



# BIENNIAL REVIEW

ACADEMIC YEARS 2014-2016

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The information contained in this report is designed to maintain institutional compliance with the Drug-Free Schools and Communities Act (DFSCA) and Part 86 of the Department of Education's General Administrative Regulations.

It is respectfully submitted, and has been reviewed and approved by both the Vice President of Students Affairs and the Interim President of the university. Copies of this Biennial Review will be accessible in both the Student Affairs and Presidential offices, and is available for download through the Oregon Institute of Technology website, as well.

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## Acknowledgement

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- Joseph Maurer, Chair, Director of Campus Life
- Ron McCutcheon, Human Resources Director
- Adria Paschal, Executive Assistant to the President
- Diana Angeli, Executive Secretary for Finance and Administration
- Lori Harris, Senior Fiscal Manager
- Gaylyn Maurer, Director, Integrated Student Health, (2016-2017 Chair)
- Mandi Clark, Director of Housing and Residence Life
- Kelly Caleb, Athletic Representative
- (2017) - Iris Godwin, Technical Services Librarian
- (2016) - Jeff Pardy, Respiratory Care, HAS
- (2018) - Trevor Peterson, Humanities and Social Sciences, HAS
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- Student 3: Caleb Kaiser, Associated Students of Oregon Institute of Technology
- Student 4: Kelcey Stauffer, Associated Students of Oregon Institute of Technology

Additional information was gathered from the 2014-2015 Substance Abuse Commission, whose members included:

- Vacant, Chair, Director of Student Health
  - Ron McCutcheon, Human Resources Director
  - Adria Paschal, Executive Assistant to the President
  - Diana Angeli, Executive Secretary for Finance and Administration
  - Juanita Waites, Senior Counselor Psychologist
  - Mandi Clark, Director of Housing and Residence Life
  - Joseph Maurer, Director of Campus Life
  - Kelly Caleb, Athletic Representative
  - (2017) - Iris Godwin, Technical Services Librarian
  - (2016) - Jeff Pardy, Respiratory Care, HAS
  - (2016) - Claudia Devens, Dental Hygiene, HAS
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# REPORTING PERIOD HIGHLIGHTS

## Executive Summary

### CHANGES IN ADMINISTRATIVE STRUCTURE

Historically, the Oregon University System (OUS) generated a collaborative Biennial Review every two years in order to maintain compliance with the Drug-Free Schools and Communities Act (DFSCA) and Part 86 of the Department of Education's General Administrative Regulations. Each of the seven public universities that comprised the OUS system would conduct their own reviews, which would then be combined together into one system document by the Assistant Vice Chancellor for Student Success Initiatives. However, with the dissolution of the OUS, the Oregon Institute of Technology came under the governance of an independent Board of Trustees as of July 1, 2015. As a result, the sole responsibility of creating and maintaining a campus-specific Biennial Review now falls to each institution itself, without the support of the larger system. This Review represents the first reporting under the guidance of the new Board.

Additionally, at the time of this writing, the Oregon Institute of Technology (Oregon Tech) is experiencing significant leadership changes, as the roles of President, Provost, and Human Resources Director are currently vacant, with active searches underway. The incoming executive leadership team may bring differing perspectives with regards to substance abuse prevention, policy content, as well as distribution procedures. Thus, the landscape may change across the upcoming reporting period.

### INCREASED ASSESSMENT

In recognition that best practices in drug and alcohol abuse prevention programs (DAAPPs) require data to establish baseline trends and to monitor progress over time, Oregon Tech has renewed its commitment to the use of assessment at both individual programming and campus-wide levels. Initial results from this reporting period will be presented in this Review, as well as the assessment plan to be implemented in the coming year.

### RESEARCH-BASED PROGRAMMING

Further, in order to strengthen substance abuse efforts on the Oregon Tech campus, several research-based programs were implementing during this reporting period, including the nationally recognized Choose Well program (for the campus as a whole) and the NAIA recommended MyPlaybook for student athletes. Future efforts will also incorporate the IMAGE alcohol prevention program, which has been designated as a Department of Education Model Program upon two occasions.

# DRUG & ALCOHOL PREVENTION PROGRAM ELEMENTS

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# DRUG & ALCOHOL PREVENTION PROGRAM ELEMENTS

## Environmental Management Approach

In recognition that “holding college students solely responsible for underage drinking is like holding fish responsible for dying in a polluted stream” (Higher Education Center for Alcohol and Other Drug Prevention, 1998), Oregon Tech has implemented an environmental prevention approach as suggested by best practice research. Although seminal in nature (having been developed in the early 2000’s), the environmental model has been consistently confirmed by research as having an impact upon college student substance abuse. The National Institute of Alcohol Abuse and Alcoholism recently (September 2015) encouraged institutions of higher education to include a combination of both environmental and individual strategies in their DAAPPs. Environmental aspects of the Oregon Tech DAAPP include supporting alcohol-free options, creating a normative environment, limiting alcohol availability, reducing the marketing and promotion of alcohol, and developing and enforcing institutional policies.

### ALCOHOL-FREE OPTIONS

In order to encourage students to engage in healthy behaviors, Oregon Tech places a priority upon offering alcohol-free options for activities. Specifically:

#### Alcohol-free Events are Created and Promoted

The Campus Life Department, within the Division of Student Affairs, spearheads the event planning and implementation of activities for the campus community. The vast majority of events sponsored by Campus Life are alcohol-free. For instance, out of the 17 events organized by the Campus Activities Board during the 2015-2016 academic year, only one included alcohol. Thus, alcohol-free events such as Tie Dye, Pumpkin Carving, Family Weekend, Ping Pong Tournament, “Owl Nighter” Study Night, Mega Blasters, Spirit Week, Craft Night, Hypnotists and Magicians, Battle of the Bands, Bubble Balls, Black Out Party, and the “Pajamin’ Breakfast” during Finals provided options for students to engage in fun, social activities without alcohol. In fact, the one event in which alcohol is available (the Annual Music Garden) is the exception, as all other Campus Life-sponsored events are alcohol-free. New Student Orientation, which is the freshman introduction to life on campus and Oregon Tech as a whole, is completely alcohol-free; in fact, included in the schedule are multiple informational sessions regarding substance abuse and sexual assault.

Additionally, Campus Life staff work with student club, organization, and program advisors in terms of planning student-driven events, which are (for the most part) alcohol-free. The Outdoor Program, for instance, plans outdoor activities for each week during the quarter (ranging from a bicycle tour of the Farmer’s Market to skydiving). All

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of these are offered at minimal or no cost, and do not involve alcohol. The Women's Resource Center, Student Veteran's Program, and the Diversity Center offer alcohol-free programming throughout the year, as well. Student organizations can request permission to host events on campus with alcohol (see "Policy Development" below), however these occasions are also minimal, total 2 per academic year at the most. At these events, the campus dining service, Sodexo, is responsible for beverage service and are very diligent about checking identification and limiting beverages as per the policy and Oregon state law. Each of their servers have completed server training and are aware of the potential liability/risk of losing their alcohol license should there be a violation.

Finally, the Residence Hall Association (RHA) offers alcohol-free activities throughout each term to encourage the residential students to interact while engaging in healthy behaviors.

Student service learning/volunteer opportunities are created, publicized, and promoted  
Campus Life also houses the Volunteer Owls (V-OWLS) program, which provides the opportunity for Oregon Tech students to participate in volunteering once a month both on campus and in the larger community. Opportunities for students during the 2015-2016 academic year included:

- Operation Christmas Child (packing care boxes for underprivileged children)
- Merrill Christmas Bazaar (kids craft table, silent auction, Santa photo booth)
- YMCA's after school program
- Food Bank/Drive (built structure with donated cans)
- Ross Ragland Theater (benefitting youth theater programs)
- Spring Break Service Trip (to San Francisco)
- Mentor Oregon (serving local veterans)
- Campus Beautification Day

Additionally, Campus Life provides an on-line database of contacts for local community organizations who have on-going projects and so are frequently in need of volunteers (including Citizens for Safe Schools, Citizen Review Board (foster care review), Department of Human Services, Junior Achievement, Klamath Animal Shelter, Klamath Fire District, Klamath Falls City Parks, Klamath Family Head Start, Mazama High School ASPIRE program, Relay for Life of Klamath County, OSU Research and Extension Center, Ross Ragland Theater, Shasta View Retirement Community, SMART Reading Program, YMCA, and PublicHealth.org). Further, students are also encouraged to volunteer at campus-wide events such as New Student Orientation, the Haunted House, and Family Weekend.

# DRUG & ALCOHOL PREVENTION PROGRAM ELEMENTS

Finally, Campus Life partners with Career Services and ASOIT (Student Government) to enhance campus job fairs in the Fall and Spring terms with options for volunteer opportunities, as well.

## Community service work is required as part of the academic curriculum

Many courses include a service learning component in their curriculum, particularly the Applied Psychology and Communication departments. Several of the Medical Imaging Technology programs participate in the “Adopt a Highway” program through the Oregon Department of Transportation. Further, many student organizations have a volunteer requirement in order to stay in good standing in the organization.

## The campus offers a student center, recreation center, coffeehouse, or other alcohol-free settings

Oregon Tech campus includes the College Union, which provides alcohol-free “drop-in” activities such as ping-pong, shuffle-board, and foosball until 10pm each night. Although plans are being currently explored with regards to building a stand-alone recreation center, the campus currently has aerobic and weight-lifting areas in the Athletic building that are open to all students. Alcohol-free meeting and lounge spaces are available in the following locations across campus: the library, the Student Success Center, the College Union, and in all academic buildings. As alcohol is not permitted in public places on campus (with the exceptions described in the “Policy Development” section below), the campus as a whole is an alcohol-free setting. Dutch Brothers, a local drive-through coffee establishment, is located less than half a mile from campus, and has extended hours.

## Non-alcoholic beverages are promoted at events

As the majority of events on campus are alcohol-free, non-alcoholic beverages are primarily what is available to students. Alcohol is not sold on campus in any of the dining services or convenience store areas.

## **NORMATIVE ENVIRONMENT**

Campuses in which the focus remains academics rather than upon alcohol and other drug use have demonstrated reduced rates in terms of substance abuse (NIAAA, 2015). Oregon Tech places a priority upon academic success and sustains that emphasis in the following ways:

## The academic schedule offers core courses on Thursdays and Fridays

Courses at Oregon Tech tend to either be scheduled on Tuesday/Thursdays or Monday/Wednesday/Fridays. Given the hands-on approach, most courses have

## DRUG & ALCOHOL PREVENTION PROGRAM ELEMENTS

corresponding labs, which are frequently scheduled into the early evening several days a week.

### Exams/projects increasingly require class attendance and academic responsibility

Oregon Tech is known for its challenging curricula, across all majors, and courses tend to build in difficulty both across each term and into the students' Senior years. Many courses include group projects, which culminate in presentations/demonstrations towards the end of the term. Being on the quarter system (with only 10 weeks per term), students frequently have exams as early as Week 2. The fast-paced nature of the curriculum, as well as the extensive emphasis on math across all areas of study, require an academic focus of students. This challenge is magnified by Oregon Tech's inverted curriculum, meaning that students take courses in their major beginning with their first term on campus. Students who are unsure of their majors or who struggle with basic skills tend to fall behind quickly, and tend to find it difficult to "catch up". The same is true of students who choose to abuse alcohol or other drugs; it is very difficult to maintain a 2.0 GPA (required in order to maintain good academic standing) with such a complex curriculum when compounding it with substance abuse.

### Substance-free residence options are available

As detailed in the "Policy Development" section below, all spaces (including lounges and group spaces) in both the residence hall and on-campus apartments are alcohol-free by default. A student who is 21 years or older can possess alcohol in his/her room, but only if all others who reside in that space are also aged 21 and older.

### The campus encourages an increase in academic standards

Several of the academic programs on campus require application by students, separate from admission to the university. These programs are particularly difficult to gain admission into, and students often apply multiple times before gaining admittance. Such programs include all of the Medical Imaging Technology departments (including Diagnostic Medical Sonography, Radiologic Science, Nuclear Medicine Technology, Vascular Technology, and Echocardiography); several of these programs accept less than 10% of applicants each year. Other programs with competitive admissions include: Dental Hygiene, OSU Nursing, Medical Laboratory Science, and Respiratory Care. Many students who are preparing to apply for these programs enroll in "Pre" programs (i.e. Pre-MIT, Pre-Dental Hygiene, and so on) at Oregon Tech in order to complete the prerequisites on site, which are quite challenging in and of themselves.

Further, again due to the applied nature of Oregon Tech's curriculum, the majority of academic departments require their students to complete a Junior and Senior project or

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an extended externship. These year-long externships provide the students with an enhanced opportunity to receive “hands-on” training in the field, but place additional expectations upon students once they complete their coursework. Given the rigors of both (project or externship), most students during their last two years are required to focus primarily upon academics in order to be successful.

### Faculty are encouraged to engage in a higher level of contact with students

Given the size of Oregon Tech, faculty are better able to interact with their students in a more personalized way than might be possible at larger institutions. The total enrollment of 4,800 coupled with an intimate campus environment results in a student-to-faculty ratio of 20 to 1. Additionally, faculty serve multiple roles on campus, thereby increasing their involvement with students. For instance, each faculty member is assigned a case load of students in their major to whom they act as academic advisors. Further, many faculty choose to serve as advisors for student clubs and organizations, both social and academic in nature. As a result of these enhanced relationships between the faculty and the student body, referrals to campus resources by professors occur frequently, as they often are “in touch” with students’ needs.

### Students have opportunities to advise and mentor peers

Oregon Tech readily recognizes that students tend to respond better to their peers than to other sources of support or information. As such, there are multiple ways in which students can help one another on campus. For instance, the Peer Consulting Center (i.e. tutoring center) is staffed only by students who have actually taken the classes that they tutor. These paid positions offer the opportunity for students who excel academically to mentor their peers who may be struggling. Additionally, leadership opportunities are promoted across campus, including paid positions (such as Resident Assistants, ASOIT – Student Government, or the Student Auxiliary Safety Patrol, which supports Campus Safety) or volunteer (such as the Student Health Advisory Committee or the College Union Advisory Board). Further, Campus Life offers a Leadership Academy in which students can gain training and experience in learning leadership skills. These students are encouraged, as part of the more advanced curriculum, to mentor their peers in a variety of areas. Finally, the Student Programs are staffed by paid student leaders, and include the Diversity Center, Women’s Resource Center, the Outdoor Program, the Student Veteran’s Program, KTEK (the campus radio station), Residence Hall Association, The Edge (student newspaper) and OTB (the digit media program for campus). Each of these programs are student-led and student-driven, and allow students to take a leadership role on campus by mentoring their peers and meeting the needs of specific campus constituencies.

## DRUG & ALCOHOL PREVENTION PROGRAM ELEMENTS

One of the Substance Abuse Commission subcommittees during this reporting period focused upon possibility of creating a peer education group on campus in order to strengthen substance abuse prevention efforts. The subcommittee reviewed the structure from another university (University of Houston) in which students enrolled in a credit-bearing course and were trained in peer education, health promotion topics, and programming skills. These students were required to volunteer at health promotion events throughout the term, and then planned one larger-scale event on their own. It was suggested that the Applied Psychology Department might be willing to house the course, with the Director of ISHC serving as instructor. Such a course could nestle nicely within the newly revised General Education structure, and provide a variety of students from all majors the opportunity to meet the practical application requirements of the new structure.

Follow-up conversations with the Applied Psychology Chair, however, were not promising. She expressed concern that such a course could possibly lower enrollment in other Psychology courses and that one of her faculty members has an interest in Health Promotion and may want to pursue something of this nature in the future. (Note: There has since been a course created in which Psychology is partnering with a retention effort, The Rock, and there have been preliminary discussions about including a health promotion/peer education component in this, as well).

### Pro-health messages are publicized through campus and community media channels

Positive messages are offered on campus in a variety of ways, including Public Service Announcements through KTEK (the campus radio station) and the Red Flag Campaign (which targets sexual misconduct and other Title IX violations, but includes a substance abuse component, as well). However, the primary mechanism for pro-health messaging across campus is spear-headed by the Integrated Student Health Center (ISHC), and is known as “Choose Well”. This campaign is a research-based, nationally recognized health promotion program which is designed to encourage students to make healthier choices about their well-being (NASPA has recognized Choose Well as a Silver award winning Health Promotion program). Choose Well takes a two-pronged approach to encourage healthy decisions by 1) promoting a global list of general wellness-related behaviors utilizing promotional item distribution, and 2) focusing on topical behaviors at targeted campus-wide wellness programming events (read more about this aspect under “Individual Approaches” below).



# DRUG & ALCOHOL PREVENTION PROGRAM ELEMENTS

## General Choose Well Messaging

The general Choose Well component began with the creation of a graphic consisting of abbreviated phrases such as *Balance*, *Ask for help*, *Take the stairs*, and *Limit alcohol* intertwined horizontally and vertically into a block of text (see below).



In order to gain the most exposure and provide a consistent mechanism for promotional item distribution, ISHC designed a 10 foot by 10 foot customized vinyl tent that bears the block graphic on the back panel and Choose Well logo on all 4 canopies. By pitching the tent at a variety of locations and events across campus, which draws instant attention due to its size, students became more familiar with the Choose Well branding and message.

In terms of promotional item selection, a range of wellness-related items were explored, but ISHC made it a priority to select items that directly related to the campus population and support healthy behaviors. For instance, given the campus culture of being environmentally-minded the primary Choose Well promotional item was an insulated lunch tote (to promote healthy snacking and preparing meals ahead of time while being a re-usable item). In response to data gathered by the ISHC, additional items which promote positive hygiene habits were distributed with the Choose Well logo (such as dental floss, tissue packets, nail files, toe-nail clippers and toothbrushes).

# DRUG & ALCOHOL PREVENTION PROGRAM ELEMENTS

## ALCOHOL AVAILABILITY

Whether alcohol is readily available to students can greatly impact their decisions about whether or not to engage in high-risk drinking behaviors, or even to drink at all (NIAAA, 2015). Oregon Tech students have limited access to alcohol for the following reasons:

### Alcohol is restricted on campus

As mentioned previously, alcohol is not sold at athletic events or within any of the retail venues on campus. Students can request to have alcohol at events on campus (see Appendix 1), but this rarely occurs. As detailed previously, if the request is approved, then the campus dining service (Sodexo) provides trained servers who monitor the amount each student consumes in order to enforce the 3 drink maximum.

### Alcohol use is prohibited in public places

Alcohol is not allowed in public places on campus, per campus policy (see Appendix 2). Although residents living on campus who are 21 and older are allowed to have alcohol in their rooms (if all other residents in the space are 21 and older), they are not permitted to have the alcohol in public places (such as the residence hall common rooms or meeting spaces).

### The number and concentration of alcohol outlets near campus is minimal

Being located in a rural setting, the concentration of alcohol outlets is limited. According to Google Maps, the closest pub (Klamath Basic Brewhouse) is 3 miles away, as is the closest liquor store (Klamath Falls Liquor Store). The next closest liquor store is downtown, which is 5 miles away from campus (Eastside Liquor Store). In terms of grocery stores (which carry wine and beer), Sherm's Thunderbird and Fred Meyers are 4 miles, while Walmart and Albertson's are 6 miles. Applebee's (which stocks a full bar) is within walking distance at .5 miles from campus, while other eating establishments that serve alcohol are further away (the next closest is 3 miles – Gino's). There are several establishments which sell alcohol downtown, which again, is 3 or more miles away. The closest gas stations (which sell beer) are Chevron (1.5 miles away, but is located across the highway) and Valero, which is .7 miles down the hill from campus.

### Keg registration is required

Per Oregon Revised Statute Chapter 471 Section 478, the Oregon Liquor Control Commission requires all kegs of alcohol to have an assigned identification which designates the seller and name of purchaser, purchaser's DMV license number, and the registration number of the vehicle with which the keg was transported (Oregon Legislature, 2016).



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## MARKETING AND PROMOTION OF ALCOHOL

One of the keys to establishing a healthy environment on college campuses involves limiting the marketing and promotion of alcohol to the campus community (U.S. Department of Education, 2007). There are restrictions upon such marketing at Oregon Tech, including:

### Alcohol advertising on campus/content of party or event announcement is banned or limited

Per Oregon Tech policy, no one in the campus community is allowed to advertise alcohol, and no sponsorship from alcohol companies has occurred since 2014 (see below). Even if students request permission to have alcohol at an on-campus event, they are not allowed to “promote or describe (text or graphics) the availability of alcoholic beverages nor promote the consumption of alcohol by minors” (see Appendix 2 for the full policy). Campus announcements are moderated by the respective offices who serve as gatekeepers (Human Resources for faculty/staff and the Dean of Students office for students), and they do not distribute messaging which contains alcohol promotion. Further the Oregon Tech App is moderated by Dean of Students office, and no alcohol-related information is allowed to be posted.

### Alcohol-industry sponsorship for on-campus events is banned or limited

As mentioned above, no alcohol-industry sponsorship for on-campus events has happened in the past two years. According to the media specialist for Athletics, the alcohol industry was allowed to advertise on campus previously, primarily with responsible drinking messaging. However, two years ago, the industry withdrew its sponsorship because no alcohol is sold on campus, and Athletics has no plans to initiate that relationship again. There are currently no policies which address this issue in place.

## POLICY DEVELOPMENT AND ENFORCEMENT

Research has demonstrated repeatedly that the establishment of policies to address substance abuse, and the consistent enforcement of those policies can lead to reductions in the abuse of alcohol and other drugs (NIAAA, 2015). While a larger discussion of Oregon Tech substance abuse policies can be found in the subsequent section entitled “Substance Abuse Policies”, the following highlights relevant policy issues:

### On-campus functions must be registered

As mentioned previously, any event at which alcohol will be served must be requested in advance and approved by the Vice President for Finance and Administration and Vice President for Student Affairs. Generally, student groups who are planning an on-campus

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event (with alcohol or not), must submit an Event Approval Form to the Campus Life department, which also requires the signatures of the club advisor, Associate Director of Campus Life, and the Vice President of Student Affairs. As such, the university is aware of all student-led events. Non-Oregon Tech entities are allowed to host events on campus, but must complete paperwork through the Information Center at the College Union, and they are bound by the same policies with regards to alcohol as members of the campus community (see Appendix 1).

