



Oregon State University

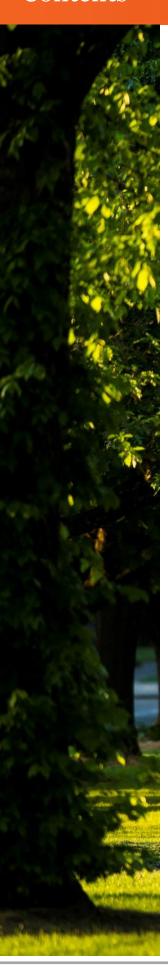
Published September 29, 2023 in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

Contents

Preparing the Annual Security & Fire Safety Report
Crime Statistics Reported for 2020, 2021, and 20225
Oregon State University—Corvallis5
Oregon State University—Cascades
Oregon State University—Hatfield Marine Science Center
Oregon State University—Portland Center 8
Oregon State University at EOU
Reporting Crimes and Emergencies
Reporting Considerations
Campus Security and Law Enforcement
Security Awareness and Crime Prevention Programs
Facility Security and Access
Timely Warnings
Emergency Response and Evacuation
Missing Student Notifications
Alcohol Policies
Illegal Drugs Policies
Violence Against Women Act Definitions and Programs
Jurisdictional Definitions
Primary and Ongoing Prevention and Awareness Programs and Campaigns 48
Bystander Intervention Options
Risk Reduction Information 52
Violence Against Women Act Rights and Options 55
Reporting and Response Options
Protective Measures
University and Community Resources and Assistance 64
Overview of University Disciplinary Procedures for Alleged VAWA Offenses 73
Investigation and Resolution Process Summary for Title IX Complaints
Investigation and Resolution Process Summary for Non-Title IX Complaints-Students
Investigation and Resolution Process Summary for Non-Title IX Complaints- Employees



Contents



Annual Fire Safety Report	91
Fire Safety Rules for On-Campus Student Housing Facilities	91
Corvallis Campus Fire Evacuation Procedures	95
OSU-Cascades Fire Evacuation Procedures	100
Hatfield Marine Science Center Fire Evacuation Procedures	103
Fire Safety Education and Training	105
Reporting Extinguished Fires	106
Plans for Fire Safety Improvements	106
Corvallis Campus On-Campus Student Housing Fire Safety Systems	107
OSU-Cascades On-Campus Student Housing Fire Safety Systems	111
HMSC On-Campus Student Housing Fire Safety Systems	112
2020, 2021, and 2022 Fire Statistics-Corvallis Campus	113
2020, 2021, and 2022 Fire Statistics-OSU-Cascades	125
2020, 2021, and 2022 Fire Statistics-HMSC	126
Appendix A: Glossary	128
Appendix B: University Standard: 07-005 Alcohol Service	130
Appendix C: University Policy: 07-045 Cannabis	135
Appendix D: Title IX Investigation and Resolution Process	137
Appendix E: Non-Title IX Investigation and Resolution Process (Students)	160
Appendix F: Non-Title IX Investigation and Resolution Process (Employees)	182

Preparing the Annual Security & Fire Safety Report

Developed in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), the Annual Security Report provides the Oregon State University community with information and resources to make well-informed and reasoned decisions about their personal safety. This report reflects crime statistics from calendar years 2020, 2021, and 2022, and includes important safety information, such as a wide range of current policies, helpful university and local resources, and crime prevention programs available to the students and staff at Oregon State University. It is important to note that terms like "victim," "survivor," and "impacted party" are used interchangeably. The Annual Fire Safety Report also includes information about current fire safety practices and policies, and fire statistics for on-campus student housing facilities from calendar years 2020, 2021, and 2022.

Report sections are developed collaboratively by the university Clery Act Compliance Team and applicable university offices and departments, such as University Housing and Dining Services (UHDS), the Office of Equal Opportunity and Access (EOA), the Office of Student Conduct and Community Standards (SCCS), Student Health Services (SHS), Department of Public Safety (DPS), OSU-Cascades Campus Safety, OSU-Cascades Residential Education and Housing, and Hatfield Marine Science Center administration. Annually prior to publication, expert offices review and confirm the statements and descriptions found in the report.

The Clery Act specifies a standard set of crimes which must be disclosed. In order to be reportable, these crimes must have also occurred within geographic categories that are Clery Act-specific. Additionally, when more than one offense was committed during a single incident, the Clery Act requires Oregon State University to conform to the Hierarchy Rule in the Federal Bureau of Investigation Uniform Crime Reporting (UCR) Program. Definitions of Clery Act crimes and reportable geography can be found in Appendix A: Glossary.

The Clery Act requires universities to disclose statistics for all reported Clery Act offenses.

Therefore, even if a local law enforcement agency or

district attorney chooses not to charge an individual because they believe there is insufficient evidence to reach a conviction, the reported Clery Act offense(s) will still be counted in the crime statistics, as long as it occurred within the Clery Act geography of the university. If sworn law enforcement personnel determine that an incident could not have occurred or did not occur, the crime may be "unfounded" and will be included in the unfounded crime category of the annual report.

The Clery Act Compliance Team reviews reports of crimes and law violations from law enforcement agencies, such as the Oregon State University Police Department, Corvallis Police Department, Benton County Sheriff's Office, Newport Police Department, Lincoln County Sherriff's Office, La Grande Police Department, Union County Sherriff's Office, Bend Police Department, Deschutes County Sheriff's Office, and others around the state of Oregon and abroad. Campus security authorities (CSAs), such as public safety officers, resident assistants, coaches, and advisors of recognized student organizations, also provide reports, which are reviewed for Clery Act crimes. These reports are compiled into the crime statistics for the Oregon State University campuses.

Each year, an email notice is sent to university employees and students informing them of the availability of the report. This email also points to the Clery Act Compliance website, clery.oregonstate.edu, and indicates how to obtain a printed copy of this Annual Security and Fire Safety Report. Notifications are also posted in the OSU Today and on university websites where prospective students and employees visit. A digital copy is available at clery.oregonstate. edu/annual-reports. Additionally, a copy may be requested by sending an email to Clery.Compliance @oregonstate.edu. Copies of the Annual Security and Fire Safety Report are provided at no cost.



