Number of Injuries	Number of Deaths	Value of Property Damage
Bunkhouse 2030 SE Marine Science Dr Bldg 902, Newport, OR 97365	0	N/A	N/A	0	0	0
Li House 2030 SE Marine Science Dr Bldg 903, Newport, OR 97365	0	N/A	N/A	0	0	0
Winton House 2030 SE Marine Science Dr Bldg 907, Newport, OR 97365	0	N/A	N/A	0	0	0
Faculty and Family Housing 2030 SE Marine Science Dr Bldg 1, Newport, OR 97365	0	N/A	N/A	0	0	0
Faculty and Family Housing 2030 SE Marine Science Dr Bldg 2, Newport, OR 97365	0	N/A	N/A	0	0	0

2015 Facility/Address	Total Fire(s) in Each Building	Cause of Fire	Number of Injuries	Number of Deaths	Value of Property Damage
Bunkhouse 2030 SE Marine Science Dr Bldg 902, Newport, OR 97365	0	N/A	0	0	0
Li House 2030 SE Marine Science Dr Bldg 903, Newport, OR 97365	0	N/A	0	0	0
Winton House 2030 SE Marine Science Dr Bldg 907, Newport, OR 97365	0	N/A	0	0	0
Faculty and Family Housing 2030 SE Marine Science Dr Bldg 1, Newport, OR 97365	0	N/A	0	0	0
Faculty and Family Housing 2030 SE Marine Science Dr Bldg 2, Newport, OR 97365	0	N/A	0	0	0

Glossary

Aggravated Assault: an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury.

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

Burglary: the unlawful entry of a structure to commit a felony or a theft.

Coercion: Coercion is the improper use of pressure to compel another individual to initiate or continue sexual activity against their will. Coercion can include a wide range of behaviors, including intimidation, manipulation, threats, and blackmail. A person's words or conduct are sufficient to constitute coercion if they wrongfully impair another individual's freedom of will and ability to choose whether or not to engage in sexual activity.

Coercion includes, but is not limited to: threatening to "out" someone based on sexual orientation, gender identity, or gender expression and threatening to harm oneself if the other party does not engage in the sexual activity.

Consent: is not defined in Oregon State Criminal Code. It defines incapacity to consent in Oregon Revised Statute (ORS) 163.315.

- A person is considered incapable of consenting to a sexual act if the person is:
 - Under 18 years of age;
 - Mentally defective;
 - Mentally incapacitated; or
 - Physically helpless.
- 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]

Consent: is defined by Oregon State University as knowing, voluntary, and clear permission by word or action, to engage in mutually agreed upon sexual activity.

Dating Violence: Violence committed by

- A person who is or has been in a social relationship of a romantic or intimate nature with the victim; and

- Where the existence of such a relationship shall be determined based on the reporting party’s statement and a consideration of the following factors:
 - The length of the relationship
 - The type of relationship
 - The frequency of interaction between the persons involved in the relationship.
- Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating Violence does not include acts covered under the definition of Domestic Violence.

Dating Violence as defined by ORS: under Oregon state law, there is no specific definition of “Dating Violence.” Oregon state law defines Teen Dating Violence and requires public school district boards to adopt policies addressing it -ORS 339.366

Days as used in this rule shall mean calendar days.

Domestic Violence: A felony or misdemeanor crime of violence committed by—

- A current or former spouse or intimate partner of the victim;
- A person with whom the victim shares a child;
- A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
- A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies (Under VAWA); or
- 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.

Domestic Violence as defined by ORS 135.230 (oregonlaws.org/ors/135.230)

- a. Domestic Violence means abuse between family or household members.
- b. Family or household members means any of the following:
 - i. Spouses.
 - ii. Former spouses.
 - iii. Adult persons related by blood or marriage.