### ID checks at on-campus functions are enforced

If an event occurs on campus in which alcohol is present, the campus dining service, Sodexo, provides servers who comply with all state, local, and university policies with regards to serving alcohol. Identification is checked and participants who are 21 and older are marked in some way (typically a wrist bracelet) to deter underage drinking.

### Patrols observe on-campus parties (and events)

Campus Safety officers patrol campus 24 hours a day, seven days a week, and their department is notified when an event will occur in which alcohol will be present. As such, they will patrol the event, double-checking to make sure that campus policy and alcohol-related laws are being followed. With regards to the Campus Activity Board's Music Festival, additional Campus Safety officers were employed to remain on site during the entirety of the event, with specific locations posted near the "Beer Garden". Additionally, SASP (student employees who assist the Campus Safety department) was on hand to add another layer of security to the event.

### Marijuana policy developed and enforced

With the passing of Measure 91 and its launch as of July 1, 2015, Oregon citizens became allowed to possess limited amounts of marijuana if they are aged 21 and older (Oregon Legislature, 2015). However, as Oregon Tech continues to receive federal funding and it remains illegal to possess and use marijuana in terms of national law, Oregon Tech enhanced and clarified its marijuana policies as of Summer 2015. Specifically, it continues to be prohibited for students (even those aged 21 and older) to be in the possess of or under the influence of marijuana on campus (see Appendix 3 for the full policy). In order to increase awareness of the zero-tolerance policy, the Substance Abuse Commission initiated a marketing campaign in 2015 which emphasized that marijuana is not allowed on campus, despite the new law. Specifically, the "This pot is allowed on campus...this pot is not" campaign, which provided examples of types of "pots" which were allowed (such as flower pots, cooking pots, coffee pots, chicken pot pie) as compared with images of marijuana. Additionally, an informative poster was created with

# DRUG & ALCOHOL PREVENTION PROGRAM ELEMENTS

details about the policy, and an e-mail was sent directly to students from the Vice President of Student Affairs with a series of Frequently Asked Questions about the policy.

Dram shop laws that apply legal action for serving intoxicated drinkers or minors are established.

According to the Oregon Revised Statute Chapter 471, Section 410 (Oregon Legislature, 2016), it is illegal in Oregon to provide alcoholic beverages to anyone who is under 21 years of age, or to an intoxicated person. Criminal penalties are clearly outlined for both violations. Additionally, the Klamath Falls City Code (City of Klamath Falls, 2015), specifically prohibits the providing of alcohol to minors (Chapter 5, Section 402).

## Individual Approaches

As is consistent with the most recent best practices research (National Institute on Alcohol Abuse and Alcoholism, 2015), Oregon Tech has also included individual approaches in its DAAPP in order to target high-risk student populations. The two most widely implemented prevention programs during this reporting period would qualify as having “Higher Effectiveness” according to the NIAAA Alcohol Intervention Matrix; meaning, that 75% or more of studies which investigated these types of interventions found them to have a positive impact (NIAAA, 2015). Specifically, Oregon Tech implemented a skills-training program which included intention-setting (Choose Well), and an on-line education program specific to student athletes (MyPlaybook). Further, the counseling staff at the Integrated Student Health Center employed brief motivational interviewing when working with substance abusing students (a strategy deemed to be have “Moderate Effectiveness” by NIAAA, as between 50% and 74% of studies researching this technique showed positive impact upon college student substance use; NIAAA, 2015).

### CHOOSE WELL PROGRAM

Choose Well is founded upon the Theory of Reasoned Action, which indicates that students who make a statement of intention to engage in a behavior are far more likely to follow through with doing so than students who do not make such statements (Ajzen & Fishbein, 1980). This Theory of Reasoned Action has been demonstrated to hold true across a range of behaviors, as well as with college students in particular (Jung & Heald, 2009; Nehl et al., 2009). As such, by encouraging students to select one Choose Well Behavior that they will incorporate, and having them indicate the extent of their intention to do so, the Choose Well program garners statements of intent. Thus, not only does Choose Well promote student learning focused on a variety of wellness topics, it

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goes a step further and seeks to impact behavior through such statements, given the link between intention and behavior.

Specifically, at each Choose Well event, students are encouraged to select one healthy behavior related to the event topic to implement into their lifestyle. Foam board posters have been created specifics to each topic (see example below), which provide healthy behaviors from which students can choose. Students are contacted one month later to determine the extent to which they followed through upon that intention.



According to research, then, students who select a behavior to implement and indicate a higher likelihood that they will do so are more likely to actually follow through than students who express moderate to low likelihood of follow-through.

### MYPLAYBOOK FOR ATHLETES

As the NCAA has now required that collegiate athletes participate in alcohol and other drug education annually, Oregon Tech reviewed a variety of programs and selected MyPlaybook to implement during the 2015-2016 academic year. MyPlaybook is an interactive web-based program, described as an “evidence-based tutorial designed to prevent alcohol and other drug-related harm among college student-athletes” (Drug Free Sport, 2009). There are 6 modules which include: NCAA banned substances and drug testing, alcohol, marijuana, performance enhancing drugs/dietary supplements, tobacco, and prescription/over-the-counter drugs.

## DRUG & ALCOHOL PREVENTION PROGRAM ELEMENTS

Oregon Tech athletics required all student athletes to complete the MyPlaybook program during the 2015-2016 academic year.

### BRIEF MOTIVATIONAL INTERVENTION

The counselors at the Integrated Student Health Center (ISHC) regularly utilize brief motivational interviewing techniques with individual students who struggle with alcohol or other drug use. However, there is no formalized program, such as BASICS, currently employed.

# SUBSTANCE USE POLICY

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# SUBSTANCE USE POLICY

## Policy Excerpts

Oregon Tech has established campus policies with regards to alcohol and other drugs, which include the following components. Identified with each excerpt below is the appendix number of this report in which each policy is provided in its entirety; selections are presented here for the reader's convenience to highlight relevant sections, but do not contain the full policy content. Also, the population to which each policy is targeted and a brief summary are provided for each excerpt.

### PROHIBITIVE STANDARDS OF CONDUCT

Oregon Tech has multiple policies which specifically prohibit the unlawful possession, use, or distribution of illicit drugs and alcohol.

- **30-031 Section IIA** ("Possession and Consumption of Alcoholic Beverages Policy")- Specific to: All students and employees. Summary: prohibits the sale of alcohol, providing alcohol to minors, or possessing on campus; also prohibits consuming alcohol if it results in adverse effects or violates laws; prohibits alcohol at athletic events. Full policy: Appendix 2.

#### *A. OREGON TECH Prohibits:*

- 1. The illegal or unauthorized possession, consumption, or sale of alcoholic beverages, or the furnishing or possession of alcoholic beverages to persons under the age of 21 years on property owned or controlled by the college or as part of any OREGON TECH event, or possession and consumption of alcoholic beverages in unauthorized areas by those over 21 (OAR 578-033-0220, subsection 18).*
- 2. The consumption of alcoholic beverages by all College students and employees so as to 1) adversely affect academic or job performance, 2) endanger the physical well-being of other/one, and/or 3) leads to damage of property.*
- 3. The possession, sale, distribution, promotion or consumption of an alcoholic beverage in a manner that constitutes a violation of federal, state or local laws, including the sale, directly or indirectly, of any alcoholic beverages at a premise or by an entity not licensed for such sales on OREGON TECH property or as part of any OREGON TECH event. No State funds (including College and student fees) may be used to purchase alcohol.*

# SUBSTANCE USE POLICY

4. *Alcoholic beverages are not allowed on campus for athletic contests or events unless authorized by the President.*
- **30-033 Section I** (“Controlled Substance Policy”)– Specific to: All students and employees. Summary: prohibits use of, possession, and sale of illicit drugs. Full content: Appendix 4.
    - A. *Controlled substances include (but are not limited to) prescription medications and illegal drugs such as cocaine, marijuana, PCP, psilocybin, LSD, peyote, heroin, amphetamine, methamphetamine, mescaline, opium and its derivatives, and “designer” drugs.*
    - B. *Consistent with State and Federal Law, OREGON TECH will maintain a workplace and educational environment free from the unlawful manufacture, distribution, dispensation, sale, exchange, possession, or use of controlled substances and illicit drugs.*
    - C. *Controlled substances and illicit drugs are prohibited on any OREGON TECH property and at any site where individuals on behalf of OREGON TECH perform work. Prescription medications (appropriately prescribed for and used by the patient according to the prescription) are exempted from this prohibition.*
  - **30-034** (“Drug-free Campus Policy”) – Specific to: All students and employees. Summary: Establishes a drug-free campus (note: dated 8/15, after the Oregon marijuana legalization law went into effect). Full content: Appendix 3.

*In accordance with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act of 1989, Oregon Tech prohibits:*

    - a. *The unlawful manufacture, distribution, dispensing, possession or use of controlled substances by college employees, students, or other members of the Oregon Tech community on college premises or as part of any college activity.*
    - b. *The illegal or unauthorized possession, consumption or sale of alcoholic beverages, or the furnishing of alcoholic beverages to persons under twenty-one (21) years of age on college property or at college-sponsored activities, or possession and consumption of alcoholic beverages in unauthorized areas by those over twenty-one.*



# SUBSTANCE USE POLICY

- c. Marijuana possession (in any form) and consumption, including but not limited to smoking, eating, or oils, is prohibited by federal law. Although Oregon has legalized marijuana for medicinal use and recreational use (for individuals 21 years of age or older), it is prohibited on the Oregon Tech campus because as a recipient of federal funds, the University is required to comply with federal law.*
- d. The illegal or unauthorized possession, consumption or sale of marijuana, or the furnishing of marijuana in any form to persons under twenty-one (21) years of age on college property or at college-sponsored activities, or possession and consumption of marijuana in unauthorized areas by those over twenty-one.)*
- **30-035 (“Smoke and Tobacco Free Campus”)**– Specific to: All students and employees. Summary: declares Oregon Tech to be smoke and tobacco-free. Full content: Appendix: 5.

*Oregon Tech adopts the following policy that students, staff, faculty, visitors, and all others affiliated with Oregon Tech are entitled to and will be provided a tobacco-free environment to study, work, teach, and otherwise participate in University activities.*

- a. Effective Fall Term 2013, all campuses associated with Oregon Tech including the Klamath Falls campus and the Wilsonville campus, will become Tobacco-Free. This means that use of any type of tobacco is prohibited.*
- **Student Code of Conduct, Section III, Chapters 5, 14, 15, and 16.** Specific to: Students. Summary: Prohibits, tobacco, drug, marijuana (specifically), and alcohol use. Full content: Appendix 6.
- 5. Use of Tobacco: The use of tobacco in any form in University classrooms, laboratories, libraries, field houses and other areas on campus except where explicitly authorized, consistent with Policy and Procedures (policy OIT-30-035).*
- 14. Drug Policy: Illegal use, possession, sale, distribution, cultivation or manufacture of any state or federally controlled drug, substance or paraphernalia is prohibited. Drugs include but not limited to narcotics, methamphetamines, marijuana (see point 15), cocaine, opiates, LSD, mushrooms, heroin, designer drugs such as Ecstasy and GHB. Use, abuse, or*

# SUBSTANCE USE POLICY

*possession of prescription drugs other than for the person prescribed, or for use other than the prescribed purposes, is prohibited. Inhaling or ingesting any substances (e.g., nitrous oxide, glue, paint, etc.) that will alter a student's mental state is also prohibited.*

*15. Marijuana: Possession (in any form) and consumption, including but not limited to smoking, eating, or oils, is prohibited by federal law. Although Oregon has legalized marijuana for medicinal use and recreational use (for individuals 21 years of age or older), it is prohibited on the Oregon Tech campus because marijuana is not legal under federal law and the University is required to comply with federal law. Possession/consumption by individuals under 21 will be subject to the campus conduct process as well as law enforcement actions; violations by individuals over 21 will be subject to the campus conduct process.*

*16. Alcohol Policy: Consumption, possession, distribution, sale and the serving of alcoholic beverages on university premises (including residence halls) or at university-sponsored activities regardless of age, except as expressly permitted by University policy is prohibited. Public intoxication, driving under the influence of alcohol, actual physical control of a vehicle while under the influence of alcohol, providing alcohol to minors, permitting any individual under 21 years of age to possess or consume alcohol, transporting an open container of alcohol, driving while impaired, incapacitation, possession or use of a fake ID, or being underage in possession of alcohol on or off campus are also violations of this policy.*

## DESCRIPTION OF HEALTH RISKS

Oregon Tech has provided detailed potential health risks for specific controlled substances and alcohol within the "Controlled Substance Policy" (30-33). This was updated during this reporting period, as the previous information was based on a 1986 source; when the official policy is updated with the new information, it will be included in the next Biennial Review.

- **30-033 Section III, Appendix** ("Controlled Substance Policy") - Specific to: All students and employees. Summary: Provides details regarding potential health risks for alcohol and other drug use. Full content: Appendix: 4.

# SUBSTANCE USE POLICY

*OREGON TECH supports and sponsors programs aimed at prevention of substance abuse by students and employees, which includes policy enforcement, education programs and treatment services. See Appendix A for possible health risks associated with controlled substances.*

## DESCRIPTION OF THE APPLICABLE LEGAL SANCTIONS

Oregon Tech policy provides information to the campus community regarding legal sanctions that can be imposed under Federal, state, and local laws and ordinances for unlawful possession or distribution of illicit drugs and alcohol. This was updated during this reporting period, as the previous information was outdated, and will be included in the next Biennial Review.

- **30-033 Section IIE** (“Controlled Substance Policy”) – Specific to: All students and employees. Summary: Provides legal sanctions which can occur as a result of controlled substance use. Full content: Appendix 4.

*A. All OREGON TECH students, faculty and staff are expected to comply with applicable local, state and federal laws regarding the possession, use, or sale of controlled substances, whether on or off-campus.*

*B. Any student, faculty or staff member who violates this policy or applicable law may be subject to disciplinary or conduct action consistent with provisions of state and federal laws; Oregon University System and campus administrative rules; and the OREGON TECH Student Conduct Code.*

*E. **State of Oregon** sanctions for students and employees: OREGON TECH students or employees who violate drug laws are subject to prosecution in the courts in addition to any action taken by the institution. Penalties for possession of illicit drugs are determined by the Controlled Substance Schedule upon which the drug appears. (note: specific schedules and their corresponding penalties are included in the full policy; see Appendix 4)*

## DESCRIPTION OF AVAILABLE TREATMENT RESOURCES

- **30-033 Section IV** (“Controlled Substance Policy”) – Specific to: All students and employees. Summary: Provides a list of both on-campus and off-campus resources.

# SUBSTANCE USE POLICY

Full content: Appendix 4 (see the Appendix to this policy to view the list of resources).

## DISCIPLINARY MEASURES FOR BOTH STUDENTS AND EMPLOYEES

Oregon Tech policies clearly state that the institution will impose disciplinary sanctions on students and employees for violations of the institution's codes of conduct and a description of those sanctions.

- **30-033 Section IIC & D** ("Controlled Substance Policy") – Specific to: All students and employees. Summary: Provides potential sanctions which can occur as a result of controlled substance use. Full content: Appendix 4.

*A. All OREGON TECH students, faculty and staff are expected to comply with applicable local, state and federal laws regarding the possession, use, or sale of controlled substances, whether on or off-campus.*

*C. Institutional sanctions for **students**: Disciplinary actions for students may range from warning to expulsion as provided by the OREGON TECH Student Handbook, and may include referral to the OREGON TECH Counseling Services or another agency for evaluation and/or treatment. Students receiving federal financial aid may lose the aid. Students may also be referred for prosecution by the legal system. The severity of the sanction will depend, in part, on whether this is a first incident or a repeat violation, the seriousness of the misconduct, and the student's attitude.*

*D. Institutional sanctions for **employees**: Disciplinary action for an employee may range from referral to an employee assistance program or drug treatment program through the Office of Human Resources, to termination from employment and/or referral for prosecution.*

It should also be noted that the Athletics Director has established a "Zero Tolerance" policy with regards to alcohol and other drug use while travelling. Additionally, several of the athletic coaches have developed specific policies for their teams which are above and beyond what is stated in the general Oregon Tech policies described here.

## Policy Distribution

# SUBSTANCE USE POLICY

## STUDENT DISTRIBUTION

Oregon Tech distributes these policies which relate to alcohol and other drug use in a variety of ways to the student body. Specifically:

- The Dean of Students sends an e-mail to all students at the beginning of the academic school year in regard to maintaining a drug-free educational environment. Included in this notification are a copy of the Oregon Tech Controlled Substance Policy (OREGON TECH-30-033), which includes a list of sanctions, and health risks associated with use or abuse of specific drugs (Appendix 4).
- The Director of Human Resources sends an e-mail to all students, faculty, and staff at the beginning of each term which outlines the Drug-free Campus policies (Appendix 7), and provides links to resources.
- The Student Code of Conduct is available to all students on the Oregon Tech webpage.
- The Registrar's Office distributes a message during the fifth week of fall term, after registration has closed. This e-mail to all students notifies them where they can find certain information, including drug and alcohol policies and sanctions. There is a direct link to the website information.
- New students are given the Oregon Tech Student Academic Planner, which includes policies regarding drug-free campus, marijuana possession and use, possession of alcoholic beverages, as well as the smoke and tobacco-free campus.
- Students at each Orientation (Fall, Winter, and Spring) are provided information about the student Code of Conduct as well as other substance use policies.
- Residence Life training for the Resident Assistant student leaders is implemented annually, during which substance abuse policies are reviewed.
- The New Student Orientation team (NSO team) and Associated Students of Oregon Institute of Technology (ASOIT) program leaders attend an annual training to help them understand policies and procedures.

## FACULTY AND STAFF DISTRIBUTION

Similarly, Oregon Tech distributes policies which relate to alcohol and other drug use in a variety of ways to the institution employees. Specifically,

- The Drug-free Campus Policy Notice (which overviews the policy, 30-034, Appendix 7) is issued each term via individual Oregon Tech e-mail to all faculty and staff.

## SUBSTANCE USE POLICY

- Notice of policies for faculty and staff and the web-based location of Oregon Tech's policies and information pages are presented during new employee orientation sessions, which are required of new faculty and staff, regardless of their start date.
- All substance abuse policies are included in the Adjunct Faculty handbook. Additionally, these policies are reviewed annually in the mandatory Advisor training, which all new faculty must attend.
- The Human Resources office maintains all institutional policies and procedures on the departmental webpage at <http://www.oit.edu/hr>.

EVALUATION

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# EVALUATION

## Impact of Environmental Management Approach

It can prove difficult to examine the impact of environmental strategies upon substance use on a college campus, particularly when baseline data is lacking. With no point of comparison, it can be challenging to determine whether any particular aspect of the DAAPP is helpful. In strengthening the assessment of the DAAPP in the coming reporting period, a more thorough evaluation of the environmental approach will be possible in the future. Specifically, the addition of a campus-wide survey (the National College Health Assessment) will provide baseline data with regards to substance use patterns and trends, as well as student perceptions regarding normative information and beliefs. Further, such an assessment will assist in determining to what extent environmental factors influence student behavior. In subsequent years, specific items will be added to the campus-wide assessment to better tease out the impact of specific environmental strategies.

That said, Oregon Tech has reviewed what data is currently available during this reporting period. For instance, the 2015 Department of Campus Safety's Annual Security Report (Appendix 8) documents 20 alcohol violations with 4 arrests for drug violations during the 2015 calendar year. This represents a marked increase in alcohol violations, up from 12 in 2014 but down from 27 in 2013. It is reflective of similar drug arrest rates, as compared to 4 in 2014 and 6 in 2013. This trend could be the result of more diligent enforcement and messaging regarding substance abuse on campus, but until baseline data is established (as indicated above) it is difficult to ascertain what prompted the downward trend.

## Impact of Individual Approaches

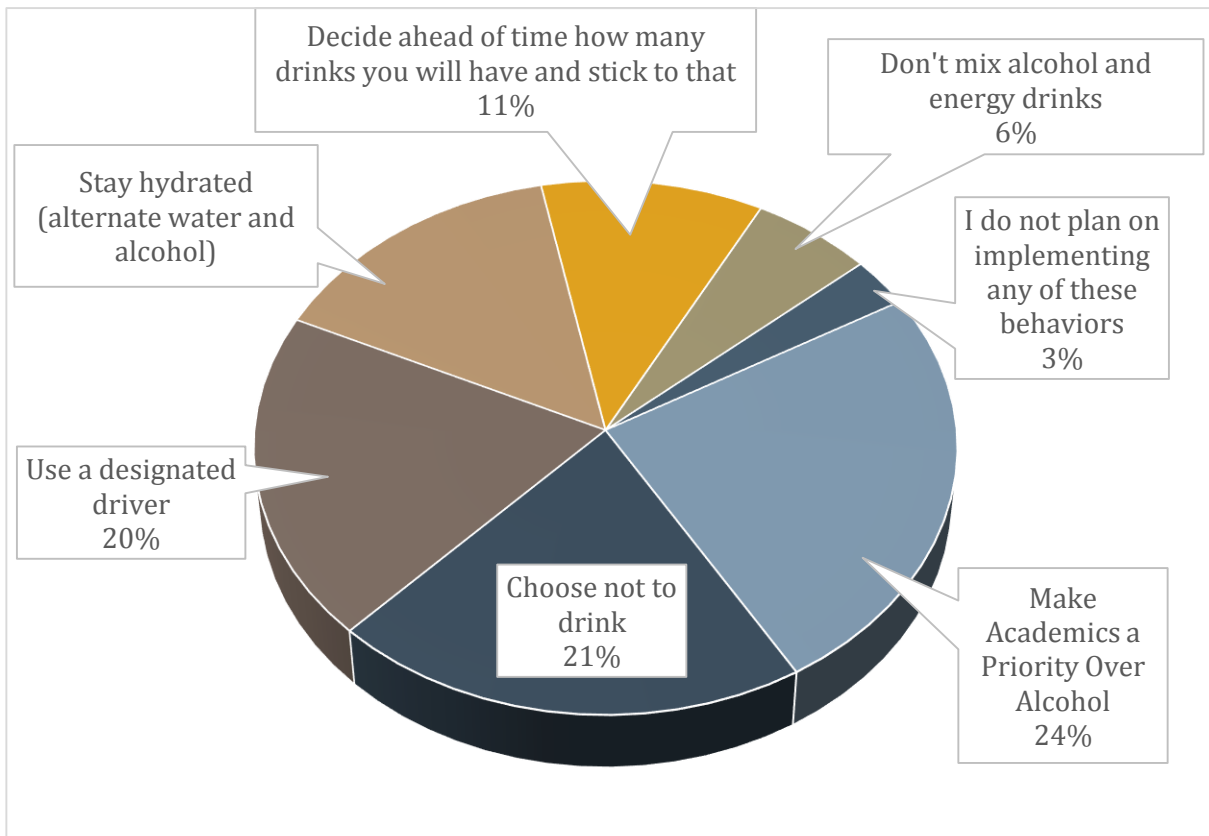
### CHOOSE WELL PROGRAM EVALUATION

A total of 73 surveys were completed at Choose Well alcohol-specific events during the 2015-2016 academic year. As described previously, students were encouraged to select one healthy alcohol-related behavior from a list that they planned on implementing into their lifestyles. Chart 1 summarizes the self-protective behaviors that students selected.