Oregon State University—Corvallis

	On-Campus													
Crime Classification	me Classification On-Campus On-Campus Student Housing						No	ncamı	ous	Public Property				
	20	21	22	20	20 21 22			20	21	22	20	21	22	
Primary Crimes														
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0		0	0	0	0	0	0	
Manslaughter by Negligence	0	0	0	0	0	0		0	0	0	0	0	0	
Rape	7	11	10	6	11	8		1	4	5	0	0	0	
Fondling	2	5	14	1	4	6		0	0	1	0	0	0	
Incest	0	0	0	0	0	0		0	0	0	0	0	0	
Statutory Rape	0	0	1	0	0	1		0	0	0	0	0	0	
Robbery	0	0	1	0	0	0		0	0	1	0	0	1	
Aggravated Assault	4	7	8	2	1	0		0	2	5	0	1	8	
Burglary	16	12	18	4	4	13		8	13	25	0	0	0	
Motor Vehicle Theft	2	14	19	0	0	0		4	4	3	0	0	2	
Arson	3	0	3	3	0	3		1	0	0	0	0	1	
VAWA Offenses														
Domestic Violence	4	4	19	3	3	16		0	0	2	0	0	0	
Dating Violence	1	7	6	1	7	6		1	2	1	0	0	0	
Stalking	14	10	23	6	6	16		0	0	1	0	0	0	
Arrests														
Weapons Arrests	1	2	5	1	0	0		0	2	1	1	3	0	
Drug Abuse Arrests	7	0	1	1	0	0		5	0	0	8	1	1	
Liquor Law Arrests	0	0	0	0	0	0		0	0	0	11	6	2	
Disciplinary Referrals				_										
Weapons Referrals	0	0	0	0	0	0		0	0	0	0	0	0	
Drug Abuse Referrals	37	25	59	37	25	59		0	0	0	0	0	1	
Liquor Law Referrals	161	243	252	145	224	235		2	1	1	3	1	2	

Hate Crimes

For **2022**, there were no hate crimes reported.

For **2021**, **1** on-campus hate crime-simple assault characterized by **sexual orientation bias** and **1** on-campus hate crime-vandalism characterized by **national origin bias** were reported.

For **2020**, there was **1 on-campus hate crime-intimidation** characterized by **race bias**.

Unfounded

In 2020 and 2021, there were no Clery Act crimes unfounded by law enforcement.

In 2022, law enforcement unfounded two (2) Clery Act crimes, a motor vehicle theft and a hate crime-simple assault characterized by sexual orientation bias.

Oregon State University—Cascades

On-Campus														
Crime Classification	Oı	n-Camp	us		n-Campı							Public		
Crime classification	Total				dent Hou				ncamp		Property			
	20	21	22	20	21	22		20	21	22	20	21	22	
Primary Crimes	1	1			T				1		_	T		
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0		0	0	0	0	0	0	
Manslaughter by Negligence	0	0	0	0	0	0		0	0	0	0	0	0	
Rape	0	1	1	0	1	1		0	0	0	0	0	0	
Fondling	0	0	1	0	0	0		0	0	0	0	0	0	
Incest	0	0	0	0	0	0		0	0	0	0	0	0	
Statutory Rape	0	0	0	0	0	0		0	0	0	0	0	0	
Robbery	0	0	0	0	0	0		0	0	0	0	0	0	
Aggravated Assault	0	1	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	
VAWA Offenses														
Domestic Violence	0	0	0	0	0	0		0	0	0	0	0	0	
Dating Violence	0	0	0	0	0	0		0	0	0	0	0	0	
Stalking	0	0	0	0	0	0		0	0	0	0	0	0	
Arrests														
Weapons Arrests	0	0	0	0	0	0		0	0	0	0	0	0	
Drug Abuse Arrests	0	0	0	0	0	0		0	0	0	0	0	0	
Liquor Law Arrests	0	0	0	0	0	0		0	0	0	0	0	0	
Disciplinary Referrals														
Weapons Referrals	0	0	0	0	0	0		0	0	0	0	0	0	
Drug Abuse Referrals	2	1	6	2	0	1		0	0	0	0	0	0	
Liquor Law Referrals	0	2	1	0	2	1		0	0	0	0	0	0	

Hate Crimes

For **2020**, **2021**, and **2022**, there were no hate crimes reported at OSU-Cascades.

Unfounded

In 2020, 2021, and 2022, there were no Clery Act crimes unfounded by law enforcement.

Oregon State University—Hatfield Marine Science Center

			On	-Campus									
Crime Classification	Classification On-Campus Total				n-Campı dent Hou		No	ncamp	ous	Public Property			
	20	21	22	20	21	22	20	21	22		20	21	22
Primary Crimes	-												
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0		0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0		0	0	0
Rape	0	0	2	0	0	2	0	0	0		0	0	0
Fondling	0	0	0	0	0	0	0	0	0		0	0	0
Incest	0	0	0	0	0	0	0	0	0		0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0		0	0	0
Robbery	0	0	0	0	0	0	0	0	0		0	0	0
Aggravated Assault	0	0	1	0	0	1	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
VAWA Offenses													
Domestic Violence	0	0	0	0	0	0	0	0	0		0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0		0	0	0
Stalking	0	0	0	0	0	0	0	0	0		0	0	0
Arrests													
Weapons Arrests	0	0	0	0	0	0	0	0	0		0	0	0
Drug Abuse Arrests	0	0	0	0	0	0	0	0	0		0	0	0
Liquor Law Arrests	0	0	0	0	0	0	0	0	0		0	0	0
Disciplinary Referrals												1	
Weapons Referrals	0	0	0	0	0	0	0	0	0		0	0	0
Drug Abuse Referrals	0	0	0	0	0	0	0	0	0		0	0	0
Liquor Law Referrals	0	0	0	0	0	0	0	0	0		0	0	0

Hate Crimes

For **2020**, **2021**, and **2022**, there were **no hate crimes reported** at HMSC.

Unfounded

In 2020, 2021, and 2022, there were no Clery Act crimes unfounded by law enforcement.

Oregon State University—Portland Center

Crime Classification	On-Campus*				N	oncamp	us	Public Property						
	20	21	22		20	21	22	20	21	22				
Primary Crimes														
Murder/Non-Negligent Manslaughter			0				0			0				
Manslaughter by Negligence			0				0			0				
Rape			0				0			0				
Fondling			0				0			0				
Incest			0				0			0				
Statutory Rape			0				0			0				
Robbery			0				0			0				
Aggravated Assault			0				0			0				
Burglary			0				0			0				
Motor Vehicle Theft			0				0			0				
Arson			0				0			0				
VAWA Offenses														
Domestic Violence			0				0			0				
Dating Violence			0	1			0			0				
Stalking			0				0			0				
Arrests														
Weapons Arrests			0				0			0				
Drug Abuse Arrests			0				0			0				
Liquor Law Arrests			0				0			0				
Disciplinary Referrals														
Weapons Referrals			0				0			0				
Drug Abuse Referrals			0				0			0				
Liquor Law Referrals			0				0			0				

^{*}Oregon State University began reporting the OSU Portland Center as a Clery Act-designated separate campus in 2022. Furthermore, the OSU Portland Center does not have On-Campus Student Housing Facilities.

Hate Crimes

For **2022**, there were **no hate crimes reported** at the OSU Portland Center.

Unfounded

In 2022, there were no Clery Act crimes unfounded by law enforcement.