- iv. Persons cohabiting with each other.
 - v. Persons who have cohabited with each other or who have been involved in a sexually intimate relationship.
 - vi. Unmarried parents of a minor child.
- c. Abuse means:
- i. Attempting to cause or intentionally, knowingly or recklessly causing physical injury;
 - ii. Intentionally, knowingly or recklessly placing another in fear of imminent serious physical injury; or
 - iii. Committing sexual abuse in any degree as defined in [ORS 163.415 \(Sexual abuse in the third degree\)](#), [163.425 \(Sexual abuse in the second degree\)](#), and [163.427 \(Sexual abuse in the first degree\)](#).
- d. ORS 147.450 includes teen Dating Violence with Domestic Violence.
- e. Teen Dating Violence means:
- i. A pattern of behavior in which a person uses or threatens to use physical, mental or emotional abuse to control another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age; or
 - ii. Behavior by which a person uses or threatens to use sexual violence against another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age. [2001 c.870 §23; 2007 c.71 §40; 2012 c.69 §2]

Note: 147.450 (Definitions) to 147.471 (Advisory council) were enacted into law by the Legislative Assembly but were not added to or made a part of ORS chapter 147 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

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

Faculty Grievance Committee is a committee of five academic employees with faculty rank chosen by the Faculty Senate Executive Committee and charged with the responsibility for hearing faculty grievances in accordance with these procedures. Any person with faculty rank may submit nominations to the Executive Committee for consideration. The Executive Committee shall choose at least one female and one minority member. Three members shall constitute a quorum. The Executive Committee of the Senate shall select a chair.

Faculty Mediator is an academic employee with faculty rank chosen by the Faculty Senate Executive Committee. Emeritus faculty shall be eligible to serve as the Faculty Mediator.

Faculty Rank means faculty ranks as defined in the rules of the State Board of Higher Education and includes faculty without rank but with professional title.

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

Force: Force is the use or threat of physical violence or intimidation to overcome an individual's freedom of will to choose whether or not to participate in sexual activity. For the use of force to be demonstrated, there is no requirement that a Complainant resists the sexual advance or request; however, resistance by the Complainant will be viewed as a clear demonstration of non-consent.

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

Categories of bias are:

- Race
- Gender Identity
- Sexual Orientation
- Gender
- Ethnicity
- Disability
- Religion
- National Origin

In addition to the standard list of Clery Act reportable crimes listed above, the following crimes are also classified as hate crimes when there is evidence that the offense was committed with bias against a protected class, as described above:

- Larceny / Theft
- Simple Assault
- Intimidation

Destruction / damage or vandalism of property

Incapacitation: Incapacitation is a state where an individual cannot make an informed and rational decision to engage in sexual activity because they lack conscious knowledge of the nature of the act (i.e., to understand the who, what, when, where, why, or how of the sexual interaction) and/or is physically helpless. An individual is incapacitated, and therefore unable to give consent, if they are asleep, unconscious, or otherwise unaware that sexual activity is occurring.

Incapacitation may result from the use of alcohol and/or drugs. Consumption of alcohol or other drugs alone is insufficient to establish incapacitation. The impact of alcohol and drugs varies from person to person and evaluating incapacitation requires an assessment of how the consumption of alcohol and/or drugs impact an individual's:

- decision-making ability or
- awareness of consequences or
- ability to make informed judgments or

- capacity to appreciate the nature and the quality of the act.

Intimate partner violence (“IPV”): IPV is defined by Oregon State University as dating violence, domestic violence, and other types of relationship violence. IPV is violence or a threatened act of violence against a person who is, or has been involved in, a sexual, dating, or other intimate relationship with the alleged perpetrator.

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

Manslaughter by Negligence: the killing of another person by gross negligence.

Murder and Non-Negligent Manslaughter: the willful killing of one human being by another.

Motor Vehicle Theft: the theft or attempted theft of a motor vehicle.