# EVALUATION

**Chart 1: Alcohol-Related Self-Protective Behaviors**

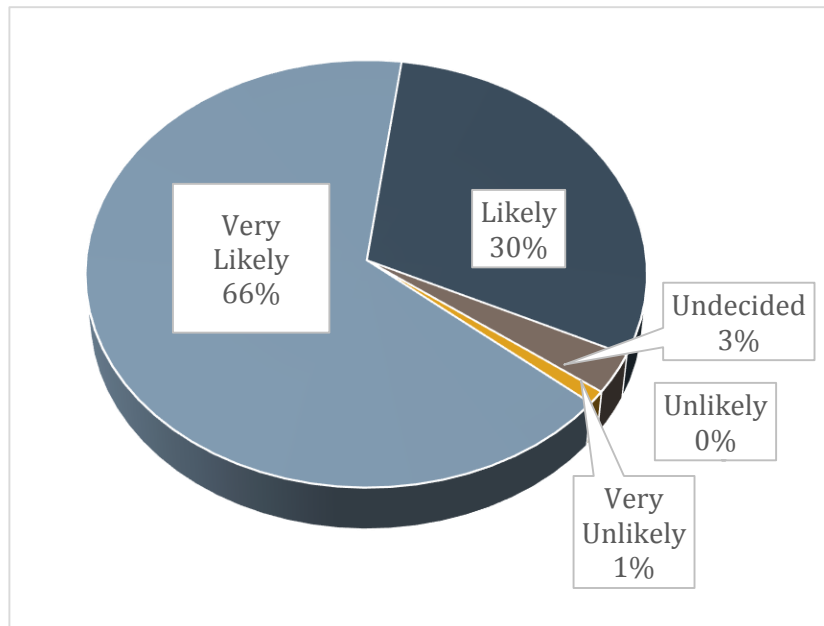


After selecting their chosen healthy behavior to implement, students were asked how difficult it would be for them to implement that behavior. Across all alcohol events, 87.3% of students rated the difficulty to be *Easy* or *Very Easy* (another 6% selected *Neutral* in terms of difficulty). Thus, the majority of students (93%) did not feel that implementing their selected behavior would be difficult, which could be an obstacle for implementation.

Students were also asked at Choose Well events to estimate how likely they were to actually implement their chosen healthy behavior; Chart 2 summarizes their estimated likelihood of follow-through. As can be seen, the majority of students across all alcohol events felt confident that they would follow-through with their selected behavior, with 96% of students indicating *Very Likely* to *Likely*.

# EVALUATION

Chart 2: Likelihood of Following Through with Behavior



As stated previously, research indicates that people who express a strong intention to do something are far more likely than those with weaker intentions. Thus, you would expect those 96% to actually implement their behavior to a greater degree than the 4% who reported being *Very Unlikely* or *Undecided* about doing so.

## Choose Well Follow-Up Results

In terms of follow-up, less than 10 students completed the surveys which were e-mailed approximately one month following the alcohol Choose Well events. Of those, 100% reported that they had had the opportunity to implement their chosen healthy behavior since the Choose Well event. All students who had had the opportunity to do so had implemented their behavior to one degree or another. The majority (80%) reported having engaged in their selected behavior *Very Much* while the remaining 20% indicated they had done so *A Good Deal*. Finally, the students who completed the follow-up surveys overwhelmingly reported that implementing their selected healthy behavior was beneficial. Over three-quarters (80%) of students who completed the follow-up survey reported that implementing their healthy behavior was *Very Beneficial* while an additional 20% indicated that it was *Beneficial*. Thus, not only did the students follow-through on their commitment to engage in a specific behavior as a result of attending the Choose Well events, they found those behaviors to be beneficial to them. Further, all students who completed the follow-up surveys (100%) indicated that they would engage in that healthy behavior “from this point forward”, and so the impact of the health promotion programming will continue to prompt behavior change in the future.

# EVALUATION

As this was the first year launching the Choose Well program, it is expected that participation will increase in the future. Across all Choose Well events for the academic year (including a range of health topics), a total of 1,871 students completed surveys (not mutually exclusive). Thus, as students become more familiar with the Choose Well campaign and it is offered with increased frequency, it is anticipated that more will participate.

## IMPLICATIONS

Generally, multivariate statistical analyses can be utilized to confirm that students who expressed a stronger intention at the event survey are statistically more likely than those students who express a weaker intention to actually follow-through with their behaviors. However, given that all students who responded to the follow-up survey had implemented their behavior, the analyses was not possible. It makes sense that students who had followed-through with implementing their behaviors would be those who would elect to complete a follow-up survey. However, should ISHC have received more follow-up surveys it is likely that there would have been a more balanced sample. The research was limited this year because students were given an option of electing to not be contacted for follow-up. In fact, of the 1,871 students who completed Choose Well event surveys (across all health topics), less than half (40%, 753 students) gave permission to be contacted for a follow-up. Of those, only 12% returned completed surveys. As a result, students will not be given the option to “opt out” of the follow-up in the coming reporting period (of course, they can choose not to complete the follow-up survey, but more students will receive it, expanding the response pool.) Additionally, students will be more aware that the follow-up survey will be sent, and will be more strongly encouraged to complete it (there is an incentive for completion – being entered into a drawing for \$50 towards their next bookstore purchase). This will expand the sample and will increase the amount of statistical analyses that can be utilized.

On the whole, however, the results indicate that the Choose Well health promotion events are not only increasing awareness of health and wellness, they are actually prompting behavior change among Oregon Tech students. Once the National College Health Assessment is administered, larger-scale analyses will be explored to determine whether increasing the number of healthy behaviors among students via the Choose Well events is having a larger impact upon the campus patterns as a whole.

# EVALUATION

## MYPLAYBOOK PROGRAM EVALUATION

In terms of participation in the MyPlaybook program, course completion varied by sport. Table 1 summarizes the percent of each team which completed any given course. It is important to note that student athletes were allowed to take the courses in whichever order they chose, so it is difficult to identify which courses each represent. Additionally, some teams (including Outdoor Track and Field – Men’s, Men’s Cross Country, and Women’s Soccer) had students who took up to 17 courses, many of which were optional. Most students took at least 5, as is represented by the chart below (with the exception of Indoor Track and Field).

**Table 1. Percent Completions for Courses by Sport  
(not mutually exclusive, as students completed more than one course)**

<b>SPORT</b>	<b>COURSE 1</b>	<b>COURSE 2</b>	<b>COURSE 3</b>	<b>COURSE 4</b>	<b>COURSE 5</b>
<b>Baseball</b>	69.8%	64.2%	67.9%	64.2%	60.4%
<b>Basketball – Men’s</b>	28.6%	14.3%	23.8%	19%	19.0%
<b>Basketball Women’s</b>	78.9%	31.6%	10.5%	21.1%	36.8%
<b>Cross Country – Men’s</b>	100%	88.2%	94.1%	100%	76.5%
<b>Cross Country – Women’s</b>	75%	66.7%	58.3%	66.7%	58.3%
<b>Golf – Men’s</b>	62.5%	62.5%	62.5%	56.3%	50%
<b>Golf – Women’s</b>	58.3%	66.7%	66.7%	50%	50%
<b>Indoor Track &amp; Field – Men’s</b>	0%	0%	0%	0%	0%
<b>Indoor Track &amp; Field – Women’s</b>	0%	0%	0%	0%	0%
<b>Outdoor Track &amp; Field – Men’s</b>	25.9%	18.5%	14.8%	18.5%	33.3%
<b>Outdoor Track &amp; Field – Women’s</b>	33.3%	23.8%	9.5%	14.3%	19%
<b>Soccer – Men’s</b>	54.1%	45.9%	37.8%	45.9%	35.1%
<b>Soccer – Women’s</b>	69.7%	63.6%	60.6%	63.6%	51.5%
<b>Softball</b>	62.5%	45.8%	41.7%	37.5%	29.2%
<b>Volleyball – Women’s</b>	90.9%	77.3%	72.7%	77.3%	59.1%

# EVALUATION

Course completion, however, is not necessarily indicative that learning occurred. As such, Table 2 represents the average scores for each team across the courses (based on a 100 possible points each).

**Table 2 Average Scores for Courses by Sport**  
(not mutually exclusive, as students completed more than one course)

SPORT	COURSE 1	COURSE 2	COURSE 3	COURSE 4	COURSE 5
<b>Baseball</b>	85.59	90.29	90.94	81.48	89.55
<b>Basketball – Men’s</b>	100	92.50	92.50	67.50	90
<b>Basketball Women’s</b>	95	100	95.71	86.67	95
<b>Cross Country – Men’s</b>	96.25	95.29	92.31	84	80.67
<b>Cross Country – Women’s</b>	93.75	85	91.43	86.67	93.00
<b>Golf – Men’s</b>	95.56	82.22	90	87.14	96
<b>Golf – Women’s</b>	85.71	93.33	96.67	70	100
<b>Indoor Track &amp; Field – Men’s</b>	-	-	-	-	-
<b>Indoor Track &amp; Field – Women’s</b>	-	-	-	-	-
<b>Outdoor Track &amp; Field – Men’s</b>	72.50	96.67	74.44	83.75	86.25
<b>Outdoor Track &amp; Field – Women’s</b>	96.67	96.67	90	90	92.50
<b>Soccer – Men’s</b>	90	85.88	91.43	91.33	90
<b>Soccer – Women’s</b>	86	93.81	94.12	82.50	91.11
<b>Softball</b>	95.56	92.50	70	86.25	84
<b>Volleyball – Women’s</b>	80	85	83.53	94.54	70.91

As can be seen, most the student athletes averaged fairly high in terms of course scoring. In future years, it might be helpful to have students take the same courses in the same order, in order to better compare how students do on any given course. It would also be helpful to increase monitoring or course completion, as it appears that very few sports were compliant with the 100% participation expectation.

# EVALUATION

## BRIEF MOTIVATIONAL INTERVENTION EVALUATION

Although it can be difficult to measure success in terms of clinical issues addressed within the counseling setting, relapse can be one indicator of progress with substance abusing clients. As such, in reviewing all of the students who participated in counseling at ISHC during the 2015-2016 academic year (232), 4% struggled with substance abuse. Of those students, 56% have registered for Fall 2016 and thus were retained to the following academic year. Additionally, close to two-thirds (63%) of those students reported being substance-free at their final session last year. Thus, the majority of students who were seen in counseling with substance abuse as their primary issue were doing well at the close of the year and plan on returning for the Fall term. Use of Brief Motivational techniques seems to have positively impacted these students.

## Drug & Alcohol Prevention Program Strengths

- Although Oregon Tech has not historically had a designated staff member for substance abuse prevention, this issue has been supported administratively by the university with the formation of the Substance Abuse Commission, a standing committee with appointments made annually by the President. When approached by the Commission Chair during this reporting period, the President agreed to allocated funds in support of the marijuana policy promotion. Having “top-down” support can often assist with moving programs forward and resolving obstacles to progress.
- Members of the campus community (certainly those on the Substance Abuse Commission, but not exclusively so) are invested in addressing alcohol and other drug use among students. Thus, there is wide-spread “buy in” from key constituents on campus.
- Research-based, theory-driven programming has been introduced into the DAAPP during this reporting period, with additional programming to come in the upcoming year.

## Drug & Alcohol Prevention Program Areas of Improvement

- Assessment and evaluation have not been a strength of Oregon Tech’s DAAPP in the past, but this has been improved during this reporting period.

## EVALUATION

- Student Code of Conduct violations for substance use have not historically had specific repercussions assigned to them, and are instead treated on a case-by-case basis.

# DRUG & ALCOHOL PREVENTION PROGRAM GOALS

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# DRUG AND ALCOHOL PREVENTION PROGRAM GOALS

## DAAPP Goals for 2014-2016

Stated goals from the 2012-2014 Biennial Review for this reporting period involved assisting the campus community in making healthy choices with regards to alcohol and other drugs, evaluating alcohol and other drug programs and policies, and exploring options for strengthening drug and alcohol prevention efforts on campus.

### ENCOURAGING HEALTHY CHOICES

In order to provide campus programs and policies which assist students, staff, and faculty in making healthy choices regarding substance use, the Substance Abuse Commission established the following objectives:

- 1) Distribute Oregon Tech's alcohol and drug policies to all staff, faculty and students.
- 2) Work with the campus community, especially those in Student Affairs, to educate students about making responsible choices in regard to alcohol and other drugs.
- 3) Strive to implement an effective system of early detection which will assist students, staff and faculty at risk for alcohol and other drugs in getting needed interventions and referrals promptly, minimizing disruption of their academic and work lives.

### EVALUATING DRUG & ALCOHOL PREVENTION PROGRAMS

This goal was originally added by the Substance Abuse Commission in response to a number of weaknesses identified in the prior reporting period. Specifically, the Commission noted that there were no specific, measureable objectives present in the Drug and Alcohol Prevention Program, and that there was no identifiable evaluation component provided in the action steps.

### STRENGTHENING DRUG & ALCOHOL PREVENTION PROGRAMS

The Substance Abuse Commission stated that they would begin to "address 'next steps' to develop a relevant alcohol prevention program for Oregon Tech students, staff and faculty, incorporating the latest, successful prevention approaches."

## Progress Towards 2014-2016 Goals

### ENCOURAGING HEALTHY CHOICES

- 1) Policy Distribution - The Oregon Tech distribution process for alcohol and other drug policies was summarized previously in the "Substance Abuse Policy" section of this Review. This process has been strengthened since the last reporting period, as there was some concern that students who enroll after the initial distribution

## DRUG AND ALCOHOL PREVENTION PROGRAM GOALS

and employees who are hired at different points throughout the year might not have access to the required information. All employees participate in a mandatory benefits meeting with Human Resources upon starting, in which the policy information and EAP referral options are reviewed, no matter when the start date. Additionally, students attending the Winter and Spring Orientation programs receive a planner which provides them with the policy information. Additionally, the Drug Policy Notice is e-mailed to all faculty, staff, and students each term. See the “Substance Abuse Policy” section for more detail.

- 2) Educate students about responsible choices –General efforts to educate students include Training - Training is provided to Residence Life staff on substance use and Oregon Tech policies by the Dean of Students, the Director of ISHC, and the Director of Residence Life. This training includes scenarios which focus on confronting specific types of incidents in which Residence Hall staff are given the opportunity to practice communication skills and learn interventions via role-playing. Additionally, the New Student Orientation team and Associated Students of Oregon Institute of Technology (ASOIT; student government) program leaders attend an annual training to help them understand policies and procedures.

However, research has documented for years that increasing awareness does not always lead to behavior change (U.S. Department of Education, 2007), and so simply educating students about making responsible choices is not a sufficient approach. As was suggested in the third goal from the 2012-2014 Biennial Review (described above, “Strengthening Drug and Alcohol Prevention Programs”), Oregon Tech has been working to expand the approach taken to encourage students to make healthy choices regarding substance abuse. Specifically, research-based programming has been introduced to the campus community, including the Choose Well campaign and MyPlaybook for student athletes. An additional alcohol-specific prevention program (IMAGE) will be launched during academic year 2016-2017 which will target higher-risk groups of students, such as the fraternity, first-year students, and student organizations. For a full description, see the “Recommendations” section.

- 3) Early detection – In terms of identifying students, faculty, and staff who may be struggling with substance abuse, a number of mechanisms are currently in place. Specifically:
  - Campus Safety is called when problems occur on campus that involve alcohol and/or drug violations, and the Dean of Students receives all Campus Safety reports documenting incidents.

## DRUG AND ALCOHOL PREVENTION PROGRAM GOALS

- Referrals are made to the Dean of Students for enforcement of the Student Conduct Code prohibitions against substance abuse (drugs/alcohol). The majority of reports involve students in campus housing and the professional staff address these violations through the housing conduct process. If a substance use violation occurs in a location other than campus housing, the Dean of Students addresses the violation through the Student Conduct Code process.
- The Student Support Team (SST) meets weekly, which is comprised of the Dean of Students, Director of Residential Life and Housing, the Director of the Integrated Student Health Center, the Director of Campus Safety, and the Director of the Student Success Center (who oversees student tutoring and the TRiO program). Students identified as having demonstrating high-risk behaviors, such as those involving alcohol and other drugs, are contacted and referred for help as needed.
- Faculty members often contact the Dean of Students or Counseling Services within ISHC to elicit help for a student of concern.
- Initial health histories are completed by all students taking 6 or more credits, and are submitted to ISHC upon admission to Oregon Tech. With advancements in technology within the electronic medical records system, drug and alcohol histories will now be searchable fields, and so students who are at-risk or are coming to campus with established substance abuse issues can be more readily identified and linked to available resources. Also, when those students utilize ISHC services, the medical staff review Health History information, and so would know to explore those issues further with those students, as well. Finally, alcohol and other drug screenings are available through ISHC and will be featured in more targeted outreach to the campus community in the coming reporting period.
- The campus community can contact Human Resources regarding any employee if they are concerned. The Director of Human Resources manages referrals from directors, department chairpersons, or others regarding a staff, faculty, or student worker who is a person of concern. Any management personnel who is concerned about a subordinate's behavior (i.e. frequent absences, emotional outbursts, changes in personality – whether or not they relate to substance use) can discuss these with Human Resources and receive support and guidance; the Human Resources staff

# DRUG AND ALCOHOL PREVENTION PROGRAM GOALS

can follow-up with the person of concern to provide resources, referrals, and assistance, as needed.

## EVALUATING DRUG AND ALCOHOL PROGRAMS

As it was noted in the previous reporting period that evaluation components of the Oregon Tech Drug and Alcohol Prevention were lacking, the evaluation plan has been strengthened. Specifically, data has been gathered from the Choose Well campaign as well as the MyPlaybook program, and plans are in place to conduct a campus-wide assessment in order to establish baseline data as well to launch the IMAGE program in 2016-2017. A thorough discussion of this reporting period's evaluation was described previously in the "Evaluation" section.

## STRENGTHENING DRUG & ALCOHOL PREVENTION PROGRAMS

As indicated previously, efforts have been made to expand the substance abuse prevention programming to date (including Choose Well and MyPlaybook). Additionally, Oregon Tech is planning to implement the IMAGE program during academic year 2016-2017. Research on IMAGE program effectiveness has shown that students who complete the program drink less, drink less often, and experience fewer negative consequences than their peers who do not participate in the program. By incorporating the IMAGE program into its Drug and Alcohol Prevention Program, Oregon Tech is strengthening its prevention efforts by utilizing a research-based, theory-driven program that has had proven results within the college population. See "Recommendations" for details about this research-based program.

## Goals for 2016-2018

As baseline data has yet to be established, it will be difficult to generate outcome goals for the upcoming reporting period. As such, the majority of goals will be centered on process, with the expectation that outcome goals will be expanded in the future when baseline data has been established as a point of comparison.

### PROCESS GOALS

- Continue to implement the alcohol-specific Choose Well programming, with the goal of increasing student event surveys by 25% in Year 1 and 10% more in Year 2.
- Continue to implement the MyPlaybook program for student athletes, as evidenced by at least 90% of each athletic team completing the required courses each year in the reporting period.

## DRUG AND ALCOHOL PREVENTION PROGRAM GOALS

- Launch the National College Health Assessment (NCHA) in Spring of Year 1 in order to gather baseline data regarding campus trends, perceptions, and beliefs about substance use.
- Using multivariate statistics, compare the beliefs and behavior of students who indicate an awareness of the DAAPP efforts on the Spring 2017 NCHA with students who do not recognize such programming in order to better gauge program impact.
- Identify at least one high-risk cohort of students per term, and implement the IMAGE alcohol prevention program for that cohort each term (at least 3 per year).
- Initiate alcohol and other drug screening as an outreach effort to the larger campus community, in order to better identify students who may be struggling with this issue and connect them to resources.

### OUTCOME GOAL

- Increase students' awareness of the marijuana policy as evidenced by at least 75% of respondents indicating knowledge of the no-tolerance policy on the Spring 2017 NCHA.

# RECOMMENDATIONS

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# RECOMMENDATIONS

Recommendations for the 2016-2018 reporting period have been based upon the evaluation components detailed earlier, as well as feedback from the Substance Abuse Commission and key campus constituents.

## Baseline Data Establishment

### CAMPUS-WIDE SURVEY

Authorization was provided by the administration and Institutional Review Board (IRB) during 2015-2016 to implement the American College Health's National College Health Assessment. However, as IRB approval came too late in the year, the survey will be administered Spring 2017, and will become the baseline measure for health and wellness-related behavior for the campus. It will be important to gather campus-wide data from students to: 1) engage in needs assessment efforts, 2) provide normative data for a variety of behaviors, and 3) examine trends of student behavior. An incentive structure will be established in compliance with Business Affairs Office requirements in order to best promote student participation in the survey.