Oregon State University at Eastern Oregon University

Crime Classification	Oi	n-Campu	s*		No	oncamp	us		Public Property					
	20	21	22		20	21	22		20	21	22			
Primary Crimes														
Murder/Non-Negligent Manslaughter	0	0	0		0	0	0		0	0	0			
Manslaughter by Negligence	0	0	0		0	0	0		0	0	0			
Rape	0	0	0		0	0	0		0	0	0			
Fondling	0	0	0		0	0	0		0	0	0			
Incest	0	0	0		0	0	0		0	0	0			
Statutory Rape	0	0	0		0	0	0		0	0	0			
Robbery	0	0	0		0	0	0		0	0	0			
Aggravated Assault	0	0	0		0	0	0		0	0	0			
Burglary	0	0	0		0	0	0		0	0	0			
Motor Vehicle Theft	0	0	0		0	0	0		0	0	0			
Arson	0	0	0		0	0	0		0	0	0			
VAWA Offenses														
Domestic Violence	0	0	0		0	0	0		0	0	0			
Dating Violence	0	0	0		0	0	0		0	0	0			
Stalking	0	0	0		0	0	0		0	0	0			
Arrests														
Weapons Arrests	0	0	0		0	0	0		0	0	0			
Drug Abuse Arrests	0	0	0		0	0	0		0	0	0			
Liquor Law Arrests	0	0	0		0	0	0		0	0	0			
Disciplinary Referrals														
Weapons Referrals	0	0	0		0	0	0		0	0	0			
Drug Abuse Referrals	0	0	0		0	0	0		0	0	0			
Liquor Law Referrals	0	0	0		0	0	0		0	0	0			

Hate Crimes

For **2020**, **2021**, and **2022**, there were **no hate crimes reported** at OSU at EOU.

Unfounded

In 2020, 2021, and 2022, there were no Clery Act crimes unfounded by law enforcement.

^{*}The crime statistics are specific to spaces that are owned or controlled by Oregon State University, which do not include on-campus student housing facilities and a majority of the EOU-La Grande campus. Oregon State University is also not required to publish an Annual Fire Safety Report for on-campus student housing facilities on the EOU-La Grande campus because those locations are owned and operated solely by EOU.

Students, employees, and the general public accessing any Oregon State University campus should report all emergencies occurring on campus immediately by calling 911, which connects to local emergency services such as law enforcement and fire and medical services. On-campus criminal incidents that are not emergencies can be reported to local law enforcement, campus security/law enforcement (if applicable), and certain university offices as delineated below.

Corvallis Campus



Department of Public Safety (DPS)/Oregon State **University Police Department**

- 541-737-3010 (non-emergency line)
- 541-737-7000 (priority line)
- 200 Cascade Hall, 601 SW 17th St., Corvallis, OR Emergencies reported to 911 are forwarded to DPS by the Corvallis Regional Communications Center

OSU-Cascades



Campus Safety

- 541-322-3110 (non-emergency line)
- Room 108 Obsidian Hall. 1500 SW Chandler Ave, Bend, OR

Bend Police Department

541-693-6911 (non-emergency line)

Hatfield Marine Science Center



Newport Police Department

- 541-574-5807 (non-emergency line)
- 169 SW Coast Hwy., Newport, OR

TCB Security Services

- 541-574-2828 (non-emergency line) 437 Northeast 1st St, Newport, OR





OSU Portland Center



Meier and Frank Building Security

- 503-983-8215 (non-emergency line)
- 555 SW Morrison St, Portland, OR

Portland Police Bureau

- 503-823-3333 (non-emergency line)
- 1111 SW 2nd Ave, Portland, OR

OSU Agriculture and Natural Resource Program at EOU (OSU at EOU)



Campus Safety and Security

- 541-962-3911 (non-emergency line)
- 154 Loso Hall, 6th St, La Grande, OR

La Grande Police Department

- 541-963-1017 (non-emergency line)
- 1109 K Ave, La Grande, OR

Non-emergency crimes occurring at the aforementioned locations can also be reported to the listed university offices that are on the following page. Depending upon the nature of the reported crime, university officials in these offices may also determine if the reported incident represents a violation of university policy and/or the Code of Student Conduct, and whether to refer the report to law enforcement for investigation.

When a Clery Act crime is reported, these officials or any other individuals designated as a campus security authority (CSA) are required to report to the university. CSAs can choose to report to the Department of Public Safety, OSU -Cascades Campus Safety, the listed university offices, or directly to the Clery Act Compliance Team at https://clery.oregonstate.edu/webform/csa-crime-reporting-form.

If a Clery Act crime is reported and represents a serious or continuing threat to the safety of the campus community, CSAs are required to report the incident to the Department of Public Safety at the Corvallis campus or Campus Safety at OSU-Cascades.

Office of Equal Opportunity and Access

■ **Phone:** 541-737-3556

• **Email:** equal.opportunity@oregonstate.edu

Address: 330 Snell Hall, Corvallis campus

Online Reporting: https://cm.maxient.com/reportingform.php?

OregonStateUniv&layout_id=2

Office of Student Conduct and Community Standards

Phone: 541-737-3656

Email: SCCS@oregonstate.edu

Address: 342 Student Experience Center, Corvallis campus

• Online Reporting: https://cm.maxient.com/reportingform.php?

OregonStateUniv&layout id=1

Office of Audit, Risk and Compliance

Phone: 541-737-0505

• **Email:** patricia.snopkowski@oregonstate.edu

Address: 240 Kerr Administration Building, Corvallis campus

Online Reporting: https://secure.ethicspoint.com/domain/media/en/

gui/41096/index.html

Employee and Labor Relations

Phone: 541-737-7414

Email: employee.relations@oregonstate.edu

Address: 236 Kerr Administration Building, Corvallis campus

Office of the Dean of Students

Phone: 541-737-8748

Email: <u>support.odos@oregonstate.edu</u>

Address: 206 Student Experience Center, Corvallis campus

University Housing and Dining Services

Phone: 541-737-4771

Email: UHDS.Conduct@oregonstate.edu

Address: Oxford House, Corvallis campus





OSU-Cascades Residential Education and Housing

Phone: 541-322-3177

Email: housing@osucascades.edu

Address: Residence Hall, Bend campus

OSU-Cascades Office of Student Life

Phone: 541-322-3143

• **Email:** <u>studentlife@osucascades.edu</u>

Address: Residence Hall, Rm. 118, Bend campus

OSU-Cascades Executive Director of Enrollment Management

Phone: 541-322-3132

Email: Jane.Reynolds@osucascades.edu

• Address: Tykeson Hall 106E, Bend campus

HMSC Director's Office

Phone: 541-867-0211

Email: robert.cowen@oregonstate.edu

Address: 2030 SE Marine Sciences Dr., Newport, OR

OSU Portland Center Operations Director

Phone: 503-273-4314

Email: <u>sara.knott@oregonstate.edu</u>

Address: 555 SW Morrison St., Suite 200, Portland, OR

OSU Agriculture and Natural Resource Program at EOU Program Director (OSU at EOU)

Phone: 541-737-5317

Email: penelope.diebel@oregonstate.edu

Address: 205 Badgley Hall, One University Blvd., La Grande, OR

Reporting Considerations

Clery Act-Specific Reporting

Students and employees can report Clery Act criminal offenses for the purpose of the annual statistical disclosure within the annual security report by reporting to any of the Oregon State University offices referenced in the Reporting Crimes and Emergencies section. Reports filed by these offices are reviewed for reportable Clery Act offenses. Students and employees wishing to report Clery Act criminal offenses for the purpose of making timely warning reports should contact the Department of Public Safety at the Corvallis campus or Campus Safety for incidents specifically involving OSU-Cascades.