Noncampus – Any building or property owned or controlled by a student organization that is officially recognized by Oregon State University; or Any building or property owned or controlled by Oregon State University that is used in direct support of, or in relation to, the university’s education purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

On-Campus – Any building or property owned or controlled by Oregon State University within the same reasonably contiguous geographic area of the core campus, and used by Oregon State University in direct support of, or in a manner related to Oregon State University’s educational purposes, including student housing facilities; and

Any building or property that is within or reasonably contiguous to the core campus that is owned by Oregon State University, but controlled by another person, is frequently used by students and supports institutional purposes, such as a food or other retail vendor. Additionally, locations within one mile of Oregon State University’s core campuses are considered for inclusion in the On-Campus group. Before these locations are included, their functions and relationship to the university are evaluated.

On-Campus Student Housing Facilities– Any On-Campus building or structure that is owned or controlled by the university and used by students as a dwelling on campus. This category includes student housing facilities and family housing located on campus.

Presentation of the Grievance as used in Standard 580–021–0050 means receipt of the grievance by the dean, director, or unit executive officer as specified in Standard 576–050–0025.

Public Property – All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus. This property is owned by a public entity, such as a city or state government. 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 well as incidents occurring in the street. But an incident occurring in a building (a privately owned property) on the distant side of a perimeter street would not be included.

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, violence, and/or by putting the victim in fear.

Sexual Assault: An offense that meets the definition of Rape, Fondling, Statutory Rape, or Incest as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is "any sexual act directed against another person, without the consent of the victim, including instances where the victim if incapable of giving consent."

- **Rape:** 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. This definition includes any gender of victims or perpetrator.
- **Fondling:** the touching of the private body parts of another person for the purpose of sexual gratification without consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or temporary or permanent mental or physical incapacity.
- **Statutory Rape:** non-forcible sexual intercourse with a person who is under the statutory age of consent.
- **Incest:** non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Sexual Assault as defined by ORS 163.305 (oregonlaws.org/ors/163.305)

- a. Sexual assault means any unwanted sexual contact as defined in ORS 163.305 – ORS 147.450.
- b. Deviate sexual intercourse means sexual conduct between persons consisting of contact between the sex organs of one person and the mouth or anus of another.
- c. Forcible compulsion means to compel by:
 - i. Physical force; or
 - ii. A threat, express or implied, that places a person in fear of immediate or future death or physical injury to self or another person, or in fear that the person or another person will immediately or in the future be kidnapped.
- d. Mentally defective means that a person suffers from a mental disease or defect that renders the person incapable of appraising the nature of the conduct of the person.
- e. Mentally incapacitated means that a person is rendered incapable of appraising or controlling the conduct of the person at the time of the alleged offense.
- f. Physically helpless means that a person is unconscious or for any other reason is physically unable to communicate unwillingness to an act.

- g. Sexual contact means any touching of the sexual or other intimate parts of a person or causing such person to touch the sexual or other intimate parts of the actor for the purpose of arousing or gratifying the sexual desire of either party.
- h. Sexual intercourse has its ordinary meaning and occurs upon any penetration, however slight; emission is not required. [1971 c.743 §104; 1975 c.461 §1; 1977 c.844 §1; 1979 c.744 §7; 1983 c.500 §1; 1999 c.949 §1; 2009 c.770 §1]

Note. Legislative Counsel has substituted chapter 743, Oregon Laws 1971, for the words this Act in section 104, chapter 743, Oregon Laws 1971, compiled as 163.305 (Definitions). Specific ORS references have not been substituted, pursuant to 173.160 (Powers and duties of Legislative Counsel in preparing editions for publication). These sections may be determined by referring to the 1971 Comparative Section Table located in Volume 20 of ORS.

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

- Fear for the person’s safety or the safety of others; or
- Suffer substantial emotional distress.
- For the purposes of this definition—
 - Course of conduct means two or more acts, including, but not limited to, acts 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.
 - Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Stalking as defined by ORS 163.732 (oregonlaws.org/ors/163.732)

- a. A person commits the crime of Stalking if:
 - i. The person knowingly alarms or coerces another person or a member of that person’s immediate family or household by engaging in repeated and unwanted contact with the other person;
 - ii. It is objectively reasonable for a person in the victim’s situation to have been alarmed or coerced by the contact; and
 - iii. The repeated and unwanted contact causes the victim reasonable apprehension regarding the personal safety of the victim or a member of the victim’s immediate family or household.
- b. Stalking is a Class A misdemeanor.