## Implementation of the IMAGE program

As the IMAGE program has been mentioned repeatedly within this report as a component which will be enhancing the current DAAPP, a summary with additional detail has been included here.

### IMAGE OVERVIEW

The IMAGE (Intent & Motivation: Alcohol Group Exercise) program was created by University of Houston Wellness in 2006 in an effort to begin tracking outcome data for alcohol abuse prevention efforts. External funding was secured from the Texas Alcoholic Beverage Commission through the federal EUDL (Enforcing Underage Drinking Laws) funds in 2007 which assisted in strengthening the program. After documenting program effectiveness IMAGE was granted Model Program status (*Promising*) by the US Department of Education in 2008 through the Models of Exemplary, Effective, and Promising Alcohol or Other Drug Abuse Prevention Programs on College Campuses grant program. The following year, IMAGE was recognized as being an Exemplary Program by the National Association of State Alcohol and Drug Abuse Directors (NASADAD) and the National Prevention Network (NPN). Subsequently, (2010), the US Department of Education awarded IMAGE Model Program status a second time, elevating it to an *Effective* designation.

# RECOMMENDATIONS

Based upon research that has documented the impact of personalized feedback upon college-student alcohol-use behavior (Cho, 2006), IMAGE provides such feedback via comparisons with campus and cohort-based norms. Students are able to compare their alcohol use behavior with that of the campus at large, as well as those students to whom they see themselves as being most similar. This can be empowering (if their drinking pattern is lower than cohort norms), eye-opening (if their drinking pattern is higher than cohort norms), or reinforcing (if their drinking pattern is similar to cohort norms).

IMAGE was constructed with the intention increase motivation to change while providing the tools and ability to do so. Walters and Neighbors (2005) indicated that personalized feedback produces just such motivation among college students, while Martens and colleagues (2004) suggested incorporating a discussion of self-protective behaviors into personalized feedback sessions. They also found that that less frequent use of self-protective behaviors is related to increased negative alcohol-related consequences. As such IMAGE focuses upon self-protective behaviors as the mechanisms of change.

The IMAGE model suggests that students can be motivated by normative, cohort-based feedback to overtly state an intention to implement an alcohol-related self-protective behavior. Further, those that do so are more likely to follow-through with that intention, resulting in subsequent changes to their alcohol use behavior.

In terms of logistics, the session begins with a discussion of high-risk drinking behaviors and alcohol poisoning, followed by a discussion of self-protective behaviors. Then, normative feedback is provided with regards to both campus-wide and group-specific drinking patterns (based upon campus-wide assessment data and information the group members provide). The facilitator leads a discussion about what the group-specific drinking patterns mean, and how this can impact the members. For those group members who differ from the cohort norms in terms of frequency or quantity, it provides specific feedback about their own drinking levels, which frequently motivates change.

## Other Substance Abuse Commission Recommendations

### STRENGTHENING POLICY

- Explore options for establishing specific repercussions for substance use conduct violations by students.



## RECOMMENDATIONS

- Explore options for obtaining confirmation of receipt of substance use policy by faculty, staff, and students.
- Explore the creation of an on-line training module for faculty/staff which would review the required policy information and could be mandated to complete annually.

### STRENGTHENING THE DAAPP

- Work towards developing a campaign to address prescription drug abuse among the student population.
- Revisit the peer education model and explore further collaboration with The Rock's (retention) for-credit class.

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# REFERENCES

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# APPENDIX 1: POSSESSION & CONSUMPTION OF ALCOHOLIC BEVERAGES APPROVAL FORM

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## Possession and Consumption of Alcoholic Beverages Approval Form

In order to minimize the risk of alcohol abuse, promote compliance with the law, and encourage all campus constituents to make responsible decisions about alcohol the Vice President for Finance and Administration must approve all Oregon Tech events, on and off campus, that will have alcohol present at least **3-weeks** prior to the scheduled event. In addition, student organizations must also gain approval by the Vice President for Student Affairs. Off-Campus groups must pay a deposit when the room reservation is made.

**Please keep in mind:**

- At any event at which alcohol is available, sufficient quantities of nonalcoholic beverages must be available.
- Food must be available at no additional charge (above the cost of the event).
- Advertisements of social events with alcohol shall not promote or describe (text or graphics) the availability of alcoholic beverages nor promote the consumption of alcohol by minors.
- College regulations prohibit the possession or consumption of any alcoholic beverage on OIT grounds unless the College has sanctioned the location and/or conditions for possession or consumption. The location of the event must identify an area where the alcohol is served and consumed. This area must be secure so that only those individuals 21-and-over have access to the serving area.

Campus:		<input type="checkbox"/> Klamath Falls	<input type="checkbox"/> Wilsonville	<input type="checkbox"/> Salem	Today's Date:
Group Title:					
			<input type="checkbox"/> Oregon Tech Group	<input type="checkbox"/> Off-Campus Group	
Group Contact Person:		Address:		Phone Number:	
Event Title:			Description:		
Participants (Check all that apply):			Anticipated number of participants:		
<input type="checkbox"/> Students <input type="checkbox"/> Faculty <input type="checkbox"/> Community					
Date of Event:		Start Time:		End Time:	
Location:			Type of alcohol service:		
<input type="checkbox"/> On Campus <input type="checkbox"/> Off-Campus			<input type="checkbox"/> Open Bar <input type="checkbox"/> Cash Bar		

**Security Issues: Please answer each question thoroughly, using additional paper if necessary.**

1. Provide a diagram of the event, indicating where the alcohol will be served and the access points.
2. How will access to alcohol be controlled to ensure only those 21 or older will have access to alcohol? ID verification, bracelets distributed?

3. How will you monitor access in order to limit consumption to stay within reasonable health guidelines and legal intoxication limits? (Drink limit: 1 drink for each hour of event; 3 drink maximum)
4. Who will be serving the alcohol? Describe what other beverages and food will be provided. How will partially full and empty container be disposed of?

*FOR ON CAMPUS EVENTS ONLY*

<b>College Union Manager Signature</b>	<b>Date</b>	<b>Food Service Manager Signature</b>	<b>Date</b>

<b>POLICY OIT-30-031</b>			
I have read and understand the Possession and Consumption of Alcoholic Beverages Policy with the accompanying appendices. I agree to abide by the guidelines and rules of the policy, OLCC regulations, and the laws of the State of Oregon. If any rules are not followed or adhered to, the event may be cancelled, the alcohol service may be immediately terminated, and any deposit monies may be forfeited.			
<b>Advisor Signature</b>	<b>Date</b>	<b>Group Representative or Student Signature</b>	<b>Date</b>

<b>Vice President for Student Affairs Signature</b>	<b>Date</b>	<b>Vice President for Finance &amp; Admin Signature</b>	<b>Date</b>

## APPENDIX 2: POSSESSION & CONSUMPTION OF ALCOHOLIC BEVERAGES POLICY (30-031)

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## OREGON INSTITUTE OF TECHNOLOGY

### Controlled Substance Policy OREGON TECH-30-033

OREGON TECH is committed to maintaining a workplace and educational environment free from unlawful manufacture, possession, distribution, and/or use of controlled substances and alcohol. OREGON TECH has therefore adopted policies to prohibit such illegal use or abuse: OREGON TECH 30-031, Possession and Consumption of Alcoholic Beverages and OREGON TECH 30-033, Controlled Substance Policy.

#### I. POLICY

Congress passed and the U.S. President signed the Drug-Free Workplace Act of 1988 and Drug-Free Schools and Communities Amendment of 1989. In support of that legislation, this controlled substance policy addresses illicit use of all controlled substances, excluding alcohol. (See OREGON TECH-30-031, Possession and Consumption of Alcoholic Beverages, for the campus alcohol policy.)

- A. Controlled substances include (but are not limited to) prescription medications and illegal drugs such as cocaine, marijuana, PCP, psilocybin, LSD, peyote, heroin, amphetamine, methamphetamine, mescaline, opium and its derivatives, and “designer” drugs.
- B. Consistent with State and Federal Law, OREGON TECH will maintain a workplace and educational environment free from the unlawful manufacture, distribution, dispensation, sale, exchange, possession, or use of controlled substances and illicit drugs.
- C. Controlled substances and illicit drugs are prohibited on any OREGON TECH property and at any site where individuals on behalf of OREGON TECH perform work. Prescription medications (appropriately prescribed for and used by the patient according to the prescription) are exempted from this prohibition.

#### II. CONSEQUENCES AND SANCTIONS FOR POLICY VIOLATIONS

- A. All OREGON TECH students, faculty and staff are expected to comply with applicable local, state and federal laws regarding the possession, use, or sale of controlled substances, whether on or off-campus.
- B. Any student, faculty or staff member who violates this policy or applicable law may be subject to disciplinary or conduct action consistent with provisions of state and federal laws; Oregon University System and campus administrative rules; and the OREGON TECH Student Conduct Code.
- C. Institutional sanctions for students: Disciplinary actions for students may range from warning to expulsion as provided by the OREGON TECH Student Handbook, and may include referral to the OREGON TECH Counseling and Testing Services or another agency for evaluation and/or treatment. Students receiving federal financial aid may lose the aid. Students may also be referred for prosecution by the legal system. The severity of the sanction will depend, in part, on whether this is a first incident or a repeat violation, the seriousness of the misconduct, and the student’s attitude.

- D. Institutional sanctions for employees: Disciplinary action for an employee may range from referral to an employee assistance program or drug treatment program through the Office of Human Resources, to termination from employment and/or referral for prosecution.
- E. State of Oregon sanctions for students and employees: OREGON TECH students or employees who violate drug laws are subject to prosecution in the courts in addition to any action taken by the institution. Penalties for possession of illicit drugs are determined by the Controlled Substance Schedule upon which the drug appears. Examples of the drug schedule:
- Schedule I – Class A felony: up to twenty-year jail term and/or a \$300,000 fine. Includes heroin, LSD, marijuana, peyote, mescaline and psilocybin.
  - Schedule II – Class B felony: up to ten-year jail term and/or a \$200,000 fine. Includes opium, cocaine and methamphetamine.
  - Schedule III – Class C felony: up to five-year jail term and /or a \$100,000 fine. Includes amphetamine, and depressants.
  - Schedule IV – Class B misdemeanor: up to six-month jail term and/or a \$2,000 fine. Includes various prescription drugs and misrepresentation of age to obtain alcohol.
  - Schedule V – Class C misdemeanor: up to 30-day jail term and/or a \$1000 fine. Includes other less dangerous prescription drugs and small amounts of certain drugs.
  - Possession of less than one ounce of marijuana results in a minimum fine of \$500.
  - A minor in possession (MIP) of alcohol results in a \$250 fine. In addition, the violator, if found guilty, could also be subject to community service. The court shall order that the person's driving privileges be suspended for a period not to exceed one year.
  - Providing alcohol to minors results in a one-year jail term.

Since State sanctions are frequently reviewed and the Drug Schedule changes, the current State sanctions would apply for conviction of illicit drug possession.

### **III. HEALTH RISKS**

For many people in our society the use of chemicals is a daily reality. These chemicals include over-the-counter medications, prescription drugs, and illegal drugs such as marijuana, cocaine, and LSD. They also include legal chemicals such as alcohol, nicotine and caffeine. However, the potential for health problems can develop from the use of nicotine, ephedra, or caffeine products. While many chemicals have the potential to improve our health or enrich our lives, some of these chemicals also have the potential to cause serious health, legal and economic problems. OREGON TECH supports and sponsors programs aimed at prevention of substance abuse by students and employees, which includes policy enforcement, education programs and treatment services. See Appendix A for possible health risks associated with controlled substances.

#### **IV. CAMPUS AND COMMUNITY RESOURCES**

The following is a list of services (prevention, counseling, treatment, rehabilitation, or re-entry) that are available to the members of the OREGON TECH community:

OREGON TECH Student Health Center  
OREGON TECH Counseling and Testing Services  
OREGON TECH Office of Human Resources  
Lutheran Family Services  
Alcoholics Anonymous  
Al-Anon/Ala Teen  
Oregon Alcohol & Drug Abuse Hotline  
Klamath Alcohol and Drug Abuse  
Klamath Crisis Center Hotline (24 hrs)  
Klamath Community Treatment Center  
Merle West Medical Center

Recommended by:

Faculty Senate: - May 3, 2001  
Administrative Council – May 14, 2001  
President's Council – October 31, 2001  
Approved: /s/ Martha Anne Dow  
Martha Anne Dow, President

Date: November 2, 2001

## APPENDIX 3: DRUG-FREE CAMPUS POLICY (30-034)

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## OREGON INSTITUTE OF TECHNOLOGY

### Drug Free Campus

#### OREGON TECH-30-034

The Oregon Institute of Technology (Oregon Tech) seeks to promote the health and well-being of the entire campus community. In that spirit, Oregon Tech adopts the following policy to prevent unlawful drug or alcohol use and abuse, and to provide opportunities for education and assistance to all members of the Oregon Tech community.

In accordance with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act of 1989, Oregon Tech prohibits:

- a. The unlawful manufacture, distribution, dispensing, possession or use of controlled substances by college employees, students, or other members of the Oregon Tech community on college premises or as part of any college activity.
- b. The illegal or unauthorized possession, consumption or sale of alcoholic beverages, or the furnishing of alcoholic beverages to persons under twenty-one (21) years of age on college property or at college-sponsored activities, or possession and consumption of alcoholic beverages in unauthorized areas by those over twenty-one.
- c. Marijuana possession (in any form) and consumption, including but not limited to smoking, eating, or oils, is prohibited by federal law. Although Oregon has legalized marijuana for medicinal use and recreational use (for individuals 21 years of age or older), it is prohibited on the Oregon Tech campus because as a recipient of federal funds, the University is required to comply with federal law.
- d. The illegal or unauthorized possession, consumption or sale of marijuana, or the furnishing of marijuana in any form to persons under twenty-one (21) years of age on college property or at college-sponsored activities, or possession and consumption of marijuana in unauthorized areas by those over twenty-one.

Non-compliance with this policy may result in penalties up to and including expulsion from the college and termination of employment. The 1988 Drug-Free Workplace Act requires employees to notify the college of any criminal drug statute conviction for a violation occurring in the workplace not later than five days after such conviction. The college should then make any reports to government agencies as required by law.

The use of alcohol by members of the college community and external groups on college-owned property and at college-sponsored events is governed by the following provisions:

- a. Alcohol consumption may be permitted in campus housing facilities only for those of legal age and in areas designated by the Director of Housing and Residence Life.

b. Individuals or groups sponsoring college events should take reasonable measures to ensure that alcohol is not sold, served, or made available to persons who are under the legal drinking age, or to persons who are obviously inebriated.

c. Persons in charge of various college facilities should, in consultation with the Vice President for Student Affairs, develop and implement guidelines consistent with this policy.

A drug-free awareness program and implementation plan has been established to inform employees and students of the following:

a. Dangers of drug or alcohol abuse on campus or at an Oregon Tech activity;

b. Existence of and content of this policy for maintaining a drug-free campus readily available for the campus community on the Oregon Tech website and in other campus locations;

c. Availability of drug and alcohol counseling, rehabilitation, and employee/student assistance programs;

d. Penalties that may be imposed for drug/alcohol use and/or abuse violations.

Oregon Tech maintains a strong commitment to the prevention of drug abuse, including alcohol. The Oregon Tech Substance Abuse Implementation Plan for the prevention of substance abuse, with recommended intervention strategies, is available from the Office of Student Affairs, Integrated Student Health Center and Human Resources.

Recommended by:

Associated Students of OREGON TECH – 1/92

Faculty Senate – 6/4/92

President's Council – 11/16/92; 7/31/15

Signed:

Christopher G. Maples, President

Date: August 4, 2015

# APPENDIX 4: CONTROLLED SUBSTANCE POLICY (30-033)

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## OREGON INSTITUTE OF TECHNOLOGY

### Controlled Substance Policy

#### OREGON TECH-30-033

OREGON TECH is committed to maintaining a workplace and educational environment free from unlawful manufacture, possession, distribution, and/or use of controlled substances and alcohol. OREGON TECH has therefore adopted policies to prohibit such illegal use or abuse: OREGON TECH 30-031, Possession and Consumption of Alcoholic Beverages and OREGON TECH 30-033, Controlled Substance Policy.

#### I. POLICY

Congress passed and the U.S. President signed the Drug-Free Workplace Act of 1988 and Drug-Free Schools and Communities Amendment of 1989. In support of that legislation, this controlled substance policy addresses illicit use of all controlled substances, excluding alcohol. (See OREGON TECH-30-031, Possession and Consumption of Alcoholic Beverages, for the campus alcohol policy.)

- A. Controlled substances include (but are not limited to) prescription medications and illegal drugs such as cocaine, marijuana, PCP, psilocybin, LSD, peyote, heroin, amphetamine, methamphetamine, mescaline, opium and its derivatives, and “designer” drugs.
- B. Consistent with State and Federal Law, OREGON TECH will maintain a workplace and educational environment free from the unlawful manufacture, distribution, dispensation, sale, exchange, possession, or use of controlled substances and illicit drugs.
- C. Controlled substances and illicit drugs are prohibited on any OREGON TECH property and at any site where individuals on behalf of OREGON TECH perform work. Prescription medications (appropriately prescribed for and used by the patient according to the prescription) are exempted from this prohibition.

#### II. CONSEQUENCES AND SANCTIONS FOR POLICY VIOLATIONS

- A. All OREGON TECH students, faculty and staff are expected to comply with applicable local, state and federal laws regarding the possession, use, or sale of controlled substances, whether on or off-campus.
- B. Any student, faculty or staff member who violates this policy or applicable law may be subject to disciplinary or conduct action consistent with provisions of state and federal laws; Oregon University System and campus administrative rules; and the OREGON TECH Student Conduct Code.
- C. Institutional sanctions for students: Disciplinary actions for students may range from warning to expulsion as provided by the OREGON TECH Student Handbook, and may include referral to the OREGON TECH Counseling and Testing Services or another agency for evaluation and/or treatment. Students receiving federal financial aid may lose the aid. Students may also be referred for prosecution by the legal system. The severity of the sanction will depend, in part, on whether this is a first incident or a repeat violation, the seriousness of the misconduct, and the student’s attitude.





## Controlled Substance Policy

### OREGON TECH-30-033

#### Page 2

- D. Institutional sanctions for employees: Disciplinary action for an employee may range from referral to an employee assistance program or drug treatment program through the Office of Human Resources, to termination from employment and/or referral for prosecution.
- E. State of Oregon sanctions for students and employees: OREGON TECH students or employees who violate drug laws are subject to prosecution in the courts in addition to any action taken by the institution. Penalties for possession of illicit drugs are determined by the Controlled Substance Schedule upon which the drug appears. Examples of the drug schedule:
- Schedule I – Class A felony: up to twenty-year jail term and/or a \$300,000 fine. Includes heroin, LSD, marijuana, peyote, mescaline and psilocybin.
  - Schedule II – Class B felony: up to ten-year jail term and/or a \$200,000 fine. Includes opium, cocaine and methamphetamine.
  - Schedule III – Class C felony: up to five-year jail term and /or a \$100,000 fine. Includes amphetamine, and depressants.
  - Schedule IV – Class B misdemeanor: up to six-month jail term and/or a \$2,000 fine. Includes various prescription drugs and misrepresentation of age to obtain alcohol.
  - Schedule V – Class C misdemeanor: up to 30-day jail term and/or a \$1000 fine. Includes other less dangerous prescription drugs and small amounts of certain drugs.
  - Possession of less than one ounce of marijuana results in a minimum fine of \$500.
  - A minor in possession (MIP) of alcohol results in a \$250 fine. In addition, the violator, if found guilty, could also be subject to community service. The court shall order that the person's driving privileges be suspended for a period not to exceed one year.
  - Providing alcohol to minors results in a one-year jail term.

Since State sanctions are frequently reviewed and the Drug Schedule changes, the current State sanctions would apply for conviction of illicit drug possession.

### III. HEALTH RISKS

For many people in our society the use of chemicals is a daily reality. These chemicals include over-the-counter medications, prescription drugs, and illegal drugs such as marijuana, cocaine, and LSD. They also include legal chemicals such as alcohol, nicotine and caffeine. However, the potential for health problems can develop from the use of nicotine, ephedra, or caffeine products. While many chemicals have the potential to improve our health or enrich our lives, some of these chemicals also have the potential to cause serious health, legal and economic problems. OREGON TECH supports and sponsors programs aimed at prevention of substance abuse by students and employees, which includes policy enforcement, education

programs and treatment services. See Appendix A for possible health risks associated with controlled substances.

#### **IV. CAMPUS AND COMMUNITY RESOURCES**

The following is a list of services (prevention, counseling, treatment, rehabilitation, or re-entry) that are available to the members of the OREGON TECH community:

OREGON TECH Student Health Center

OREGON TECH Counseling and Testing Services

OREGON TECH Office of Human Resources

Lutheran Family Services

Alcoholics Anonymous

Al-Anon/Ala Teen

Oregon Alcohol & Drug Abuse Hotline

Klamath Alcohol and Drug Abuse

Klamath Crisis Center Hotline (24 hrs)

Klamath Community Treatment Center

Merle West Medical Center

Recommended by:

Faculty Senate: - May 3, 2001

Administrative Council – May 14, 2001

President's Council – October 31, 2001

Approved: /s/ Martha Anne Dow

Martha Anne Dow, President

Date: November 2, 2001

## APPENDIX 5: SMOKE AND TOBACCO-FREE CAMPUS POLICY

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## Smoke and Tobacco Free Campus

### OIT-30-035

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Oregon Tech seeks to promote the health and well-being of the entire campus community. In that spirit, as scientific evidence on the health risks of tobacco use and secondhand smoke are well documented and Per Executive Order 12-13 1. c. in which the Oregon University System is encouraged to develop policies that prohibit the use of tobacco products on campus. Oregon Tech adopts the following policy that students, staff, faculty, visitors, and all others affiliated with Oregon Tech are entitled to and will be provided a tobacco-free environment to study, work, teach, and otherwise participate in University activities.