Voluntary, Confidential Reporting

Oregon State University does not have policies or procedures for victims or witnesses to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. Anonymous reports may be submitted to university offices, such as the Office of Equal Opportunity and Access, Office of Audit, Risk and Compliance, and Office of Student Conduct and Community Standards. However, the ability of the university to investigate anonymous complaints or take responsive action may be limited based on the amount of available information. These reports are reviewed for reportable Clery Act crimes and included in the annual disclosure of crime statistics as required. Oregon State University does not have established procedures that encourage pastoral counselors and professional counselors, if and when they deem it appropriate, to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

Recognized Student Organizations

For the Corvallis campus, Oregon State University coordinates with the Corvallis Police Department and Benton County Sheriff's Office to monitor and record criminal activity that occurs on noncampus property owned or controlled by officially recognized student organizations, including student organizations with noncampus housing facilities. This information may be provided to the Department of Public Safety, or it may be reported to the Office of Student Conduct and Community Standards. OSU-Cascades, Hatfield Marine Science Center, OSU Portland Center, and OSU Agriculture and Natural Resource Program at EOU do not have recognized student organizations that own or control noncampus locations.

Sex Offender Registration Information

The Oregon State Police maintains the sex offender registry that can be accessed at https://sexoffenders.oregon.gov/ConditionsOfUse. The release of the information to the public is meant to assure public protection, not to punish an offender or harass an offender's family.



Campus Security and Law Enforcement



Oregon State University does not have any agreements, such as written memoranda of understanding, with municipal, county, or state law enforcement agencies for the investigation of alleged criminal offenses. Oregon State University encourages the accurate and prompt reporting of all crimes to campus security or law enforcement (if applicable), or applicable offcampus local law enforcement agencies, when the victim of a crime chooses to report, when the victim of a crime desires to report, but is unable to, or when members of the campus community become aware of criminal incidents. The university recognizes that those impacted by crimes may choose not to report to law enforcement. For alternative reporting options, please see the Reporting Crimes and Emergencies section.

Corvallis Campus

The Department of Public Safety on the Corvallis campus provides campus law enforcement and security services. ORS 352.121 authorizes Oregon State University to establish a police department and commission employees as police officers. Under this statute, commissioned police officers of the Oregon State University Police Department in the Department of Public Safety (DPS) have the authority to enforce criminal laws and any administrative rules and policies of the university. University police departments and police officers have the same authority and immunity as municipal police departments in Oregon and have the authority to make arrests for criminal offenses anywhere within the state.

In conjunction with ORS 352.121, university police officers are authorized to enforce criminal laws and make arrests under ORS 133.235 and ORS 133.310. ORS 133.235 states a peace officer may arrest a person for a crime at any hour of any day or night within the state of Oregon regardless of where the crime occurred. ORS 133.310 states a peace officer may arrest a person without a warrant if the officer has probable cause to believe the person has committed a crime.

Police officers of the Oregon State University Police Department provide regular patrol and enforcement services to the core campus and bordering streets. University police officers also patrol off-campus university properties, such as the OSU Boathouse, Printing and Mailing Services, and OSU Horse Center. While traveling to and from these off-campus locations, university police officers may occasionally investigate witnessed criminal activity and enforce criminal laws in areas which are not regularly patrolled or served by the Oregon State University Police Department.

Furthermore, at the request of state and local law enforcement agencies, such as Oregon State Police, Corvallis Police Department or Benton County Sheriff's Office, university police officers may provide supportive assistance, such as scene or crowd control. These agencies may collaborate during major annual events, such as DAM Jam, Unofficial Halloween, and home football games.

Campus Security and Law Enforcement

Corvallis Campus (Cont.)

DPS public safety officers, who work alongside university police officers, enforce the policies and standards established by Oregon State University and have jurisdiction only on university property. DPS public safety officers do not have any law enforcement powers or arrest authority. On extremely rare occasions, public safety officers may use private person (citizen) arrest authority as defined in ORS 133.225. The statute states a private person may arrest another person for any crime committed in the presence of the private person if the private person has probable cause to believe the arrested person committed the crime.

University police officers and public safety officers are designated "Persons in Charge" by the university and have the authority to ask for identification, determine whether individuals have lawful business on campus, and issue Exclusion Orders for university policy violations. University police officers, public safety officers, and other local law enforcement agencies may refer students to the Office of Student Conduct and Community Standards for crimes or violations that constitute violations of university policy.

OSU-Cascades

OSU-Cascades does not have campus law enforcement. The campus is sited within the city of Bend, OR, and within the immediate law enforcement jurisdiction of the Bend Police Department. OSU-Cascades Campus Safety specialists enforce the policies and standards established by Oregon State University and have jurisdiction only on university property, but do not have any law enforcement powers or arrest authority. At the request of state and local law enforcement agencies, such as Oregon State Police, Bend Police Department or Deschutes County Sheriff's Office, Campus Safety specialists may provide supportive assistance, such as escorting officers around campus as needed and acting as liaisons between the university and the requesting agency. These agencies may also collaborate during major annual events involving OSU-Cascades.

On extremely rare occasions, Campus Safety specialists may use private person (citizen) arrest authority as defined in ORS 133.225. The statute states a private person may arrest another person for any crime committed in the presence of the private person if the private person has probable cause to believe the arrested person committed the crime.

Campus Safety specialists are designated "Persons in Charge" by the university and have the authority to ask for identification, determine whether individuals have lawful business on campus, and issue Exclusion Orders for university policy violations. Campus Safety specialists and other local law enforcement agencies may refer students to the Office of Student Conduct and Community Standards for crimes or violations that constitute violations of university policy.



Campus Security and Law Enforcement



OSU-Cascades (Cont.)

When OSU-Cascades Campus Safety becomes aware of a criminal event that has the potential to further endanger the community at large, is determined by Campus Safety to be related to a string of similar crimes in the area, or may otherwise affect law enforcement officer safety, and the victim chooses not to report to law enforcement, Campus Safety will make a de-identified report to law enforcement.

Hatfield Marine Science Center (HMSC)

The Hatfield Marine Science Center does not have campus law enforcement, but contracts with TCB Security Services. TCB security officers patrol the campus, which comprises the university area under their jurisdiction, seven days a week, 365 days per year from 6 p.m. to 7 a.m. TCB security officers do not have police arrest authority, but they do have private person (citizen) arrest authority as defined in ORS 133.225. The statute states a private person may arrest another person for any crime committed in the presence of the private person if the private person has probable cause to believe the arrested person committed the crime. Security officers refer criminal incidents to law enforcement for investigation and may assist local and state agencies (e.g., Oregon State Police, Newport Police Department, etc.) with incidents involving the Hatfield Marine Science Center.

OSU Portland Center

The OSU Portland Center does not have campus law enforcement or campus security personnel. The Meier and Frank Building contracts security personnel for tenants of the property, but they are not agents of Oregon State University. Security personnel do not have police arrest authority, but they do have private person (citizen) arrest authority as defined in ORS 133.225. Crimes that occur at the Meier and Frank Building should be reported to the Portland Police Bureau.