- i. Notwithstanding paragraph (a) of this subsection, Stalking is a Class C felony if the person has a prior conviction for:
 - 1. Stalking; or
 - 2. Violating a court’s stalking protective order.
- ii. When Stalking is a Class C felony pursuant to paragraph (i) of this subsection, Stalking shall be classified as a person felony and as crime category 8 of the sentencing guidelines grid of the Oregon Criminal Justice Commission. [1993 c.626 §2; 1995 c.353 §2] Note. See second note under [163.730 \(Definitions for ORS 30.866 and 163.730 to 163.750\)](#).

Weapon Law Arrest and Violations: the violation of state or local laws prohibiting the manufacture, sale, purchase, transportation, possession, concealment or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

Resources

Organization	Address/Location	Email/Website	Phone
Counseling and Psychological Services	500 Snell Hall, Corvallis campus	CAPS@oregonstate.edu	541-737-2131
Department of Education, Office of Civil Rights	400 Maryland Avenue, SW Washington, DC 20202-1100	https://www2.ed.gov/about/offices/list/ocr/index.html	800-421-3481
Department of Justice Sexual Assault Resources	950 Pennsylvania Avenue, NW Washington, DC 20530-0001	https://www.justice.gov/ovw/sexual-assault	877-739-3895 (National Sexual Violence Resource Center)
Department of Public Safety and Oregon State Police	200 Cascade Hall, Corvallis campus	https://publicsafety.oregonstate.edu/	541-737-3010 (non-emergency) 541-737-7000 (emergency)
Employee and Labor Relations	204 Kerr Administration Building, Corvallis campus	employee.relations@oregonstate.edu	541-737-5355
Intercultural Student Services	150 Kerr Administration, Corvallis campus	https://dce.oregonstate.edu/	541-737-9034
Lincoln County District Attorney’s Office Victim Assistance Program	225 W Olive St. Room 100, Newport, OR	http://www.co.lincoln.or.us/da/page/victim-assistance-information	541-265-3462

Organization (continued)	Address/Location	Email/Website	Phone
My Sister's Place	934 SW 8th St, Newport, OR	http://mysistersplace.us/	541-994-5959 (24-hours) 1-800-841-8325 (Toll Free) 541-574-9424 (Newport office)
Office of Audit Services	240 Kerr Administration Building, Corvallis campus	https://secure.ethicspoint.com/domain/media/en/gui/41096/index.html	541-737-5547
Office of Equal Opportunity and Access (including Title IX)	330 Snell Hall, Corvallis campus	equal.opportunity@oregonstate.edu	541-737-3556
Office of Student Conduct and Community Standards	150 Snell Hall, Corvallis campus	SCCS@oregonstate.edu	541-737-3656
Office of Student Life	A200 Snell Hall, Corvallis campus	https://studentlife.oregonstate.edu/	541-737-8748
Rape, Abuse, and Incest National Network	1220 L Street, NW, Suite 505 Washington DC 20005	https://www.rainn.org/	800-656-4673 (RAINN/ National Sexual Assault Hotline)
Student Health Services (Certified Sexual Assault Nurse Examiner)	201 Plageman Building, Corvallis campus	https://studenthealth.oregonstate.edu/survivor-advocacy-resource-center/sexual-assault-nurse-examiner	541-737-9355
Student Legal Services Office	340 Student Experience Center, Corvallis campus	https://asosu.oregonstate.edu/asosu/legal-services	541- 737-4165
Survivor and Advocacy Resource Center	311 Plageman Building, Corvallis campus	survivoradvocacy@oregonstate.edu	541-737-2030
Associated Students of OSU Office of Advocacy	110 Student Experience Center, Corvallis campus	https://asosu.oregonstate.edu/advocacy	541-737-9200
Women's Center	Benton Annex, Corvallis campus	https://dce.oregonstate.edu/wc	541-737-3186