- a. Effective Fall Term 2013, all campuses associated with Oregon Tech including the Klamath Falls campus and the Wilsonville campus, will become Tobacco-Free. This means that use of any type of tobacco is prohibited.
- b. This policy applies to students, staff, faculty, administrators, visitors, and any other individual associated with Oregon Tech.
- c. Distribution and/or promotion of tobacco products on campus will be prohibited.
- d. Smoking cessation assistance will be made available for all faculty, staff and students of Oregon Tech.

The University's expectation is that all faculty, staff, students and visitors to campus will adhere to this policy. The University understands that the success of this policy will depend on the thoughtfulness, consideration and cooperation of smokers and nonsmokers. Faculty, staff and students have a collective responsibility to promote the safety and health of the campus community and therefore share in the responsibility of enforcement. Individuals observed using tobacco are to be reminded in a professional and respectful manner of the university policy. Oregon Tech reserves the right to initiate disciplinary procedures against any individual found to be in repeated violation of this policy.

A tobacco free awareness program and implementation plan has been established to inform employees, students, and visitors of the following:

- a. Existence of and content of this policy for maintaining a tobacco free campus.
- b. Dangers of smoking and secondhand smoke to all those affiliated with an Oregon Tech campus.
- c. Availability of tobacco cessations programs for employees and students. d.

Penalties that may be imposed for tobacco violations.

Resources:

Office of the Governor, State of Oregon, Executive Order No. 12-13.

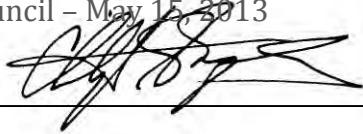
ACHA Guidelines: Position Statement on Tobacco on College and University Campuses. Tobacco Policy Statement from the American Lung Association.

Oregon College Health Association Statement in Support of Tobacco-Free College and University campuses.

Recommended by:

Faculty Senate – May 7, 2013

President's Council – May 15, 2013

A handwritten signature in black ink, appearing to read 'C. G. Maples', is written over a horizontal line.

Approved:

Christopher G. Maples, President

Date: May 28, 2013

## APPENDIX 6: STUDENT CODE OF CONDUCT

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## **OREGON TECH**

### **STUDENT CODE OF CONDUCT: STUDENT RIGHTS AND RESPONSIBILITIES**

“Integrity is doing the right thing, even if nobody is watching.” – Jim Stovall

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### **I. Introduction**

Oregon Tech is committed to creating and maintaining a productive living and learning community that fosters the intellectual, personal, cultural and ethical development of its students. Self-discipline and respecting the rights of others are essential to the educational process and to good citizenship. In attending Oregon Tech, students agree to observe standards consistent with our academic community.

The Student Code of Conduct applies to all Oregon Tech students regardless of which campus or location the student is enrolled.

### **A. Community Standards**

Oregon Tech students aspire to follow and promote these behavioral standards:

- **Citizenship:** Be civically responsible and engaged to improve our campus and community;
- **Academics:** Respect Oregon Tech’s commitment to academic integrity and uphold the values of honesty and responsibility that preserve our academic community;
- **Responsibility:** Accept responsibility for your learning, personal behavior and future success, appropriately challenging others to do the same;
- **Diversity:** Behave in a manner that recognizes and respects individual differences, supporting both pluralism and inclusiveness;
- **Safety:** Do no harm and help promote campus safety and welfare by adhering to the Code of Conduct and immediately reporting unusual or dangerous behavior to Campus Safety, the Office of Student Affairs, or other appropriate officials.

### **B. Student Rights & Responsibilities**

It is expected that all members of the campus community will strive to foster academic excellence and integrity, both in and out of the classroom. Within this community, students are entitled to certain rights and are expected to uphold certain responsibilities.

### **C. Student Rights**

Specifically, students have the right to:



1. Participate in the institution's activities without being discriminated against on the basis of race, color, creed, national origin, religion, gender, age, disability, marital status, veteran status, sexual orientation, or any other legally protected characteristic.
2. Participate in the formulation of policies and regulations directly affecting students through membership on applicable committees as determined by the appropriate institutional authority.
3. Pursue educational, recreational, social, cultural, and residential activities in an atmosphere that challenges and promotes intellectual and personal growth.
4. Receive fair and impartial academic evaluations.
5. Access faculty, student services, administrative offices and facilities available on campus.
6. Receive accurate and timely information regarding academic policies, graduation requirements, and individual course objectives and requirements.
7. Protection of confidential personal and academic records that are maintained in compliance with the Family Educational Rights and Privacy Act of 1974 and applicable Administrative Rules.
8. Fair and impartial treatment in all instances of general discipline and academic discipline, including procedures that ensure all students are afforded their right to due process.
9. Freedom of Speech – the institution recognizes the rights of students to engage in discussion, to exchange thought and opinion, and to speak, write, or publish freely on any subject, in accordance with the guarantees of Federal or State constitutions. Students are free to organize and join associations to promote interests held in common with other students without the interference of the University, and to engage in peaceful and orderly protest, demonstration, and picketing on institution-owned property provided such behavior does not infringe on the rights of others and does not disrupt functions of the institution.
10. A campus environment characterized by safety and order.

#### **D. Student Responsibilities**

Rights and responsibilities go hand in hand. Both are equally important to developing and maintaining Oregon Tech's community of learning. Specifically, students have the following responsibilities:

1. Active participation in the learning process by attending class (in its entirety) on a regular basis. Active participants in the process of education ask questions, seek and use resources, and read and respond to communication.
2. Become knowledgeable of academic requirements and expectations.
3. Practice civility in class. Maintain conduct that contributes to a learning atmosphere in which the rights, dignity, and worth of every individual in the University community are respected.
4. Respect the rights of others to hold various points of view, and resolve conflicts, disputes, and differences through participation and thoughtful discussion.
5. Balance responsibilities and obligations to family and work with responsibilities for the quality of education, particularly in the area of time management.
6. Follow institutional procedures, including notifying the University of any changes in contact information, including name, address, telephone number, and email address.
7. Be aware of and follow the Student Code of Conduct and other institutional policies, including the Academic Integrity Procedures, and the acceptable use policies for the campus information technology network.
8. Hold one another accountable for behavior, taking responsibility for one's own behavior and that of guests.
9. Maintain physical and emotional health – seeking appropriate assistance when necessary – so that students' well-being and lives are not in danger, and students can be effective learners.
10. Approach this educational opportunity with an open mind and a positive attitude, recognizing all community members have much to learn and experience.

11. Accept access to many resources, including libraries, computers, recreational facilities, classrooms, residence halls, faculty, and staff, while taking responsibility to treat all campus resources – people and property alike – with respect and integrity.
12. Comply with institutional rules and regulations, and local, state, and federal laws.
13. Be knowledgeable of how lifestyle choices affect academic success and personal growth.
14. Be positive contributors to the institution and their local and surrounding communities.
15. Promote the safety and welfare of the Oregon Tech community by not causing harm or threatening harm to the safety of Oregon Tech students, employees, or other members of the Oregon Tech community.

## **E. Purpose of the Student Code of Conduct**

The purpose of the Student Code of Conduct is to educate students about their civic and social responsibilities as members of the University community. The primary focus of the disciplinary process is on educational and corrective outcomes; however, sanctions such as suspension or expulsion from the University may be necessary to uphold community standards and to protect the campus community. The most current version of the Code of Conduct is available at <http://www.oit.edu/campus-life/student-affairs/student-resources/handbook>. For questions regarding the Code of Conduct, contact the Office of the Vice President for Student Affairs.

## **II. University Disciplinary Authority**

Under authority granted by the state of Oregon (ORS 351.071), Oregon Tech is granted full authority to adopt policies and procedures governing the conduct of its students. By enrolling at Oregon Tech, students accept responsibility for compliance with all University policies and contracts. Disciplinary action may also be taken for any violation of local ordinances, state or federal law, whether on or off campus, that adversely affects the University community or the pursuit of the University's lawful educational mission, process or function. The University reserves the right to take necessary and appropriate action to protect the safety and well-being of the campus community. Students shall have the right of due process and appeal as prescribed in this document and other relevant University policies, rules or regulations. Students may be subject to civil and criminal penalties in addition to campus sanctions. Campus resolution may proceed before, during or after civil or criminal actions are concluded and is not subject to challenge based on the action or inaction of civil authorities.

### **A. Standards of Behavior**

Attendance at Oregon Tech is optional and voluntary. When students enroll here, they voluntarily accept obligations of performance and behavior that are consistent with Oregon Tech's lawful mission, processes and functions. In general, these obligations are considered higher than and distinct from the obligations imposed by civil and criminal law for all citizens. Students voluntarily accept their responsibilities as members of the academic community, as well as any educational sanctions imposed against them should their behavior violate these responsibilities.

### **B. Interpretation**

Any question of interpretation regarding the Code of Conduct shall be determined at the sole discretion of the vice president for student affairs or his/her designee for final determination.

### **C. Interim Suspension**

#### **1. University Interim Suspension**

Interim suspension is an immediate suspension from the University upon written notice from the vice president for student affairs or the dean of students. Interim suspension is imposed without a hearing, pending further disciplinary proceedings. The vice president for student affairs or the dean of students will base his/her decision on whether the allegation of misconduct is reliable and severe enough that the continued presence of the student on the University campus could reasonably be disruptive and/or pose a threat to the physical well-being of any member of the campus community or for reasons relating to the safety of any University property or any University function. Interim suspension usually includes physical exclusion from the campus. A student suspended on an interim basis

will be given a prompt hearing, set within five working days from the date of the interim suspension notification letter. In cases involving incarceration by law enforcement authorities, a hearing on whether the interim suspension should be maintained pending a hearing on the underlying violation may be set within a reasonable time after the student becomes available. A student may request, in writing, that the hearing be scheduled sooner than five working days. For hearing procedures, see Section IV of this document. The interim suspension will remain in effect until a final decision has been made on the pending complaint through a hearing or until the vice president for student affairs or the dean of students determines that the reason for imposing the interim suspension no longer exists.

## 2. Housing Interim Suspension

If the conduct or behavior of a student residing in an Oregon Tech residence hall is determined by the vice president for student affairs, the director of housing and residence life, or the dean of students to be a threat to self or others, the ability to live in the residence hall may be immediately suspended pending the outcome of a hearing. During an interim housing suspension, the student is immediately removed from the residence hall and is not to re-enter any campus residence hall until a hearing is held and a decision regarding the pending complaint has been made.

## D. Definitions

1. The term **“adviser”** means any person who has agreed to assist a complaining or responding student during the University disciplinary process. The adviser may be an Oregon Tech faculty or staff member, another Oregon Tech student, a parent, a friend, an attorney or any other person of the student’s choosing. The adviser is limited to advising the student and may not speak for or on behalf of a student at any hearing or other conference during the disciplinary process. The adviser cannot also serve as a witness. See page 11 for additional information on the role of an adviser.
2. The term **“complainant”** means any individual who files a disciplinary complaint or referral.
3. Unless otherwise specified, the term **“day”** means normal University working days, not including Saturday, Sunday or University holidays. Time deadlines may be extended during breaks and University holidays and to accommodate reduced availability of students, faculty or staff during the Summer Term where such persons are participants or witnesses necessary to the disciplinary process.
4. The Family Educational Rights and Privacy Act (**FERPA**) is a federal law originally passed in 1974 that defines student educational records and regulates who may access those records and under what circumstances.
5. The term **“group”** means a number of persons who are associated with each other but who have not complied with University requirements for registration as an organization.
6. The terms **“institution”** and **“University”** mean the Oregon Institute of Technology (“Oregon Tech”).
7. The term **“organization”** means a number of persons who have complied with University requirements for registration or recognition.
8. **Parental Notification** — FERPA permits educational institutions to notify parents of students under the age of 21 when a student has been found responsible for an alcohol- or drug-related violation. Students are generally notified when parents will be contacted and are given the opportunity to contact the parents first.
9. A **“sanction”** is imposed on students found in violation of the Student Code of Conduct. Sanctions are not designed to be punitive but rather educational measures that hold students accountable for their behavior. Sanctions can range from a verbal warning to disciplinary suspension or expulsion.
10. The term **“student”** means any person who is enrolled in courses, either fulltime or part-time, including correspondence study, electronic means, study abroad, auditing, or courses offered at any Oregon Tech location. Students are subject to disciplinary action for conduct that occurs during any period of enrollment. Students who leave the University before a disciplinary matter is resolved may be prohibited from future enrollment until the matter is resolved. Persons who are not officially enrolled for a particular term but who have a continuing relationship with the University are considered “students.” This includes individuals who have been notified of their acceptance for admission.

11. The term **“University premises”** means buildings or grounds owned, leased, operated, controlled or supervised by the University.
12. The term **“University-sponsored activity”** means any activity on University premises or at an off-campus location that is directly initiated or supervised by the University. This can include fraternity and sorority organizations, study abroad experiences, or sporting events, even if such activities occur somewhere other than on University premises.

#### **E. Applicability of the Code of Conduct**

The Oregon Tech Student Code of Conduct shall apply to conduct that occurs on Oregon Tech premises, at Oregon Tech sponsored activities, and to off-campus conduct that adversely affects the Oregon Tech community or the pursuit of its objectives. The Student Code of Conduct applies to all Oregon Tech students regardless of which campus the student is enrolled. Each student shall be responsible for his/her conduct from the time of application for admission through the actual awarding of the degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment (and even if their conduct is not discovered until after a degree is awarded). The Student Code of Conduct shall apply to a student's conduct even if the student withdraws from school while a disciplinary matter is pending.

The University reserves the right to take necessary and appropriate action to protect the safety and well-being of the campus community. Off-campus behavior that allegedly violates local, state or federal law or ordinances and adversely affects the University community or the pursuit of the University's lawful educational mission, process or function may be subject to University disciplinary action. Examples of off-campus behavior that may be subject to University disciplinary action include but are not limited to: selling or otherwise providing alcohol to underage students, selling or distributing illicit drugs, sexual misconduct, harassment, hazing or bullying, actions that result in the serious injury or death of another person(s), threatening harm to others, repeated alcohol or drug offenses, or any alleged violation that jeopardizes an individual's or community's educational opportunities. Sanctions will generally result in suspension or expulsion from the University. The vice president for student affairs or dean of students shall decide whether conduct that has occurred off-campus adversely affects the University community or the pursuit of the University's lawful educational mission, process or function on a case-by-case basis.

#### **III. Prohibited Conduct**

The following list describes actions that detract from the effectiveness of a University community and or which students are subject to disciplinary action. All violations below are also prohibited off-campus and may be adjudicated by the University when the behavior potentially jeopardizes the individuals or community's safety or educational opportunities. Prohibited conduct includes, but is not limited to, the following violations:

1. **Academic Dishonesty:** Violations include but are not limited to cheating, plagiarism, unauthorized collaboration and fraudulent alteration of academic materials (policy OIT-14-30).
2. **Housing & Residence Life Behavior Standards:** On-campus residence hall policies and information regarding student standards are available in the Student Housing Handbook: <http://www.oit.edu/docs/default-source/housing-and-residence-life-documents/student-housing-handbook.pdf?sfvrsn=6>.
3. **Forgery or Unauthorized Use:** Forgery or unauthorized use of University documents or records, financial aid documents, computers, electronic mail, telephones, identification or property or the use of University equipment to perpetrate a violation of the Code of Conduct or to violate local, state, or federal law.
4. **False Representation:** Providing false representation to the University in any form, written or verbal. Submission of false information or withholding information at the time of admission or readmission may make an individual ineligible for admission to or continuation at Oregon Tech.

5. **Use of Tobacco:** The use of tobacco in any form in University classrooms, laboratories, libraries, field houses and other areas on campus except where explicitly authorized, consistent with Policy and Procedures (policy OIT-30-035).
6. **Information Technology Policies:** Violation of the University Information Technology policies including, but not limited to, the electronic mail policy (OIT-30-003), and the appropriate computer use policy (OIT-30-005. Information on these policies is available online at <http://www.oit.edu/docs/default-source/Student-Affairs-/student-handbook/smoke-tobacco-free-campus.pdf?sfvrsn=4>.
7. **Attempts and Complicity:** Attempts to or encouraging others to commit acts prohibited by this code will be sanctioned to the same extent as if one had committed the prohibited act. Apathy or acquiescence in the presence of prohibited conduct may constitute a violation of this policy and may constitute a violation of the policy that prohibits the conduct or behavior.
8. **Interfering with Discipline Process:** Interfering with discipline procedures or outcomes, including but not limited to: falsification, distortion or misrepresentation of information before a hearing officer or hearing panel; knowingly initiating a complaint without cause; harassment or intimidation of any member of a hearing panel, witness(es), or University personnel before, during or after a proceeding; failure to comply with the sanction(s) imposed by either a hearing officer or hearing panel.
9. **Weapons:** Possessing, using, or storing firearms, explosives (including firecrackers), weapons or dangerous chemicals or other materials on University property or in the course of any University activity, except as specifically authorized under applicable state law. This includes, but is not limited to BB guns, paintball guns, knives, swords, handguns, rifles, or any type of firearm or weapon. See Oregon Tech Policy and Procedures (policy OIT-50-010) for more information.
10. **False Reporting:** False reporting of a bomb, fire or other emergency.
11. **Gambling:** Gambling means an activity in which a person takes stakes or risks something of value upon the outcome of a contest of chance or a future contingent event not under the control or influence of the person, upon an agreement or understanding that he person or someone else will receive something of value in the event of a certain outcome. See Gambling definitions (ORS 167.117).
12. **Disorderly Conduct:** Disorderly conduct is behavior that is disorderly, lewd, indecent, or a breach of peace on University property or at University-sponsored activities. Examples include any nonconsensual photography, video or audio recording of another person on University premises when such recording causes or is likely to cause injury or distress. This conduct would be a violation off-campus if it interfered with an individual's educational opportunities.
13. **Parties, Large Gatherings, Excessive Noise:** Parties, large gatherings or excessive noise that disturbs the peace of campus residences or off-campus neighborhoods.
14. **Drug Policy:** Illegal use, possession, sale, distribution, cultivation or manufacture of any state or federally controlled drug, substance or paraphernalia is prohibited. Drugs include but not limited to narcotics, methamphetamines, marijuana (see point 15), cocaine, opiates, LSD, mushrooms, heroin, designer drugs such as Ecstasy and GHB. Use, abuse, or possession of prescription drugs other than for the person prescribed, or for use other than the prescribed purposes, is prohibited. Inhaling or ingesting any substances (e.g., nitrous oxide, glue, paint, etc.) that will alter a student's mental state is also prohibited.
15. **Marijuana:** Possession (in any form) and consumption, including but not limited to smoking, eating, or oils, is prohibited by federal law. Although Oregon has legalized marijuana for medicinal use and recreational use (for individuals 21 years of age or older), it is prohibited on the Oregon Tech campus because marijuana is not legal under federal law and the University is required to comply with federal law. Possession/consumption by individuals under 21 will be subject to the campus conduct process as well as law enforcement actions; violations by individuals over 21 will be subject to the campus conduct process.
16. **Alcohol Policy:** Consumption, possession, distribution, sale and the serving of alcoholic beverages on university premises (including residence halls) or at university-sponsored activities regardless of age, except

as expressly permitted by University policy is prohibited. Public intoxication, driving under the influence of alcohol, actual physical control of a vehicle while under the influence of alcohol, providing alcohol to minors, permitting any individual under 21 years of age to possess or consume alcohol, transporting an open container of alcohol, driving while impaired, incapacitation, possession or use of a fake ID, or being underage in possession of alcohol on or off campus are also violations of this policy. Students are expected to know and abide by all applicable laws regarding the consumption of alcoholic beverages. Exceptions to this policy permit the possession or consumption of alcoholic beverages by residents and invited guests within the interior living spaces of specific residence hall rooms and apartments only if all residents of the room or apartment and invited guests are of legal drinking age (See Housing and Residence Life policies online at [www.oit.edu/housing](http://www.oit.edu/housing) for information about alcohol policies in buildings where alcohol is permitted). Lawful and responsible alcohol consumption is permitted for special events with approval per the campus alcohol policy (OIT-30-031).

17. **Physical Violence and Threats of Physical Violence:** Physical violence of any nature against any person, on or off campus and threats of physical violence. This includes fighting; assault; battery; the use of a knife, gun, or other weapon; physical abuse; restraining or transporting someone against his/her will; suicidal or self-harming behavior; or any action that threatens to harm or endangers the physical health or safety of any person or causes reasonable apprehension of such harm. The University will strongly recommend suspension or expulsion for students found responsible for this charge when harm or injury occurs.
18. **Harassment:** Harassment means
  - a. Intentionally subjecting a person to offensive physical contact;
  - b. Unreasonable insults, gestures, or abusive words, in the immediate presence, and directed to, another person that may reasonably cause emotional distress or provoke a violent response (including but not limited to electronic mail, social media, conventional mail and telephone) except to the extent such insults, gestures or abusive words are protected expression; or
  - c. Other types of prohibited discrimination, discriminatory harassment, and sexual harassment, as defined by law.
19. **Threats and Bullying:** Persistent, severe or pervasive verbal abuse, threats, intimidation, harassment, coercion, bullying or other conduct that threatens or endangers the mental or physical health/safety of any person or causes reasonable apprehension of such harm.
20. **Hazing:** Hazing is any action or activity that causes or intends to cause physical or mental discomfort or distress, that may demean, degrade or disgrace any person, regardless of location, intent or consent of participants, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization (on or off campus). Apathy or acquiescence in the presence of hazing are not neutral acts; they are violations of this rule. (State law classifies hazing as a crime.) The University will strongly recommend suspension for students found responsible for hazing when harm/injury occurs. Examples include, but are not limited to:
  - a. Sleep deprivation or causing extreme fatigue
  - b. Physical or psychological shock;
  - c. Public stunts or jokes;
  - d. Compelled ingestion of any substance, including water
  - e. Degrading or humiliating games or activities;
  - f. Forced servitude.
21. **Sexual Misconduct:** Sexual misconduct is a broad term encompassing any nonconsensual contact of a sexual nature. Sexual misconduct may vary in its severity and consists of a range of behavior or attempted behavior including but not limited to the following examples of prohibited conduct:
  - a. **Unwelcome sexual touching/exposure**



The touch of an unwilling or non-consensual person's intimate parts (such as genitalia, groin, breast, buttocks, mouth, or clothing covering same); touching an unwilling person with one's own intimate parts; or forcing an unwilling person to touch another's intimate parts. This also includes indecent exposure and voyeurism.

b. **Non-consensual sexual assault**

Unwilling or non-consensual penetration of any bodily opening with any object or body part. This includes, but is not limited to, penetration of a bodily opening without effective consent (including when an individual is intoxicated and unable to provide sober/sound consent) through the use of coercion.

c. **Forced sexual assault**

Unwilling or non-consensual penetration of any bodily opening with any object or body part that is committed either by force, threat, intimidation or through exploitation of another's mental or physical condition (such as lack of consciousness, incapacitation due to drugs or alcohol, age or disability) of which the assailant was aware or should have been aware.