OSU at Eastern Oregon University (EOU)

Oregon State University does not have campus law enforcement or campus security personnel for the OSU Agriculture and Natural Resource Program at Eastern Oregon University. EOU Campus Safety and Security (CSS) has jurisdiction on the EOU-La Grande campus, including areas reserved for Oregon State University, and enforces policies and standards established by Eastern Oregon University. CSS officers do not have police arrest authority, but they do have private person (citizen) arrest authority as defined in ORS 133.225. CSS officers patrol campus grounds, buildings, and other EOU properties, and respond to emergency incidents and reports of crimes occurring on campus property. CSS officers cooperate with local and state authorities (e.g., Oregon State Police, La Grande Police Department, etc.) in criminal investigations.

Security Awareness and Crime Prevention Programs

Oregon State University offers security awareness and crime prevention programs that encourage students and employees to be responsible for their own security and the security of others. During START, an annual, two-day long new student orientation program, participants learn about services offered by the Department of Public Safety. Thousands of students and parents attend presentations about student housing facility security policies, ways to maintain personal safety, personal property protection suggestions, and crime patterns on campus and in the surrounding neighborhoods.

Similarly, during Welcome Week, a three-day new student orientation program at OSU-Cascades, participants learn about the services offered by OSU-Cascades Campus Safety and the Bend Police Department. Welcome Week presentations outline student housing, facility, and security policies, local crime patterns, and provide suggestions to maintain personal safety and protect personal property.

For more information about START and Welcome Week, please visit the New Student Programs and Family Outreach website, https://newstudents.coregonstate.edu, and the OSU-Cascades First-Year Experience website, https://osucascades.edu/first-year-experience.

Crime prevention programs focus on topics, such as sexual assault, dating violence, domestic violence, and stalking, and are offered on a continual basis. New employee orientation provides crime prevention and fire safety materials to new staff members. Information is also disseminated to students and employees through crime prevention awareness packets, online training, security alert posters, displays, videos, web pages like https://public safety.oregonstate.edu and https://osucascades.edu/campus-safety, and articles and advertisements in university publications.

Furthermore, the Department of Public Safety and OSU-Cascades Campus Safety provide presentations throughout the year about safety topics, such as active shooters, emergency management, and bomb threats. Information about campus safety resources, emergency blue light phones, alcohol and drug laws, motorist assists, SafeRide, suspicious packages, security assessments, and bicycle safety is also provided.

For more information or to schedule a safety presentation, please contact the Department of Public Safety at 541-737-3010 or Campus Safety at 541-322-3110. Since the Hatfield Marine Science Center and OSU Portland Center communities do not have campus law enforcement, students and employees are referred to the Corvallis campus for programs related to campus security and crime prevention. Department of Public Safety staff from the Corvallis campus occasionally travel to these locations to provide training about the aforementioned topics.



Security Awareness and Crime Prevention Programs



Oregon State University students and employees who are members of the OSU Agriculture and Natural Resource Program at Eastern Oregon University (EOU) are referred to EOU Campus Safety and Security for security awareness and crime prevention programs. EOU programs are sponsored by various campus organizations and local law enforcement throughout the year, including Week of Welcome, resident assistant training, and residential student programming. Topics include strategies for maintaining personal safety, alcohol and drugs, and theft prevention.

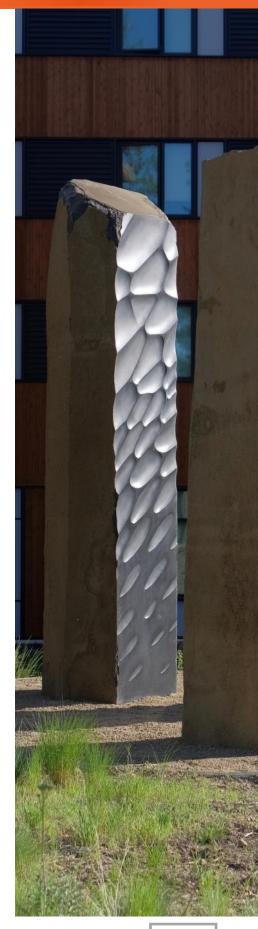
The following charts are provided as a quick reference for selected security awareness and crime prevention programs.

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

Security Awareness and Crime Prevention Programs

Campus Security I	Programs Addressing Security Procedures and Practices
New Student Safety Presentation (Fall Kickoff)	 Campus: OSU-Cascades Type: Personal and Community Security Frequency: Annually Description: Student safety presentation focused on crime prevention and situational awareness.
Week of Welcome	 Campus: OSU at Eastern Oregon University Type: Personal and Community Security Frequency: Annually Description: Presentations address the impacts of alcohol, drugs, and sexual assault upon the campus community.
International Student Orientation	 Campus: OSU at Eastern Oregon University Type: Personal and Community Security Frequency: Annually Description: Presentation addressing the use of alcohol and drugs, and sexual assault culture in the United States.
Residence Hall Programming	 Campus: OSU at Eastern Oregon University Type: Personal and Community Security Frequency: Quarterly Description: Programming and bulletin boards advocating for safer sex and healthy behaviors.

		Crime Prevention Programs
Active Shooter/ Emergent Threat Survival	•	Campus: Corvallis Description: This program is provided for students and employees by the Department of Public Safety throughout the year and upon request. This is an engaging presentation with facts and myths about the nation's past history of active shooters/emergent threats with tips, tricks, and tools to aid in the decision -making process of what to do in an emergent threat situation. Safety measures, the Run, Hide, Fight method and university safety initiatives are also discussed.
Hybrid Targeted Violence	•	Campus: OSU-Cascades Description: Active shooter/emergent threat response focused training. Provided for students and employees by Campus Safety throughout the year and upon request.





Corvallis Campus

Facilities and residence halls are secured through a combination of resident security awareness, door lock protocols, employee/contractor awareness, building lock and after hours permitted access restrictions, residence hall lobby desk watches, resident assistant awareness and duty patrols, and Department of Public Safety (DPS) door checks and patrols. Security is enhanced by closed circuit recording and live monitoring of some feeds. Non-residential buildings are locked and unlocked for access in accordance with published standard operating hours. These may vary based on individual facility but are nominally 6 a.m. to 6 p.m. The University establishes the building schedule based on the term class schedule. Department Heads may have buildings and rooms open for special meetings during after-hours. Buildings are locked/unlocked for general use by facility security/DPS or custodial operations. For events and classes held on the Corvallis campus outside published building hours, departments coordinate after-hours access with the building manager and the Office of the Registrar. After-hours use of buildings is for personnel with staff cards and other persons holding after-hours permits. After-hours permits are obtained annually from DPS, and the dean or department head of the applicable unit maintains an after-hours permit log. Facility keys (manual and card access) are issued by the OSU Facilities Key Shop to accountable individuals in accordance with key shop rules. Departments coordinate all key requests. Internally, non-residential buildings may have key, card, or code access to individual rooms or sections. Control of these access methods is maintained by individual departments and building managers.