22. **Effective consent** is informed, voluntarily given, mutually understandable words that affirm a willingness to participate in mutually agreed upon sexual activity. Initiators of sexual activity are responsible for obtaining effective consent. Silence or passivity is not effective consent. The use of intimidation, coercion, threats, force, or violence negates any consent obtained. Consent is not effective if obtained from an individual who is incapable of giving consent due to lack of consciousness, age, disability, or incapacitated due to drugs or alcohol.
23. **Sexual Harassment:** Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct or communication of a sexual nature when:
- Submission to or rejection of such conduct or communication is a term or condition of educational benefits, employment, academic evaluations or opportunities;
  - Submission to such conduct or communication has the purpose or effect of substantially interfering with a student's education; or
  - Such conduct is sufficiently severe or pervasive as to have the effect of creating an intimidating, hostile or offensive educational environment or negatively affecting a student's educational opportunities. For more information, refer to policy OIT-21-325.
24. **Stalking:** Stalking includes, but is not limited to, the persistent, severe or pervasive harassment of another person in a manner that would cause a reasonable person to feel frightened (for his/her safety or the safety of others), intimidated, threatened, harassed or molested, or suffer substantial emotional distress. This may include repeatedly contacting another person (through any means, such as in person, by phone, electronic means, text messaging, social media, etc.), following another person, or having others contact another person on your behalf.
25. **Dating Violence:** Dating violence is committed by a person who is or has been in a social relationship of a romantic or intimate nature with another person. The existence of such relationship shall be determined based on a consideration of the following factors:
- Length of the relationship
  - The type of relationship
  - The frequency of interaction between the persons involved in the relationship
26. **Domestic Violence:** Domestic violence is a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner. Domestic violence can be physical, sexual, emotional, economic or psychological actions or threats of actions that influence another person.
27. **Discrimination:** Discrimination on the basis of gender, race, age, status as a veteran, sexual orientation, national origin, religion or qualified disability is prohibited.

28. **Retaliation:** The University will not tolerate retaliation against a person who, acting in good faith, brings a complaint forward. Retaliation against an individual who has brought a complaint forward, or against an individual who has participated in an investigation, is prohibited.
29. **Disruption or Obstruction:** Disruption or obstruction of normal University or University-sponsored or -hosted activities, including, but not limited to: studying, teaching, research, University administration or fire, police or emergency services on University premises or at officially arranged University activities off campus.
30. **Failure to Comply:** Failure to comply with the lawful directions of any University employee acting within the scope of their official duties or failure to identify oneself to such a person when requested to do so.
31. **Classroom Disruption:** Classroom disruption is behavior that a reasonable person would view as substantially or repeatedly interfering with the instructor's ability to teach the class or the ability of other students to benefit from the instructional program.
32. **Theft:** Theft, attempted theft or unauthorized possession of property belonging to the University or others on University property.
33. **Property Damage:** Defacement, damage or destruction of property belonging to the University or others on University property.
34. **Fire Safety:** Misuse or unauthorized use (including tampering) of firefighting, fire sprinkling systems and other safety equipment or warning devices, and failure to evacuate when a fire alarm is activated.
35. **Unauthorized Entry:** Unauthorized entry into, or use of, any University building, facility, vehicle, equipment room or area. This includes unauthorized possession or use of University keys, computers, lock combinations or other special access codes or passwords.
36. **Traffic and Parking Violations:** flagrant or habitual parking violators may be referred for disciplinary action to the Office of Student Affairs.

#### IV. Disciplinary Responsibility

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

##### A. Disciplinary Process

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

##### A.1 Complaints

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



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

### **A.2 Evidentiary Standards**

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

### **A.3 Disposition of Charges**

The University disciplinary process is administered through Office of Student Affairs and is described here. Alleged violations of University regulations where neither disciplinary suspension nor disciplinary expulsion are a possibility are normally resolved through an Administrative Hearing process with a University hearing officer. Alleged violations of University regulations where disciplinary suspension or disciplinary expulsion are a possibility may be resolved through the Student Hearing Commission. Allegations where a one-on-one meeting between the hearing officer and the respondent would be the most effective way to establish the facts of the case are typically referred for an Administrative Hearing. Allegations that are complex, sensitive, require a number of witnesses or involve an alleged victim are often referred to Student Hearing Commission. The vice president for student affairs, the dean of students, or designee will assign the type of hearing after reviewing the initial complaint.

A respondent or complainant in a case assigned to an Administrative Hearing may request that their case be resolved at the Student Hearing Commission. Such a request must be made before the scheduled Administrative Hearing. The request must be in writing and explain the perceived benefit of the Student Hearing Commission. The vice president for student affairs or dean of students will review such requests and make a final determination as to the type of hearing.

### **A.4. Victim Amnesty**

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

## **B. Student Rights in Conduct Proceedings**

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

1. A written notice of the alleged violation(s)
2. An explanation of the student conduct process upon request
3. Have no code violation assumed until proven
4. A timely hearing
5. Be accompanied by an adviser during the hearing. The adviser is limited to advising the student and may not present the case, question relevant participants or make statements during the proceedings to participants other than the student they are advising

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

### **C. Administrative Hearing**

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

### **D. Student Hearing Commission**

Hearing procedures are provided for allegations against an individual or group where suspension or expulsion from the University are possible if they are found responsible, and for grievances. An Administrative Hearing will be conducted in these cases when the individual or group admits responsibility for the Code of Conduct violation(s). A

hearing before the Student Hearing Commission is available for cases where suspension or expulsion is possible and the individual or group denies responsibility for a Code of Conduct violation, or there are disagreements pertaining to the facts of the case.

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

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

#### **E.1 Pre-Hearing Procedures**

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

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

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

## **E.3 Hearing Process**

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

- c. The responding student may present an opening statement.
  - d. The Title IX investigator will present the investigation report and answer related questions in cases of sexual misconduct.
  - e. The complainant will present evidence and call witnesses.
  - f. The responding student will present evidence and call witnesses.
  - g. At the conclusion of each witness statement, the witness may be questioned by the hearing panel, the representative from the Office of Student Affairs, the accused student either directly or indirectly, and the complainant, either directly or indirectly.
  - h. The complainant may make a closing statement.
  - i. The responding student may make a closing statement.
  - j. All parties are dismissed for hearing panel deliberation.
12. The hearing may accommodate concerns for the personal safety, well-being or fears of confronting the complainant, accused student, or other witnesses. Procedures or the hearing environment may be modified as determined in the sole judgment of the vice president for student affairs, or designee, to be appropriate.

\*Honesty statement: The University expects that all information presented will be truthful and accurate. If false information is willfully provided, a student will be in violation of Section III of the Code of Conduct and may be subject to disciplinary action.

#### **E.4 Hearing Panel Deliberations and Decision**

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

#### **F. Victim Notification**

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

stalking will be provided with notification in writing of the final outcome of the disciplinary hearing, including the sanctions imposed against the alleged perpetrator. Victims of sexual harassment will be provided with notification in writing of the final outcome of the disciplinary hearing, including those sanctions that directly relate to the harassed student (e.g., no contact order, suspension, expulsion, etc.).

## **V. Appeal Procedure**

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

### **Appeal of Decisions Reached Through Hearing Proceedings**

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

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

University working days of receiving the written recommendation, but it may take longer during University recesses, in a complex case, or other reasonable circumstances.

5. If the president recommends modifying the outcome or the sanction, the final decision will be communicated in writing by the vice president for student affairs to the complainant and the respondent. The decision will normally be communicated within ten University working days of receiving the written recommendation, but it may take longer during University recesses, in a complex case, or other reasonable circumstances. The decision of the University president shall be final.

## VI. Implementation of Sanctions

Disciplinary actions or grievance decisions shall not be implemented until the time for appeal has expired, until the entire appeal process is completed, or if the individual or group voluntarily waives the right to appeal in writing. The exceptions to delaying sanctions until the process is complete include: 1) when interim suspension has been invoked by the vice president for student affairs or dean of students (see Interim Suspension procedures for details [Section II]); or 2) to protect the safety of others on the campus.

The vice president for student affairs retains the authority, at his/her discretion, to convert any sanction imposed by a hearing panel to a lesser sanction, to rescind any previous sanction, or to return a recommended sanction to a hearing panel for review or reconsideration.

## VII. Disciplinary Files and Records

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

## VIII. Disciplinary Sanctions

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

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



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



violence/misconduct, hazing, actions that result in the serious injury or death of another person(s), violation of a University-imposed No Contact Order or repeated alcohol or drug offenses that jeopardize the individual's or community's educational opportunities or safety. Students who are suspended from Oregon Tech are not permitted on campus or in University buildings, facilities or activities at any time for any reason during the period of suspension, unless otherwise directed by the vice president for student affairs, the dean of students, or his/her designee. Conditions to conclude a suspension shall be stated in the written notification, including the approval of the Office of Student Affairs. Notation on the transcript is not made; however, a permanent record of the action is maintained in the student's record in the Office of Student Affairs. Any refund of tuition or fees will be subject to the University's normal withdrawal policy.

20. **Deferred suspension** is suspension that may be deferred pending successful completion of the conditions to remain in school. Failure to complete the conditions in the given period of time will result in suspension from the University. Notation on the transcript is not made; however, a record of the action is maintained in the student's record in the Office of Student Affairs for the entire seven year period for which such records are retained (referenced in Section VII, above).
21. **Disciplinary Expulsion** is termination of student status for an indefinite period. The conditions or readmission, if any, shall be stated in the hearing outcome letter. Notification of disciplinary expulsion will be provided in writing. Any refund of tuition or fees will be subject to the University's normal withdrawal policy.
22. **Admission and Reinstatement Requirements** are conditions for admission given to students whose admission requires a clearance from Office of Student Affairs (see Section IX).

## **IX. Other University Policies**

### **A. Student Mailing Address**

Students are responsible for maintaining a current local mailing address with the Office of the Registrar. Since many official Oregon Tech communications are sent to students at their local mailing address and their Oregon Tech e-mail address, students are responsible for regularly checking their U.S. mail and University e-mail.

### **B. Health and Immunization Responsibilities**

Students are responsible for compliance with the immunization policies set forth by the State of Oregon and the University. All new students, regardless of entering classification or hours enrolled, are required to submit to Oregon Tech the Health History form. The form and details are available at [www.oit.edu/health](http://www.oit.edu/health). Students have the right to more information regarding immunizations, which can be found at the above website.

### **C. Drug Free School and Workplace Programs**

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

### **D. Admission Clearances for Potential Students Convicted of a Felony or Suspended from an Institution**

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

### **E. Readmission Requirements for Students Suspended for Disciplinary Reasons**

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

**X. Notice of Nondiscrimination**

Oregon Institute of Technology does not discriminate on the basis of race, color, ethnicity, national origin, gender, disability, age, religion, marital status, sexual orientation or gender identity in its programs and activities. The following person is designated to handle inquiries and complaints regarding this non-discrimination policy: Affirmative Action Officer, Oregon Tech, 3201 Campus Dr., Klamath Falls, OR 97601-8801; 541.885.1108; Fax 541.851.5200; e-mail: [ron.mccutcheon@oit.edu](mailto:ron.mccutcheon@oit.edu).

Hard copies of policies may be requested through the Office of Student Affairs in 217 College Union.

## APPENDIX 7: DRUG-FREE CAMPUS POLICY NOTICE

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DATE: February 1, 2016  
TO: All Oregon Tech Employees  
FROM: Ron McCutcheon  
Office of Human Resources  
SUBJECT: Oregon Institute of Technology Drug-Free Workplace Policy

Oregon Tech is committed to maintaining a drug-free workplace for its employees and students, and those who use or come into contact with the University, to ensure safe learning, living and working conditions; and to this end Oregon Tech has established a DRUG FREE CAMPUS POLICY (OREGON TECH-30-034). The policy states that Oregon Tech prohibits the unlawful manufacture, distribution, dispensing, possession or use of controlled substances by employees and students on University premises or as part of any University activity. It also says that non-compliance with this policy may result in penalties up to and including expulsion from the University or termination of employment. Criminal sanctions for violation of use or possession of a controlled substance may result from misdemeanor or felony charges.

Any employee convicted of violating a criminal drug statute in the workplace must notify his or her supervisor and the Director of Human Resources, (885-1108), no later than five days after such conviction. If the employee is involved with work supported by a federal agency, the federal agency will be notified within ten days after receiving notice of the criminal drug statute conviction.

In addition to any penalties under federal and state law, employees found to be in violation of this policy may be subject to disciplinary sanctions consistent with applicable provisions of state laws and regulations, Oregon Tech policies, applicable collective bargaining agreements, and applicable University directives. If imposed, sanctions will include appropriate personnel action (up to and including termination or expulsion from the University), and may require satisfactory employee participation in an approved substance abuse assistance or rehabilitation program.

Health risk factors associated with the use of various illicit drugs and the abuse of alcohol can be accessed through campus Human Resource Office or the Integrated Student Health Center. Additional information is also available on the Human Resources webpage under "Policies and Procedures – Substance Abuse" at <http://www.Oregon Tech.edu/hr/policies>.

Employees are encouraged to seek assistance for controlled substance abuse and dependency problems. Faculty and staff can avail themselves of this service through their Employee Assistance Program and their health benefits package, which provides some reimbursement for treatment and rehabilitation associated with substance abuse problems. Students may have such service available through their private insurance; further information is available at <http://www.Oregon Tech.edu/campus-life/student-health/insurance>. Information about these health benefits and other resources can be obtained through the Human Resources Office for faculty and staff and the Integrated Student Health Center for students.

***Ron McCutcheon***  
Chief Human Resources Officer  
& Civil Rights Compliance Officer  
Oregon Institute of Technology  
541.885.1108 Phone  
541.851.5200 Fax  
[www.Oregon Tech.edu](http://www.Oregon Tech.edu)



## APPENDIX 8: ANNUAL SECURITY REPORT, 2015

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2015

# Campus Security and Fire Safety Annual Report

January 01 through December 31, 2015

## **Oregon Institute of Technology**

Campus Safety Department

Emergency: 541.885.0911

Office: 541.885.1117

Patrol and Information Services: 541.885.1111

Risk Management

Office: 541.885.1225

*Partners for a Safe Campus*

# 2015 Klamath Falls Campus Annual Security Report

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#### Campus Crime Awareness and Campus Security Act

This annual report summary is provided in compliance with the federal Campus Crime Awareness and Campus Security Act of 1990 (Title II, Public Law 101-542, Nov. 1990) and the Higher Education Opportunity Act of 2008.

Information is reviewed and updated on an annual basis. A complete listing by category can be obtained on the Oregon Tech Campus Safety web page. If you have information for inclusion, or questions, comments or remarks, contact Campus Safety or the Vice President for Student Affairs.



*The Annual Security and Fire Safety Report*



# Annual Security Report (ASR)

## Introduction

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the Clery Act), requires that post-secondary schools participating in the Title IV Student Financial Aid Programs publish a statistical report of crimes occurring on or near the institution's campus and provide information about security policies, procedures and programs. The intent of the report is to inform you of the extent of reported crimes occurring in the four previous calendar years. The report also includes data from three years prior to the most recent year. In the case of this particular report you will see data for calendar years 2012, 2013, 2014 and 2015.

## Preparation and Disclosure of Annual Crime Statistics

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

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

## Distribution and Availability of the Current ASR

Each year, an e-mail notification is made to all enrolled students along with current faculty and staff members. The e-mail provides the web site to access this ASR report. Paper copies of the report may also be obtained at the Campus Safety office located in the Cornett Hall building, room 231. You can also call 541.885.1117 to request a copy of this report. All prospective employees may obtain a copy of this report from Human Resources in the Snell Hall Administrative building, room 109 or by calling 541.885.1074.

## Reportable Crimes

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

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

## Excluded Crimes

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

1. ***Reported to the Proper Authorities*** – The incident must be reported to law enforcement or a person who, according to the Clery Act, is defined as a Campus Security Authority. A person designated as a Campus Security Authority includes more than individuals employed by the University security department. The term is applied to any person who works for the University in a paid or volunteer status and has significant responsibilities for student activities. For example; professors, student advisors, resident advisors, coaches for university athletics and persons who perform security functions at campus recreational facilities are considered campus security authorities.  
  
If you are someone whom a student reasonably believes that he or she can report a crime to and expect that the matter will be addressed directly through your intervention or that you will contact law enforcement for a response, then you are Campus Security Authority.
2. ***Listed Crimes*** – The crime must be one of those listed in the Clery Act as a reportable crime.
3. ***Reportable Area*** – The crime must have occurred in one of the reportable areas. Every reportable crime occurring within the boundaries of campus is in a reportable area. The two remaining areas are a little more difficult to define. Perimeter streets are described in the following way: “Sidewalk – Street – Sidewalk”. This means that a reportable crime occurring on the sidewalk on either side of a perimeter street is reportable as are incidents occurring in the street. But an incident occurring in a building (a privately owned store) on the distant side of a perimeter street would not be included. Unfortunately, most law enforcement agencies do not distinguish where a crime occurs with this degree of detail. Crimes are usually located by street and house numbers.
4. ***Made in Good Faith*** – For an incident to be included there must be a determination that the report is made in good faith. Supporting evidence makes this determination easy, but such evidence is not always

available. In such a case the credibility of the person making the report is considered. When the incident is reported to us through a law enforcement agency, we assume that this determination has already been made.

5. ***Not founded (unfounded)*** – If in the case of a particular incident, law enforcement determines that the incident could not have occurred or did not occur, i.e., a false report, the crime would not be included in the annual report.

## **Security Policies, Procedures and Programs**

In this report you will find information about security policies, how to report crimes, the jurisdiction and arrest authority of Campus Safety personnel and information about campus educational programs.

These documents, which come from a number of campus departments, are gathered together here to assist you in your efforts to arrive at a more complete understanding of the campus climate as it relates to the issues of personal safety, crimes occurring on or near campus and the resources available to you as a student, faculty or staff member.

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

## **Campus Environment**

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

## **Campus Safety is a Shared Responsibility**

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

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

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

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

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

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

### **Security Awareness and Crime Prevention Tips**

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

#### **Incident Reporting**

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

#### **Important Phone Numbers**

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

#### **Personal Safety**

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

- If working or studying late, arrange to leave with a friend or call Campus Safety at 541-885-1111 for Safety Escort assistance. Lock doors and windows if working late/alone.

- Refrain from getting in elevators with people who look out of place or behave in a strange or threatening way. Always immediately report suspicious people or conditions to Campus Safety at 541-885-1111.
- If being followed, go to a populated area.
- Be alert to any suspicious persons or vehicles.
- Carry a fully charged cell phone with emergency numbers pre-programmed.

### **Property Protection**

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

### **Bicycle Theft**

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

### **Office Security**

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

### **Key Control**

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

### **Parking Safety**

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

### **In a Threatening Situation**



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

### Campus Safety Tips

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

### Campus Safety Services

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

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

### Programs and Available Training for Sexual Misconduct Awareness and Prevention, Drug and Alcohol Abuse (Academic year of 2015/16)

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

- **August:** Campus Safety *Suicide Prevention* training. Presented training on working with suicidal students; audience: -staff
- **September:**

- Resident Advisor *Training I* Presented training on topics such as alcohol and other drugs, suicide, and sexual assault (in order to assist their residents); audience: -students
- Resident Advisor *Training II* Presented training on self-care and wellness, included personal safety component; audience: -students
- New Residents All Hall Meeting Presentation on alcohol and other drugs, ISHC resources, and sexual assault prevention; Erin showed the “tea video” here; audience: -students
- New Student Orientation Health and Safety Panel Discussion included topics such as sexual assault, substance abuse, and safety; audience: -new students
- Returning Residents All Hall Meeting Presentation on alcohol and other drugs, ISHC resources, and sexual assault prevention; Erin showed the “tea video” here too; audience: -students
- **October:**
  - *Helping Students in Distress Workshop* Presentation by Student Support Team (SST) to faculty, included personal safety component; audience: -faculty
  - *Suicide Prevention* Presentation on suicide prevention for 2 sections of Intro Psychology class; audience: -students
  - *Campus Climate Survey*: The Sexual Misconduct Task Force launched the first Oregon Tech Campus Climate survey in 2015 in order to gather baseline data regarding perceptions, beliefs, and experiences from faculty, students, and staff about campus climate, student safety, and sexual misconduct. A total of 384 students took the survey, and 129 faculty/staff (for a total of 513). This information was presented to the Sexual Misconduct Task Force in early December.
- **November:** *Suicide Prevention* Presentation on suicide prevention for 2 sections of Intro Psychology class; audience: -students
- **February:** *Suicide Prevention* Presentation on suicide prevention for 2 sections of Intro Psychology class; audience: -students
- **March:**
  - *Suicide Prevention* Presentation on suicide prevention for 2 sections of Intro Psychology class; audience: -students
  - Safe Spring Break Table focused on sexual assault prevention trivia that supported the Red Flag campaign; audience: -students
  - *Red Flag* launch Residence Life placed Red Flags after the Easter Egg Event, all around the fountain. Sidewalk chalk explained the meaning and encouraged students to visit the Choose Well tent for additional information. This stayed up for that whole week.
- **April:**
  - *Healthy Relationships* presentation for TOP ACAD regarding healthy relationships, included conflict management and abuse component; audience: -students
  - Further, *Sexual Assault Awareness Week* co-sponsored by the Women’s Resource Center, Integrated Student Health Center, Campus Safety, and the Sexual Misconduct Taskforce. The audience included the entire campus community (faculty, staff, and students). Activities included:
    1. Choose Well Survey and *Red Flag* tabling event.
    2. *Red Flag* info put on to the app. Through Student Affairs
    3. Choose Well Survey and Red Flag tabling event. (The purpose of the above tabling event is to provide information about The Red Flag Campaign and other events that take place during *Sexual Assault Awareness Month*. Also: information about community and school services concerning sexual assault are provided. Residence Life composed a letter which was sent to faculty, students and staff to promote the *Red Flag Campaign* and all other activities which will occurring in April.)
    4. WRC started the *Clothesline Project*. It will continue for 2 weeks
    5. Choose Well Survey on Sexual Assault at the Wilsonville campus
    6. *Clothesline Project* in the Shasta Lounge by the WRC – Marta’s House participated, as well.
    7. On April 12<sup>th</sup>:
      - a. At Super Club the WRC provided a “white ribbon” campaign and introduce the idea of “It’s On Us.”