University Housing and Dining Services (UHDS) residence halls on the Corvallis campus are locked 24 hours a day. Residents are prohibited from propping exterior doors or leaving doors propped open. Propping doors jeopardizes the safety of students, staff, and property. Residents may not open doors for non-residents of the hall or allow non-residents to follow them into the building. Residents are responsible for the behavior of anyone they allow into the building. See the Visitors and Guests Policy for more information. Residents are responsible for proper use of the key(s) and electronic access devices (ID card or proximity device) issued to them by the University and/or UHDS. Students may not duplicate University-issued keys or loan keys, ID cards, or proximity devices to other people. Doors, windows, locks, and other elements of the security system for a building will receive maintenance on a priority basis. For example, a broken window at a housing facility that allows access to the building will be secured as soon as maintenance personnel can be summoned to the location. Facilities staff and building managers regularly check for safety concerns, such as malfunctioning lighting, obstructive landscaping, and unsecured doors. To report any maintenance issues, please contact the duty resident assistant or submit a maintenance request, https:// uhds.oregonstate.edu/housing/reporting-maintenance-issues.

OSU-Cascades

Most campus buildings and facilities are accessible to the campus community, guests, and visitors during scheduled hours of operation, designated hours on weekends and holidays, and for special events. Persons requiring access to buildings outside of scheduled operating hours must request it. Access to facilities at OSU-Cascades is obtained by physical key or electronically with a chip-enabled identification (ID) card. In most cases, necessary access will be provided by chip-enabled ID card. Upon the end of employment, conclusion of a contract, or change in access needs, employees and contractors must immediately surrender keys and ID cards to the OSU-Cascades ID Center. If an ID is not returned, the ID Center can still deactivate the card remotely.

The Residence Hall main floor is accessible Monday through Friday, 8 a.m. to 5 p.m. Doors to residence hall rooms are locked 24 hours a day. Entry into student living areas and bedrooms requires a chip-enabled ID card issued to the student at the beginning of the year. Resident assistants monitor access to the Residence Hall and conduct duty patrols to identify security and access issues.

Three emergency phones are located on floors 2 through 4 near each floor's lounge/kitchen area allowing direct calls to OSU-Cascades Campus Safety in the case of an emergency. OSU-Cascades Campus Safety personnel routinely verify the status and functionality of security lights and other security features, and coordinate to submit priority work orders for malfunctioning security elements. Campus Safety personnel also regularly patrol the campus to detect and address any security and access issues.

Residential Education and Housing operation and maintenance staff prioritize maintenance of security system elements. To enhance safety and security efforts within the residence hall, academic buildings, and dining center, security video cameras may be placed in a hall, lobby, or other public areas. Generally, these cameras are in static locations. However, if there is concern about property damage or personal security, cameras may be temporarily placed in other locations. To ensure personal privacy, cameras are only located in areas that are not considered private within the hall and dining center.

OSU-Cascades values facilities that are visually appealing, safe, healthy, clean, and operate to minimize the impact on the environment. Residents are able to submit maintenance requests online for any issues in their rooms or in common areas of the Residence Hall at https://osucascades.edu/housing/resident-services/maintenance. Doors, windows, locks, and other elements of the security system will receive maintenance on a priority basis. For example, a housing facility with a broken window that allows access to the building will be secured as soon as maintenance personnel can be summoned to the location. For more information about OSU-Cascades Facilities Services, please visit https://osucascades.edu/facilities.





Hatfield Marine Science Center

Non-residential buildings are locked and unlocked for access in accordance with published standard operating hours. These may vary based on individual facility but are nominally 8 a.m. to 5 p.m. at the Hatfield Marine Science Center (HMSC).

After-hours access at HMSC is limited to key holders and coordinated by Principal Investigators (PI) in control of the applicable building or space. Anyone who is affiliated with Oregon State University or needs access to HMSC spaces, must fill out the New Staff or Student Check-in form.

Students who are at HMSC for the sole purpose of taking classes will coordinate access through the Housing & Student Support Coordinator. All interns will coordinate access through their Internship Coordinator.

Space access and key/keycards are actively managed by the Director's Office. Access privileges must be used responsibly. Any actions deemed irresponsible or inappropriate by the Director's Office will result in space access being revoked. Users must return keys at the end of the project or when they leave HMSC. Keycards will be deactivated at the designated project end date.

Individuals living within HMSC residential facilities are encouraged to keep their exterior apartment doors locked at all times, including when they leave for a short time and when they are sleeping. Residents are prohibited from propping exterior doors or leaving doors propped open to common spaces, including laundry facilities and the dining hall.

Residents are responsible for proper use of the key(s) and electronic access devices (ID card or proximity device) issued to them by the University and/or HMSC. Residents may not loan keys, ID cards, or proximity devices to individuals not listed on the contract. Residents may not duplicate University-issued keys.

Residents are responsible for the behavior of their guest(s). Guests are expected to comply with all state, federal and University rules and policies. Residents may not provide access to common spaces for guests (e.g., laundry room, dining hall); residents must escort guests in common spaces at all times.

Doors, windows, locks, and other elements of the security system for a building will receive maintenance on a priority basis. For example, a broken window at a housing facility that allows access to the building will be secured as soon as maintenance personnel can be summoned to the location.

TCB Security Services conduct regular patrols of the campus to identify and address any facility security and access issues. Facilities staff and building managers also check for safety concerns, such as malfunctioning lighting, obstructive landscaping, and unsecured doors. Work order requests for HMSC maintenance issues can be submitted at https://hmsc.oregonstate.edu/webform/work-order-request.

OSU Portland Center

The OSU Portland Center is located on the second floor at 555 SW Morrison Street and open from 7:00 a.m. to 9:00 p.m., Monday through Friday, with varied extended hours for weekend classes and events. The OSU Portland Center does not own, lease, or have a written agreement for any on-campus student housing facilities. As an office building, the Meier & Frank Building is shared with other professional firms and organizations. Respect and courtesy to other building tenants when using common areas such as the first floor, elevators and bicycle storage is expected from all faculty, staff and students.

Outside of the posted hours, an OSU ID card with programmed access is required to enter the building. Otherwise, meetings or events need to be coordinated with the OSU Portland Center operations team.

All Oregon State University faculty, staff and students are required to have a valid OSU ID card. Cards are issued through the OSU ID Center and can be issued for Portland-based faculty, staff and students by using the "upload a photo" option on their website: https://fa.oregonstate.edu/business-affairs/id-center/photo-upload.

Individuals who misplace their ID cards should notify OSU Portland Center operations staff immediately so the card can be deactivated. The replacement fee for a lost ID is \$25.00 and must be obtained through the OSU ID Center. After receiving an OSU ID card, online surveys must be completed in order to gain access to the Meier and Frank building. Please reach out to the OSU Portland Center operations team to get an ID card programmed for access.

To access the space outside of normal business hours at the main entrance on Morrison Street, a programmed ID card must be used at the exterior set of doors on the street, as well as the interior set of doors and the elevator in order to get to the second-floor space. A programmed ID card can also be used to access an entrance on Alder Street, which is available for those needing bicycle storage in the A level basement.