- b. WRC held a *Flower Vigil* for people who wanted to express their feelings and let go of feelings. Participants recited the *It's On Us* pledge then released their flower.
- c. Tabling event in Residence Hall. Marta's House participated
- 8. Therapeutic clay creature creation program. A type of art therapy which will help "let-go" of old bad feelings.
- 9. Campus Safety provided a self-defense program.
- 10. Tabling event in the Village. Marta's House participated
- 11. *Clothesline Project* in the Shasta Lounge by WRC – Marta's House assisted
- 12. OHSU program in CU and Purvine Hall as a promotion for *It's On Us*.
- **May** *Suicide Prevention* Presentations on suicide prevention for 2 sections of Intro Psychology class; audience: -students
- **June:** End-of-Year Pool Party messaging about consent and *Red Flag*; audience – students. ***The Red Flag campaign was on-going during 2015 all across campus (passive programming via posters).***

ISHC worked with Oregon Tech Broadcasting (OTB) to create an "It's On Us" video which featured groups of students who were emphasizing that responsibility for preventing sexual assault falls on everyone. The national campaign information is found here: <http://itsonus.org/> and the Oregon Tech video is currently posted Oregon Tech's Student Affairs website.

Additionally, several staff members attended the Sexual Assault Conference at Portland State University.

With regards to the *Choose Well* events, students were encouraged to select one healthy behavior from the following list, then were e-mailed a month later to see if they actually implemented their selected behavior (I've included the percentages of students who choose each of the behaviors to implement in parentheses:

- Be clear about consent (21%)
- Be a responsible bystander - Owls say something! (43%)
- Find out where to get help if you need it (9%)
- Check out the Red Flag campaign on campus (9%)
- Encourage someone you know to get help if they are a survivor (13%)
- I do not plan on implementing any of these behaviors (5%)

A total of 201 students completed the *Choose Well* survey; however, only 12 students completed the follow-up. Of those 12, only 17% had a chance to implement their selected behavior from the list above, but 100% of those students indicated that it was *Beneficial* to *Very beneficial* for them to do so. Additionally, 67% of the students who completed the follow-up indicated that they intended to engage in that behavior from this point forward *Very Much* with the remaining 33% intending to do so *A Good Deal*.

The *Safe Campus* initiative was continued as well, with updates to the dedicated web page ([www.oit.edu/safecampus](http://www.oit.edu/safecampus)) and committed buy-in from all key departments on campus. Employees have dedicated significant time and energy to supporting and promoting this new initiative, within the scope of their positions and the limits of time constraints.

### **Campus Life/Sexual Misconduct Task Force/Women's Resource Center/Diversity Center**

During the 2015-16 academic year, the following prevention efforts were completed:

- **September:** A session at the New Student Orientation program that specifically addressed the issues surrounding safe use of alcohol, Oregon Tech marijuana policies, sexual assault/misconduct on college

campuses, and the resources, policies and expectations for students at Oregon Tech around this topic with guest speaker C.L. Lindsay. The presentation included information about Title IX, the VAWA/SAVE/Clery Acts, and a Q&A session for new students with campus administration.

- **September:** Sexual Assault Misconduct Taskforce's continuation of the *Red Flag Campaign* on campus, with the installation of posters around campus and a calendar for their continued updating.
- **October:** *Best Practices for Sexual Misconduct Prevention and Response at Western Oregon University* (team of administrators from Oregon Tech attended).
- **October:** Diversity Center coordinated *Diversity Dinner Series* including presentations on celebrating sexual orientation and gender expression.
- **November:** WRC staff training on student sexual assault trauma and resources
- **March:** WRC staff review on student sexual assault trauma and resources
- **March:** Integrated Student Health Center's *Safe Spring Break* event to educate students about safety and equip them with ideas for good decision making.
- **April:**
  - *Sexual Assault Awareness Week* was held, co-sponsored by the Women's Resource Center, Integrated Student Health Center, Campus Safety, and the Sexual Misconduct Taskforce. Activities included:
    - *Clothesline Project*
    - Empowerment workouts by the ISHC staff
    - Diversity Center & WRC staff hosted a session entitled "*Start by Believing*" for the support of victims of sexual assault
    - WRC sponsored an open mic night for sexual assault survivors and allies.
    - WRC sponsored clay therapy
    - WRC and ISHC collaborated on the "*It's on Us*" national campaign to stop sexual assault on college campuses.
  - Women's Resource Center and Diversity Center volunteers created displays, hung posters, and provided informational resources throughout the year
  - Health educator directed efforts to Oregon Tech athletes by conducting *Alcohol and Other Drugs* seminars which include the connection of alcohol abuse and sexual misconduct
  - The Dean of Students presented *AOD* sessions to our fraternity, which included a discussion on *AOD* and sexual misconduct.

## Residence Life

- **September/October 2015:**
  - All-Hall meetings. Subject matter included and centered on safety around campus, alcohol issues and information and fire safety.
  - Community meetings centered around safety in resident housing and on campus, alcohol issues and information and what to do in an emergency. These meetings occurred in every resident community.
- **November/December 2015:** Closing for winter break meetings centered on discussions and information about safe travel tips and how to navigate campus as it gets darker earlier at night
- **Fall term 2015:**
  - The theme of the resident housing bulletin boards was focused safety -especially alcohol-related issues and information.
  - Marijuana informational posters were displayed in all resident buildings explaining the federal law and Oregon Tech policies of zero tolerance for possession or smoking/consuming marijuana in resident buildings or on campus.
- **January 2016:** Housing and Residence Life participated in some passive programming centered around safe sex.
- **February, 2016:** Several diversity bulletin boards were displayed in the resident buildings focusing on diversity issues.
- **May/June, 2016:** Closing for summer meetings for the year. The subject matter included how to stay safe preparing for summer and travel.

## Athletics:

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

1. *NAIA rules and Performance-Enhancing Drug awareness Introduction* –performance-enhancing drugs
2. *Dietary supplements and Sports Nutrition*: Prescription and over-the-counter medications
3. *Life Skills*
4. *The Transition from college Athlete to Healthy Adult: available fall, 2016*

Other courses available:

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

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

## Human Resources:

- **September:**
  - Discussions with Executive Staff and Student Affairs leadership on subject matter that included Title XI issues related to sexual assault, harassment, dating violence and domestic violence.
  - Presentations (x 2) in Psychology classes focusing on Discrimination and Sexual Harassment.
  - Resident Advisors were given a presentation focusing on Title IX and Bystander.
- **October:** Two sessions with Management classes on subject matter that included Title XI issues related to sexual assault, harassment, dating violence and domestic violence.
- **November:** A session with Dental Hygiene students on subject matter that included Discrimination and Sexual Harassment.
- **February:** A session with Dental Hygiene students on subject matter that included Title XI issues related to Sexual Assault, Harassment, Dating Violence and Domestic Violence.

## Disability Services

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

## Programs and Available Training for Sexual Misconduct Awareness and Prevention

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

- Rape and acquaintance rape
- Domestic violence
- Dating violence
- Sexual Assault

- Stalking
- Bystander intervention

The educational training programs will also include the recognition of signs of abusive behavior along with safe and positive options for bystander intervention an individual may take to prevent harm if/when intervening in risky situations observed by the said bystander. Ongoing prevention and awareness campaigns for students and all employees will follow after the fall programs.

### **Campus Safety Programs and Trainings:**

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

- **September 2015-May 2016:** Active Shooter presentations for faculty, staff and students. These sessions were primarily presented by the Campus Safety training officer. This officer teamed up with Dean of Students and Campus Safety director on a few of the dates taught. The presentations use the model of “Shots Fired on Campus” and A.L.I.C.E. training standards for what-to-do if an active shooter is reported on campus. The options for shelter-in-place, flee the area if it is safe to do so or stay and fight are discussed and explained. Those that take part in the presentation will realize that they will have a direct part to play in their own safety and the safety of others. This presentation is given at different times to faculty, staff, residents, and off campus students through each academic year beginning in September.
- **September:** All Hall meetings for new residents. The information provided to the new students covers everything from the dangers of drug and alcohol issues, personal safety, self-defense, marijuana standards on campus, keeping your possessions safe, Residence Hall safety, what to do to report a crime/accident/incident.
- **September-June:** New student orientation table occupied by the Campus Safety training officer. Subject matter includes but is not limited to Campus Safety services, personal safety, how to report a crime/accident/incident, dangers of drug and alcohol use, and self-defense 5-7 times per academic year.
- **October-May:** *Self Defense* classes taught by Campus Safety for resident and off campus student training sessions 2-3 times per academic year. These sessions are available to residents and off campus students.
- **November:** *Safe Winter Driving* Students are presented with strategies on how to effectively drive during winter conditions. Students are taught how to more efficiently accelerate, brake and steer their vehicle given icy and snowy roadways.
- **January:** *General Safety* training: Oregon Tech ambassadors were given hands-on lessons in a presentation focused on their given positions on campus. The Campus Safety training officer presented ways to de-escalate irate or upset people they may come in contact with, what to do if they are in the middle of a campus tour and there is an emergency situation on campus including assisting those they are on tour with along with other pointers regarding safety and awareness.
- **March:** *Safe Spring Break:* Working with the Integrated Student Health Center, the Campus Safety training officer presented on ways to stay safe during spring break for college students. Special glasses/goggles were used to dramatize a simulated intoxicated person. Students donned the glasses and were given field sobriety tests by the training officer. Students were also given pamphlets describing the effects of driving or even functioning while impaired or intoxicated. Sobriety while driving and having fun during break as emphasized.
- **April:** During the National Sexual Assault Awareness Month, Campus Safety teams up with Campus Life, the Women’s Resource Center and Student Affairs to take part in trainings and presentations with on and off campus presenters. These presentations consist of what to do if you are a survivor of a sexual assault, the process of reporting a sexual assault, how to connect with resources if you are sexually assaulted, the criminal process of initial reporting and court cases, surviving and thriving after an assault. The national Sexual Assault Awareness Month takes place annually in April.



### **Campus Safety also provides:**

- Crime Prevention/Safety Information: Campus Safety Officers are available to assess potential safety problems or hazardous situations.
- Parking Services: Temporary parking permits, information, vehicle unlocks and “jump starts” for dead batteries.
- Special Events Assistance: Campus Safety Officers assist with crowd control, barricade set-up, traffic control, vehicle assistance and other activities.
- “Night Ride” Program: Officers are available to escort individuals on campus to vehicles, buildings or the Residence Halls.
- Building Access: Faculty and staff members without a key who need access to a building may request assistance after proper clearance or verification.
- Student Auxiliary Safety Patrol: SASP employees act as an additional level of safety for the campus. Patrols raise the visibility of Campus Safety and increase a security presence on campus.

### **Campus Safety and Klamath Falls Police Department**

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

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

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

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

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

## Crime Prevention and Education

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

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

### *Campus Safety personnel provide the following crime-prevention services:*

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

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

## Reporting a Crime

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

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

- Vice President for Student Affairs/Dean of Students @ 541.885.1011
- Administrative Director of Integrated Student Health @ 541.885.1800
- Director of Residence Life @ 541.885.1087
- Title IX Coordinator @ 541.885.1487
- Chief Human Resources Director (Affirmative Action/Civil Rights/Chief Diversity Officer) @ 541.885.1108
- Campus Safety general office line (non-emergency/minor crime) @ 541.885.1111
- Director of Emergency Management @ 541.885.1225
- Vice President of Finance and Administration @ 541.885.1105

## Building Access and Safety



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

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

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

### **Security of Campus Grounds**

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

### **Residence Hall Safety**

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

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

### **Timely Warnings**

The issuance of timely warnings on campus satisfies the Clery Act for the purposes of reporting an ongoing threat to the campus community. If there is a crime with an element of a continued threat to the safety of campus faculty, staff, students or visitors, a timely warning to the campus community will be communicated. The timely warning will be comprised of the initial crime, suspect description (if known), generic victim information where appropriate along with

the time and location the crime took place. The timely warning will also include information regarding the continued or ongoing threat to the campus community's safety and precautions to take until the threat is removed or no longer considered a threat to campus.

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

### Emergency Notifications

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

### OIT-Alert

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

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

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

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

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

### *How OIT-Alert Works*

We are committed to providing a safe learning environment for its students, faculty, staff and administrators. With this commitment comes a responsibility to notify the campus community of emergency situations if they arise on Oregon

Tech campuses. OIT-Alert fulfills this commitment with emergency information available to the campus community and by providing emergency information and notification to a large scale of persons on campus and the larger outlying community. OIT-Alert will provide emergency information without delay to the campus community and beyond once an emergency situation or threat is confirmed and the appropriate officials on campus are notified for purposes of emergency response and possible evacuations.

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

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

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

### **How OIT-Alert will be used**

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

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

### **Types of messages to be sent by OIT-Alert**

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

*“OIT-Alert - Fire in Owens Hall. If you are in Owens Hall, evacuate immediately. If you are not in Owens Hall, avoid the area. Visit [www.oit.edu](http://www.oit.edu) and check e-mails for details.”*

Confirmation that the emergency notification message is from OIT-Alert

In order to know that a message has been sent from OIT-Alert by the message sender, look for the following addresses with the given preferred electronic device:

- **Text message SMS ID#:** 23177
- **Phone:** 541-885-0648 (885-0-OIT) message only for referring to Web

- E-mail: [oit-alert@oit.edu](mailto:oit-alert@oit.edu)

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

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

### **Evacuation Drills and Procedures**

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

### **Missing Student Notification Policies & Procedures**

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

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

Oregon Tech Housing and Residence Life maintain emergency contact information for each student that lives in on-campus housing. Beginning September 2009, each student that lives in on-campus housing has the option to identify a contact person or persons whom the university will notify if the student is determined to be missing for a 24 hour period. As with all emergency contact information it will remain confidential, be accessible only to authorized campus officials and law enforcement and will not be disclosed outside of a missing student investigation.

It is the Campus Safety Department that will be responsible for determining that a student is missing. Once determined missing for 24 hours, Oregon Tech will notify the designated contact person within 24 hours. If the student is under 18 years of age and is not emancipated, the student's custodial parent or guardian will also be notified within 24 hours. The

appropriate law enforcement agencies will be contacted within 24 hours of the determination that the student is missing. This notification will be made even if the student has not registered a contact person.

## Standards of Conduct

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

## Prohibited Conduct

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

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

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

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

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

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



offensive educational environment or negatively affecting a student's educational opportunities. For more information, refer to policy OIT-21-325.

- **Stalking:** Stalking includes, but is not limited to, the persistent, severe or pervasive harassment of another person in a manner that would cause a reasonable person to feel frightened (for his/her safety or the safety of others), intimidated, threatened, harassed or molested, or suffer substantial emotional distress. This may include repeatedly contacting another person (through any means, such as in person, by phone, electronic means, text messaging, social media, etc.), following another person, or having others contact another person on your behalf.
- **Dating Violence:** Dating violence is committed by a person who is or has been in a social relationship of a romantic or intimate nature with another person. The existence of such relationship shall be determined based on a consideration of the following factors:
  - Length of the relationship
  - The type of relationship
  - The frequency of interaction between the persons involved in the relationship
- **Domestic Violence:** Domestic violence is a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner. Domestic violence can be physical, sexual, emotional, economic or psychological actions or threats of actions that influence another person.
- **Discrimination:** Discrimination on the basis of gender, race, age, status as a veteran, sexual orientation, national origin, religion or qualified disability is prohibited.
- **Retaliation:** The University will not tolerate retaliation against a person who, acting in good faith, brings a complaint forward. Retaliation against an individual who has brought a complaint forward, or against an individual who has participated in an investigation, is prohibited.
- **Disruption or Obstruction:** Disruption or obstruction of normal University or University-sponsored or -hosted activities, including, but not limited to: studying, teaching, research, University administration or fire, police or emergency services on University premises or at officially arranged University activities off campus.
- **Failure to Comply:** Failure to comply with the lawful directions of any University employee acting within the scope of their official duties or failure to identify oneself to such a person when requested to do so.
- **Classroom Disruption:** Classroom disruption is behavior that a reasonable person would view as substantially or repeatedly interfering with the instructor's ability to teach the class or the ability of other students to benefit from the instructional program.
- **Theft:** Theft, attempted theft or unauthorized possession of property belonging to the University or others on University property.
- **Property Damage:** Defacement, damage or destruction of property belonging to the University or others on University property.
- **Fire Safety:** Misuse or unauthorized use (including tampering) of firefighting, fire sprinkling systems and other safety equipment or warning devices, and failure to evacuate when a fire alarm is activated.
- **Unauthorized Entry:** Unauthorized entry into, or use of, any University building, facility, vehicle, equipment room or area. This includes unauthorized possession or use of University keys, computers, lock combinations or other special access codes or passwords.
- **Threats and Bullying:** Persistent, severe or pervasive verbal abuse, threats, intimidation, harassment, coercion, bullying or other conduct that threatens or endangers the mental or physical health/safety of any person or causes reasonable apprehension of such harm.
- **Hazing:** Hazing is any action or activity that causes or intends to cause physical or mental discomfort or distress, that may demean, degrade or disgrace any person, regardless of location, intent or consent of participants, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization (on or off campus). Apathy or acquiescence in the presence of hazing are not neutral acts; they are violations of this rule. (State law classifies hazing as a crime.) The University will strongly recommend suspension for students found responsible for hazing when harm/injury occurs. Examples include, but are not limited to:
  - a. Sleep deprivation or causing extreme fatigue
  - b. Physical or psychological shock;

- c. Public stunts or jokes;
- d. Compelled ingestion of any substance, including water
- e. Degrading or humiliating games or activities;
- f. Forced servitude.
- **Harassment:** Harassment means
  - a. Intentionally subjecting a person to offensive physical contact;
  - b. Unreasonable insults, gestures, or abusive words, in the immediate presence, and directed to, another person that may reasonably cause emotional distress or provoke a violent response (including but not limited to electronic mail, social media, conventional mail and telephone) except to the extent such insults, gestures or abusive words are protected expression; or
  - c. Other types of prohibited discrimination, discriminatory harassment, and sexual harassment, as defined by law.

## **Disciplinary Responsibility**

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

### **A. Disciplinary Process**

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

#### **A.1 Complaints**

1. Any member of the University community (faculty, staff or student) or any person who is unaffiliated with the University who has knowledge of an alleged violation of the Code of Conduct may file a complaint against a student alleging that a violation of the Code of Conduct has occurred. The University may itself initiate a complaint.
2. Such complaint shall be filed with Office of Student Affairs as soon as possible but typically within 180 calendar days (not University business days) of the alleged violation. A later complaint may be accepted with the approval of the Vice President for Student Affairs, the Dean of Students, or designee.



3. The complaint must be submitted in writing and signed by the complainant(s), or submitted via approved online form and electronically signed by appropriate technical method, and must include the date, time, place, name(s) of person(s) involved (e.g., the accused, witnesses) and sufficient detail to make a determination of whether disciplinary action may be warranted.
4. Complaints may be initiated for incidents where concurrent criminal charges are pending. The University reserves the right to adjudicate incidents without regard to either pending civil litigation or criminal prosecution. University disciplinary proceedings may proceed before, during or after court proceedings.

### **A.2 Evidentiary Standards**

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

### **A.3 Disposition of Charges**

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

### **A.4. Victim Amnesty**

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

## **B. Student Rights in Conduct Proceedings**

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

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

### **C. Administrative Hearing**

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

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

#### **D. Student Hearing Commission**

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

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

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

document.

5. In cases of sexual harassment and sexual misconduct, the Title IX investigator will present an investigation report as part of the hearing proceedings. The investigator will present the report and answer questions. The role of the investigator is to serve as an unbiased party conducting a thorough investigation of all allegations of sexual harassment or sexual misconduct. The investigation report is a compilation of facts, not a verbatim report, and is not appealable or rebuttable.

### **E.1 Pre-Hearing Procedures**

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

separately or together, to discuss and explain the hearing procedures and answer questions.

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

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

### **E.3 Hearing Process**

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

that victim may submit an impact statement.

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

\*Honesty statement: The University expects that all information presented will be truthful and accurate. If false information is willfully provided, a student will be in violation of Section III of the Code of Conduct and

may be subject to disciplinary action.