Passenger elevators to the OSU Portland Center are located inside the Morrison Street entrance for standard use and are accessible during regular building hours. Elevators can be accessed via programmed OSU ID card. Access through the elevator is limited to the A level basement, first and second floors.

Stairwells in the building provide emergency egress to the street level from all floors. The stairwells are secured on every floor, not permitting floor-to-floor access with exception to the basement amenities. Due to the historic nature of the Meier & Frank building, all windows must remain closed at all times.

Any deficiencies in facility appearance or service should be brought to the attention of the OSU Portland Center Operations team by emailing <u>Portland Center@oregonstate.edu</u>. Doors, windows, locks, and other elements of the security system will receive maintenance on a priority basis.





OSU Agriculture and Natural Resource Program at EOU

It is the policy of Eastern Oregon University that after normal working hours, all facilities are locked and secured. This policy applies to university students, faculty, staff, and partners who use University buildings. Facility access serves a number of functions, including providing security of sensitive research, records, and facilities; the safety of students, employees, and visitors to the campus; and for loss prevention.

Accountability for all keys and ID cards issued is paramount to the personal safety and physical security of the University's staff, faculty, and students as well as being a vital component in the protection of assets for the University and its various departments and facilities. Campus Safety and Security contributes to the security of campus facilities by conducting regular patrols, monitoring cameras set up around campus, and locking and unlocking buildings and offices.

Once buildings are secured, access may be gained by authorized personnel or by contacting Campus Safety and Security. Locks to outside entrances and interior doors of all University buildings are on a standard University-wide lock system maintained by the Facilities and Planning (F&P) Department. Keys, keypad, and proximity ID card access to these locks are issued to authorized personnel only. Some facilities are restricted to persons who have paid user fees (e.g., fitness center).

The F&P Department is responsible for maintaining the University's key and keypad control system and the distribution of keys, keypads, and keypad PIN's. University keys and key pads are the property of the University and may be recovered at any time. Unauthorized fabrication, duplication, possession, alteration, or unauthorized use of keys is a violation of this policy. Responsibility for the accountability of key access is shared between the individual, department head, and Facilities. The individual is responsible for safeguarding the keys, using them in accordance with this policy, and returning them when they are no longer needed or when leaving the University.

Unauthorized entry or use of university facilities is viewed as criminal trespass and violators are subject to arrest and the loss of campus privileges. Persons committing a crime on EOU property, or during its sponsored events and activities, will be subject to arrest and may be prohibited from future use of campus facilities or participation in its events and activities.

Oregon State University does not own, lease, or have a written agreement for any on-campus student housing facilities at Eastern Oregon University. Oregon State University students are dual enrolled EOU students and use EOU student housing facilities as a part of their EOU enrollment, not their OSU enrollment. Members of the EOU community who have maintenance concerns impacting campus security can contact Campus Safety and Security and submit a service request online: https://www.eou.edu/facplan/service-request-desk/.

Timely Warnings

The Clery Act requires Oregon State University to issue timely warnings for Clery Act crimes that occur on the Clery Act geography of the university and represent a serious or continuing threat to students and employees. Definitions of Clery Act crimes and reportable geography can be found in Appendix A: Glossary. In annual requests for crime statistics, Oregon State University asks local police agencies for their cooperation in informing the institution about situations reported to them that may warrant a timely warning. The Clery Act does not require Oregon State University to provide a timely warning with respect to crimes reported to a pastoral or professional counselor.

In addition to contacting local public safety services, university community members should contact the following entities when they become aware of a potential ongoing or serious Clery Act crime that occurred near or at a location owned or controlled by the university or a university-affiliated recognized student organization. Refer to the Reporting Crimes and Emergencies section for local law enforcement contact information.

OSU Department of Public Safety in Corvallis

Priority Line: 541-737-7000

Non-Emergency Line: 541-737-3010

Address: 200 Cascade Hall, 601 SW 17th St., Corvallis, OR

OSU-Cascades Campus Safety

Non-Emergency Line: 541-322-3110

Address: Room 108 Obsidian Hall, 1500 SW Chandler Ave, Bend, OR

Hatfield Marine Science Center Director's Office

Phone: 541-867-0211

Email: robert.cowen@oregonstate.edu

Address: 2030 SE Marine Sciences Dr., Newport, OR

DPS on the Corvallis campus serves as a backup contact.

OSU Portland Center Operations Director

Phone: 503-273-4314

Email: sara.knott@oregonstate.edu

Address: 555 SW Morrison St., Suite 200, Portland, OR **DPS on the Corvallis campus serves as a backup contact.**



Timely Warnings



Upon being notified of a Clery Act crime that occurred at a Clery Act reportable location and potentially poses a serious or continuing threat to students and employees, the above entities will either designate or serve as the OSU Incident Commander (IC), who will review the details of the incident and determine if it meets the requirements for a timely warning under the Clery Act.

If the IC believes the incident is not a life-safety risk, which would potentially require an emergency notification under the Clery Act (see Emergency Response and Evacuation section), then an assessment team will be activated for further analysis, message development, and dissemination.

Depending on the situation and the associated university location, the assessment team may be composed of all or some of the following: the IC, Department of Public Safety, Campus Safety, University Relations and Marketing, Community Relations and Marketing, Division of Finance and Administration, Finance and Strategic Planning, and representatives from the Office of General Counsel, Emergency Preparedness, and/or Office of the Dean of Students.

If the assessment team concludes that an incident requires a timely warning, the message will be drafted for the applicable campus community and include a description of the incident, recommended protective measures, and relevant campus resources.

OSU Alert is the primary distribution system for timely warnings, which are generally titled as Safety Notices. All university students and employees are automatically signed up to receive OSU Alerts through their university issued email accounts.

University members can sign up for text messages, phone calls, or add additional phone numbers or email addresses (parents, spouses, etc.) by managing their account at https://oregonstate.edu/alerts/osu-alert-portal and using their ONID email and password. The Rave Guardian app, which is available in app stores for download, also provides access to OSU Alerts and other public safety services.

Oregon State University will withhold as confidential the names and other identifying information of victims when issuing a timely warning and will honor the victim's or witness's description of the suspect. In narrow circumstances, such as when a suspect is targeting a particular group or a specific location, some identifiable information may be included.

If new or pertinent information about the incident is received, an update may be sent to the campus community using the OSU Alert system. Subsequent communications will be composed and sent under the auspices of the aforementioned assessment team, in the case of timely warnings. If an incident does not require a timely warning, an OSU Alert or another type of communication may still be sent.

Timely Warnings

OSU Agriculture and Natural Resource Program at EOU

In addition to contacting local public safety services, the OSU Agriculture and Natural Resource Program campus community (i.e., OSU at EOU) should contact the following entities when they become aware of a potential ongoing or serious Clery Act crime that occurred near or at a location owned or controlled by the university or a university-affiliated recognized student organization.

OSU Agriculture and Natural Resource Program at EOU Program Director

Phone: 541-737-5317

Email: penelope.diebel@oregonstate.edu

Address: 205 Badgley Hall, One University Blvd., La Grande, OR

DPS on the Corvallis campus serves as a backup contact.