#### **E.4 Hearing Panel Deliberations and Decision**

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

#### **Victim Notification**

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

#### **Appeal Procedure**

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

### **Appeal of Decisions Reached Through Hearing Proceedings**

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

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

### **Other University Policies**



### **Drug Free School and Workplace Programs**

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

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

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

### **Readmission Requirements for Students Suspended for Disciplinary Reasons**

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

### **Notice of Nondiscrimination**

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

Hard copies of policies may be requested through the Office of Student Affairs in 217 College Union

### **Alcohol and Drug Policy**

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

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

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

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

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

Oregon Revised Statutes dealing with drugs may be found here:  
[https://www.oregonlegislature.gov/bills\\_laws/lawsstatutes/2013ors475.html](https://www.oregonlegislature.gov/bills_laws/lawsstatutes/2013ors475.html)

### **Substance Abuse Programs**

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

### **Firearms, Munitions and Explosives**

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

## Clery Crime Updates and Clarification

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

### Violence Against Women Act Legislation

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

### New Clery Crimes

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

### Changes to Reporting Practices

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

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

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

## Clery Crime Definitions and Terminology

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

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

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

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

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

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

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

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

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

## **Domestic Violence**

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

**Dating Violence (Federal Definition)**

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

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

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

**Stalking:****A. State Definition**

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

**B. Federal Definition**

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

**Consent:** One of the most important areas for someone to be aware of is the area of consent. It is the responsibility of the parties to both give and receive consent in a clear, concise and mutually understood manner. Consent once given can be revoked at any time. Once consent is withdrawn, the sexual activity must cease immediately and all parties

must obtain mutually expressed or clearly stated consent before continuing further sexual activity. Just because consent was given in the past each new contact should clearly establish consent between everyone involved.

#### THE OREGON REVISED STATUTES DEFINES THE INABILITY TO CONSENT AS:

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

(1) A person is considered incapable of consenting to a sexual act if the person is:

- (a) Under 18 years of age;
- (b) Mentally defective;
- (c) Mentally incapacitated; or
- (d) Physically helpless.

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

##### **Evaluate and Communicate Your Intentions**

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

Both women and men should consider the following:

- PAY CLOSE ATTENTION TO WHAT IS HAPPENING AROUND YOU. CLEARLY COMMUNICATE YOUR DESIRES, LIMITS AND INTENTIONS TO YOUR DATE, PARTNER, OR FRIEND.
- INTERCOURSE BECOMES RAPE WHEN A PERSON IS UNDER THE INFLUENCE OF ANY INTOXICATING OR CONTROLLED SUBSTANCE AND IS THEREBY PREVENTED FROM RESISTING OR CONSENTING TO THE SEXUAL CONTACT. BE AWARE THAT ALCOHOL AND OTHER DRUGS CAN IMPAIR YOUR JUDGMENT; MAKE YOU SLOW OR UNABLE TO ESCAPE FROM A DANGEROUS SITUATION.
- PREVIOUS SEXUAL CONTACT, REGARDLESS OF FREQUENCY, DOES NOT CONSTITUTE CONSENT FOR SEXUAL ACTIVITY IN THE PRESENT OR FUTURE. A CURRENT OR PREVIOUS DATING RELATIONSHIP DOES NOT CONSTITUTE THE BASIS FOR IMPLIED CONSENT.
- DO NOT ASSUME THAT SEXUAL INTERCOURSE IS PERMISSIBLE IF A PERSON IS DRESSED IN A CERTAIN WAY OR IS INCAPACITATED AND DOES NOT GIVE CONSENT.
- BEING TURNED DOWN FOR SEXUAL ACTIVITY IS NOT NECESSARILY A PERSONAL REJECTION. IT SHOULD BE ACCEPTED AS EXPRESSED BECAUSE "NO" MEANS "NO."
- ASSAULTIVE BEHAVIOR IS NEVER ACCEPTABLE.

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

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

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

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

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

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

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

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

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

### **Clery Act Hate/Bias Crimes**

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

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



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

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

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

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

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

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

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

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

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

### **Other Crime Definitions**

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

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

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



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

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

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

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

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

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

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

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

## Bystander Intervention

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

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

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

### **What is Bystander Intervention?**

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

### **Bystander intervention includes:**

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

## Campus Security Authorities

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

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

### Who is a Campus Security Authority?

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

### Examples of Campus Security Authorities:

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

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

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

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

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

### The Role of a Campus Security Authority

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

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

- Murder
- Manslaughter

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

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

### **If You Are Sexually Assaulted**

#### ***For Students:***

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

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

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

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

#### ***For Employees:***

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

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

- For Campus Safety assistance, dial 5.1111 (on campus) or 541.885.1111 (off campus).
- For Integrated Student Health Center, dial 5-1800 (on campus) or 541.885.1800 (off campus)
- For the Title IX Coordinator, dial 5.1487 (on campus) or 541.885.1487 (off campus)
- For police assistance, dial **911** (on or off campus).

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

### **Rape Evidence Collection Examination**

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

### **General Medical Attention**

YOU CAN RECEIVE MEDICAL ATTENTION FROM THE FOLLOWING AREAS:

INTEGRATED STUDENT HEALTH SERVICES: 5.1800 (ON CAMPUS) OR 541.885.1800 (OFF CAMPUS)

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

### **FOR IMMEDIATE COUNSELING**

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

### **Additional Reporting Information and Options**

- Oregon Tech Vice President for Student Affairs Office at 5.1011 (on campus) or 541.885.1011 (off campus). This office can help you explore potential university judicial disciplinary actions that could

follow an incident of sexual assault or relationship violence in compliance with the Oregon Tech Student Code of Conduct, which governs internal disciplinary sanctions and procedures.

- Oregon Tech takes sexual and relationship violence very seriously. Another reporting option for crimes of sexual and dating violence can be anonymously reported by completing an Anonymous Report Form for sexual or relationship violence. It is available on line through the Office of Student Affairs at <http://www.oit.edu/docs/default-source/Student-Affairs-/anonymous-report.pdf?sfvrsn=0>. Once the form is filled out, it can be placed in an envelope and mailed or delivered to either the Office of Student Affairs or the Integrated Student Health Center. The form includes addresses for both locations. If the survivor wishes for the crime to be recorded in university statistics, a section on the report form will need to be completed. All details are on the anonymous reporting form. *Filling out the available form does not constitute a police report or a student conduct report. Please read the entire Sexual Assault portion of this annual report for more information on reporting a sexual crime to authorities.*
- Oregon Tech Campus Safety at 5.1111 (on campus) or 541.885.1111 (off campus). They will help you in any manner possible, including contacting a counselor, helping you get a medical exam, reporting an assault to the Klamath Falls Police Department
- Klamath Falls Police Department at 541.883.5336 or 911 in an emergency. They hold jurisdiction for any criminal action occurring in the city of Klamath Falls. Officers will respond and assist in getting an incident documented and can follow up on any needed action.

If you are sexually harassed, assaulted, or a victim of sexual violence, you can also contact the Title IX Coordinator Nicole Briggs at 541.885.1487. (<http://www.oit.edu/faculty-staff/human-resources/contact-us>)

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

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

## EXPLORE REPORTING OPTIONS

IF THE POLICE OR CAMPUS SAFETY ARE CONTACTED, YOU CAN CHOOSE TO MAKE EITHER AN "INFORMATIONAL (INFORMAL) REPORT" OR A FORMAL REPORT. A FORMAL REPORT INITIATES A CRIMINAL INVESTIGATION. AN INFORMATIONAL REPORT IS NOT ACTIVATED UNTIL YOU FILE A FORMAL COMPLAINT AND ASK POLICE TO DO SO. ALL INFORMAL AS WELL AS FORMAL REPORTS ARE FORWARDED TO THE DEAN OF STUDENTS FOR REVIEW AND APPROPRIATE ACTION.

- YOU CAN EXPLORE REPORTING OPTIONS WITH CAMPUS SAFETY (5.1111). ASK TO SPEAK WITH AN OFFICER. YOU DO NOT HAVE TO FILL OUT A REPORT OR PRESS CHARGES AGAINST THE OFFENDER. A CAMPUS ADMINISTRATIVE INVESTIGATION WILL BE CONDUCTED BASED UPON THE INFORMATION RECEIVED.
- YOU CAN REPORT A SEXUAL ASSAULT UP TO SIX YEARS AFTER IT OCCURRED WITHOUT ANY DNA EVIDENCE OR UP TO 12 YEARS IF THERE IS DNA EVIDENCE. CALL 541.885.1111 AND ASK TO SPEAK WITH AN OFFICER REGARDING A "PERSONAL MATTER." YOU DO NOT HAVE TO GIVE YOUR NAME. THE OFFICER WILL TALK TO YOU THEN OR CALL YOU BACK.
- You have the right to have someone present with you (an Advocate) during a medical examination, police report, or meeting with Campus Safety.
- When reports are made relative to domestic violence, dating violence, sexual assault and stalking, the Dean of Students/Vice President of Student Affairs will work with Campus Safety to investigate the incident, assign charges, invoke interim sanctions (including, but not limited to, removal from residence halls, reassigning classes, removal from campus and interim suspension) when necessary, conduct a hearing and

determine an outcome based on the **preponderance of evidence** (*Superiority in weight of an evidence that is more convincing [even if minimally] than the evidence presented by the other party. In a civil case, the jury is instructed to determine which party on the whole has preponderance of evidence, and to return a verdict in its favor.*) Following a report of domestic violence, dating violence, sexual assault or stalking, a survivor is provided a letter from the Dean of Students that identifies campus and community resources, and explains the student conduct process should a survivor wish to participate in the process. The contact name and number for the Dean of Students will be provided within the letter. The Dean of Students will assist the survivor throughout the process.

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

*Incident Being Reported:*

***Sexual Assault***

*Procedure Oregon Tech Will Follow:*

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

*Incident Being Reported:*

***Dating Violence/Domestic Violence/Stalking***

*Procedure Oregon Tech Will Follow:*

1. Oregon Tech will assess immediate safety needs of complainant.
2. Oregon Tech will assist complainant with contacting local police if complainant requests and complainant provided with contact information for local police department.
3. Oregon Tech will provide written instructions on how to apply for Restraining Order through the local court system (see video for pursuing and filing an RO through the court system at:  
[http://www.oregon.gov/OSP/CJIS/news/REST\\_ORDER\\_VIDEO.avi](http://www.oregon.gov/OSP/CJIS/news/REST_ORDER_VIDEO.avi)).

4. Oregon Tech will provide written information to complainant on how to preserve evidence.
5. Oregon Tech will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate.
6. Oregon Tech will provide a “No trespass” directive to accused party if deemed appropriate.

### ***STUDENT SANCTIONS:***

### **SANCTIONS PROCESS**

FOLLOWING AN ON-CAMPUS DISCIPLINARY PROCEDURE, UNIVERSITY SANCTIONS FOR DOMESTIC OR DATING VIOLENCE, RAPE, ACQUAINTANCE RAPE OR OTHER SEX OFFENSES INCLUDE ACTIONS FROM PROBATION UP TO AND INCLUDING EXPULSION FROM SCHOOL. THE DISCIPLINARY PROCEDURES IN ALL ALLEGED SEXUAL ASSAULTS INCLUDE THE FOLLOWING:

- THE ACCUSER AND THE ACCUSED ARE ENTITLED TO THE SAME OPPORTUNITIES TO HAVE OTHERS PRESENT DURING A UNIVERSITY DISCIPLINARY PROCEEDING.
- Both the accuser and the accused shall be informed of the outcome of any university disciplinary proceeding alleging a sexual assault, sexual harassment, domestic violence, dating violence, or any sexual offense.
- Student victims have the option to request assistance in changing academic and living situations after an alleged sexual assault incident if these changes are reasonably available.

### **Implementation of Sanctions**

Disciplinary actions or grievance decisions shall not be implemented until the time for appeal has expired, until the entire appeal process is completed, or if the individual or group voluntarily waives the right to appeal in writing. The exceptions to delaying sanctions until the process is complete include: 1) when interim suspension has been invoked by the vice president for student affairs or dean of students (see Interim Suspension procedures for details [Section II]); or 2) to protect the safety of others on the campus.

The vice president for student affairs retains the authority, at his/her discretion, to convert any sanction imposed by a hearing panel to a lesser sanction, to rescind any previous sanction, or to return a recommended sanction to a hearing panel for review or reconsideration.

### **Disciplinary Files and Records**

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



persons may be involved. Disciplinary records are maintained separate from the student's academic record but are part of the student's educational record.

### **Disciplinary Sanctions**

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

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

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

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

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

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

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

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

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

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

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

### **Institutional Disciplinary Process**

Procedures for adjudicating student conduct cases are outlined in the Student Code of Conduct <http://www.oit.edu/docs/default-source/Student-Affairs-/student-handbook/student-conduct-code.pdf?sfvrsn=6>. Hearings are conducted by professional staff and hearing boards who receive annual training on standards of conduct, adjudication procedures and on issues related to domestic violence, dating violence, sexual assault, and stalking. Hearings are conducted in a manner that is fair, prompt, and impartial, and protects the safety of the survivor. All hearings are closed to the public. What is stated in a hearing is confidential. The survivor has the option to attend the entire hearing with the exception of the committee's deliberation process, and may attend the hearing accompanied by a support person or advocate. The charged student is afforded the same rights in terms of attending the entire hearing and being accompanied by an advisor of the charged student's choosing. Hearing results are provided to both the charged student and the survivor in writing. Both the charged student and the survivor have the right to appeal the results of the hearing.

***Faculty Employees:***

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

***Classified Employees:***

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

**Campus Sex Crimes Prevention Act**

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

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

These changes took effect October 28, 2002. The act also amends the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act to require institutions of higher education to issue a statement, in addition to other disclosures required under that act, to advise the campus community where to obtain law enforcement agency

information provided by a state concerning registered sex offenders. These changes took effect October 28, 2002 and this notice has been a requirement beginning with the annual security report due October 1, 2003.

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

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

### **How to Obtain Sex Offender Information**

#### **Oregon State Police:**

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

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

Phone 503-934-1258, for sex offender questions, or 503-378-3725 for general questions

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

### **Health Professional Reporting of Crimes and Annual Crime Statistics**

The Student Health Center is comprised of staff that provides professional counseling and psychological services to their given clientele. For the purposes of supporting the client victim of a crime, staff will encourage and assist their client with how to report a crime to the Campus Safety department or local police agencies. This reporting will be done on a

voluntary or confidential basis, should the health professional feel it is in the best interest of the client. There is also an option for the health professional to anonymously capture crime statistics disclosed confidentially during a given session.

## **Keys**

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

## Campus Safety Activity Report *Klamath Falls*

Offense Type	2015			2014			2013			2012		
	Campus	Res Halls	Non-Campus	Campus	Res Halls	Non-Campus	Campus	Res Halls	Non-Campus	Campus	Res Halls	Non-Campus
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
<b>Sex Offenses</b>												
Forcible sex offenses(including forcible rape)	-	-	-	-	-	-	0	0	0	0	0	0
Non-forcible sex offenses	-	-	-	-	-	-	0	0	0	0	0	0
Rape	2	2	0	1	1	0	-	-	-	-	-	-
Statutory Rape	1	1	0	0	0	0	-	-	-	-	-	-
Incest	0	0	0	0	0	0	-	-	-	-	-	-
Fondling	1	0	0	0	0	0	-	-	-	-	-	-
Sexual harassment	0	0	0	0	0	0	0	0	0	-	-	-
Dating violence	0	0	0	1	0	0	1	1	0	-	-	-
Domestic violence	0	0	0	0	0	0	0	0	0	-	-	-
Stalking	1	0	0	1	1	0	4	2	0	-	-	-
Aggravated assault	0	0	0	0	0	0	0	0	0	0	0	0
Assault	0	0	0	0	0	0	2	2	0	0	0	0

Arson	0	0	0	1	1	0	0	0	0	2	2	0
Robbery	1	0	0	0	0	0	0	0	0	0	0	0
Burglary	1	0	0	3	0	0	0	0	0	3	1	0
Motor vehicle theft	0	0	0	0	0	0	1	0	0	0	0	0

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## Campus Safety Activity Report *Klamath Falls*

Offense Type	2015			2014			2013			2012		
	Campus	Res Halls	Non- Campus	Campus	Res Halls	Non- Campus	Campus	Res Halls	Non- Campus	Campus	Res Halls	Non- Campus
Theft*	12	0	0	11	0	0	9	1	0	15	0	0
Criminal Mischief*	6	0	0	5	0	0	6	4	0	8	0	0
Criminal trespass*	5	0	0	0	0	0	0	3	0	2	0	0
Disorderly conduct*	1	0	0	2	0	0	3	0	0	1	0	0
<b>Hate Crimes #</b>												
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Forcible sex offenses (including forcible rape)	-	-	-	-	-	-	0	0	0	0	0	0
Non-forcible sex offenses (including statutory rape/incest)	-	-	-	-	-	-	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Theft	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0



Intimidation	0	0	0	0	0	0	0	0	0	0	0	0
Destruction/Damage/ Vandalism of Property	0	0	0	0	0	0	0	0	0	0	0	0
<b>Disciplinary Actions or Arrests</b>												
Liquor Law Violations	20+/0**	20+/0**	0+/0**	12+/0**	11+/0**	0+/0**	27+/4**	27+/4**	0+/0**	43+/0**	43+/0**	0+/0**
Drug violations	4+/4**	4+/4**	0+/0**	1+/5**	1+/4**	0+/0**	4+/6**	4+/6**	0+/0**	3+/8**	0+/8**	0+/0**
Weapons possession	0+/0**	0+/0**	0+/0**	0+/0**	0+/0**	0+/0**	0+/0**	0+/0**	0+/0**	1+/0**	0+/0**	0+/0**

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

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

*There were no reported hate crimes for calendar years 2012, 2013, 2014 and 2015.*

\* Denotes statistics not required by law

\*\* Arrests

+ Referrals

~ Klamath Falls Police Department **recovered** a stolen vehicle from campus boundaries.

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

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# Fire Safety Report

## Campus Fire Safety Act

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

## Fire Safety at Oregon Tech

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

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

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

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

## Policy Statement

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

## **Definitions:**

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

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

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

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

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

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

**Value of property damage:** The estimated value of the loss of the structure and contents in terms of the

replacement in like kind and quantity.

### Fire Safety Systems in Student Housing

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

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

### Student Housings Fire Safety Systems

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

# of Required Fire Evacuation Drills	4	4	4	4
# of Fire Evacuation Drills	4	4	4	4

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

### Fire Extinguishers

All Oregon Tech buildings are equipped with portable fire extinguishers. These extinguishers are designated for the use of Fire District #1 personnel and/or Campus Safety Officers. However, Oregon Tech personnel may use an extinguisher on an incipient fire if they have been trained in the use of fire extinguishers and are comfortable attempting to extinguish the fire. An incipient fire is defined as a fire in its initial stage and is no larger than a trash can fire. Anyone attempting to extinguish a fire should remember the PASS system.

- Pull the pin from the handle.
- Aim the nozzle at the base of the fire.
- Squeeze the handle to activate the extinguisher.
- Sweep the nozzle from side to side at the base of the flame until the fire is out.

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

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

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

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

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

**Class D Extinguishers** are designed for use on flammable metals.

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

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

## Oregon Tech Residence Halls Fire Statistics 2015

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

### Oregon Tech Residence Halls Fire Statistics 2014

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

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

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

## Oregon Tech Residence Halls Fire Statistics 2013

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

## Oregon Tech Residence Halls Fire Statistics 2012

Oregon Tech Residential Facilities	Traditional Residence Hall	Village Bldg. #1*	Village Bldg. #2*	Village Bldg. #3*
Total Fires in Each Building	0	1	0	0
Cause	N/A	Cigarette Butt Receptacle+	N/A	N/A
Date	N/A	06/20/2012	N/A	N/A
Time	N/A	4:20pm	N/A	N/A
# of Injuries that Required Treatment at a Medical Facility	0	0	0	0
# of Deaths Related to a Fire	0	0	0	0
Value of property Damaged	0	N/A	0	0
Incident Number	N/A	12-0089	N/A	N/A

+ Report 12-0089 details an incident of a cigarette butt receptacle fire located within the Sustainable Village complex and outside of Village Building #1. It is counted as an on-campus housing facility fire as defined by the U.S. Department of Education.

## Response to Fire and/or Alarms

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

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

## Training

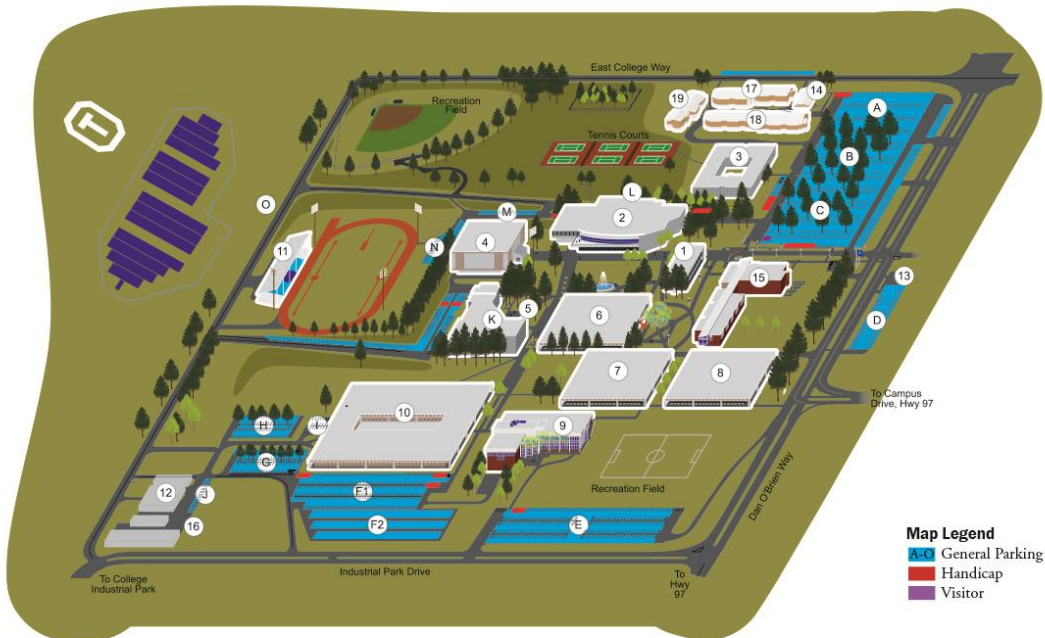
All Residence Hall residents (including those with special needs) and residence halls staff receive basic fire safety training at the beginning of each academic year. In addition, a program that covers emergency and evacuation procedures is reviewed regularly with the occupants and staff of each respective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

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

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

## *Partners for a Safe Campus*





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

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

## Designated Parking Area

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

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[www.oit.edu](http://www.oit.edu)

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