EOU Campus Safety and Security

Non-Emergency Line: 541-962-3911

Address: 154 Loso Hall, 6th St, La Grande, OR

Reports of Clery Act crimes that are made to the OSU Agriculture and Natural Resource Program are shared with Eastern Oregon University, and the OSU Incident Commander (OSU IC) for the OSU Agriculture and Natural Resource Program (Program Director or designee) will contact EOU Campus Safety and Security in response to circumstances that may require a timely warning under the Clery Act. The OSU IC and EOU Campus Safety and Security collaborate to conduct further analysis and message development, and the OSU IC defers to the EOU Alert process for message dissemination (https://www.eou.edu/ua/eou-policies/crisis-communication-plan/). All on campus students and faculty/ staff are automatically subscribed to EOU Alert and off campus students have the option to subscribe. Students and employees can ensure they receive these alerts by checking and updating their contact information in their Webster account. Information about EOU Alert and a link to update or check your information can be found at https://www.eou.edu/emergency/.

In all circumstances, if OSU believes communication to its employees and students is warranted, OSU reserves the option to send a message to the OSU Agriculture and Natural Resource Program campus community through OSU Alert, but typically after exhausting the possibility of issuing an EOU Alert in coordination with EOU. In the case of non-time critical situations, where there is no life-safety risk, the OSU IC will contact the OSU Department of Public Safety for further analysis and message development before issuing an OSU Alert in accordance with the process outlined for the Corvallis campus.





The Clery Act requires Oregon State University to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. OSU Alert is the primary distribution system for emergency notifications. All university students and employees are automatically signed up to receive OSU Alerts through their university issued email accounts.

Anyone with information about a significant emergency or dangerous situation occurring on-campus and involving an immediate threat to the campus community should notify the following campus contacts (when safety allows) after contacting local emergency services (dial 911 for emergencies). Refer to the Reporting Crimes and Emergencies section for local law enforcement contact information.

OSU Department of Public Safety in Corvallis

Priority Line: 541-737-7000

Non-Emergency Line: 541-737-3010

Address: 200 Cascade Hall, 601 SW 17th St., Corvallis, OR

Emergencies reported to 911 are forwarded to DPS by the Corvallis Regional Communications Center for assessment and response.

OSU-Cascades Campus Safety

Non-Emergency Line: 541-322-3110

Address: Room 108 Obsidian Hall, 1500 SW Chandler Ave., Bend, OR

Hatfield Marine Science Center

Director's Office

Phone: 541-867-0211

Address: 2030 SE Marine Sciences Dr., Newport, OR

DPS on the Corvallis campus serves as a backup contact.

TCB Security Services (6pm-7am)

Non-Emergency Line: 541-574-2828

Address: 437 NE 1st St., Newport, OR

Also notifies HMSC leadership.

OSU Portland Center Operations Director

Phone: 503-273-4314

Address: 555 SW Morrison St., Suite 200, Portland, OR

DPS on the Corvallis campus serves as a backup contact.

Upon being notified of a significant emergency or dangerous situation occurring on-campus and involving an immediate threat to the health or safety of students or employees, the above university officials will document the reported details, initiate the emergency communications plan, and notify, as appropriate, the local or university law enforcement agency, and if applicable, other emergency services, such as the local fire department.

The university officials in the above departments or positions may also serve as the OSU Incident Commander (IC). The IC reviews the details of the incident and determines if it meets the requirements for an emergency notification under the Clery Act.

University police officers, campus safety personnel, or other local or university authorities (e.g. Bend Police Department, Newport Police Department, HMSC Response Team, etc.) will confirm the status and severity of the threat by either responding to the scene or through the report of a credible witness.

If an emergency notification is warranted, the IC determines the content of the notification by selecting from preformatted and approved emergency messaging templates and initiates the notification system by sending the message through OSU Alert, which is a hosted service by AT&T Rave Guardian.

Oregon State University will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Emergency notifications may include details about which segment of the campus community is affected, a description of the incident, and recommended measures the campus community should take to protect themselves, such as evacuation, avoiding certain areas/buildings, or sheltering-in-place.

Oregon State University typically issues emergency notifications through OSU Alert to the entire campus community even if only a segment of the campus is affected. The IC may decide to issue emergency notifications to a segment or segments of the campus community by evaluating the details of the incident. If, for instance, a fire is isolated to one building on campus, an emergency notification may be sent to just that segment of the campus community. If an incident does not require an emergency notification, an OSU Alert or another type of communication may still be sent to the Oregon State University community.

If new or pertinent information about the incident is received, an update may be sent to the campus community using the OSU Alert system. Subsequent communications will be composed and sent under the auspices of the Incident Management Team (IMT), in the case of non-time critical and subsequent campus emergency notifications.



Depending on the situation and the associated university location, this team may be composed of all or some of the following: the IC, Department of Public Safety, Campus Safety, Division of Finance and Administration, Finance and Strategic Planning, University Relations and Marketing, Community Relations and Marketing, Facilities Services, Facilities and Operations, Office of the Dean of Students, Office of the General Counsel, Emergency Preparedness, University Housing and Dining Services, Office of Enrollment Services and Student Success, Business Services and Analytics, and Academic Affairs. The IMT can be convened in whole or with only partial participation at the Emergency Operations Center or virtually as the situation requires.

The OSU Recorded Information Line (541-737-8000 or 541-322-3100), OSU Alert website, vehicle public address systems, social media, and OSU-Cascades Emergency Status website (https://osucascades.edu/emergency-status) may serve as additional distribution systems and are used to disseminate emergency information to the larger community. DPS, University Relations and Marketing, and OSU-Cascades Community Relations and Marketing manage the development and release of emergency information through these additional channels in coordination with the above processes and university departments. For example, University Relations and Marketing posts emergency information to the OSU Alert website, https://oregonstate.edu/alerts, by mirroring information contained in corresponding emergency notifications.

OSU Agriculture and Natural Resource Program at EOU

Anyone with information about a significant emergency or dangerous situation occurring oncampus and involving an immediate threat to the campus community should contact local emergency services (dial 911 for emergencies) and then notify EOU Campus Safety and Security (when safety allows) at 541-962-3911 (non-emergency line) or 154 Loso Hall, 6th St, La Grande, OR. Refer to the Reporting Crimes and Emergencies section for local law enforcement contact information.

EOU Campus Safety and Security officers or other local or university authorities will confirm the status and severity of the threat by either responding to the scene or through the report of a credible witness. The OSU Incident Commander (OSU IC) for the OSU Agriculture and Natural Resource Program campus community (Program Director or designee) will contact EOU Campus Safety and Security in response to circumstances that may require an emergency notification under the Clery Act. The OSU IC defers to the EOU Alert process for message dissemination (https://www.eou.edu/ua/eoupolicies/crisis-communication-plan/).

In all circumstances, if OSU believes communication to its employees and students is warranted, OSU reserves the option to send a message to the OSU Agriculture and Natural Resource Program campus community through OSU Alert, but typically after exhausting the possibility of issuing an EOU Alert in coordination with EOU.

If the OSU IC decides to issue an OSU Alert in response to an incident that poses a life-safety risk, the OSU IC determines the content of the emergency notification by selecting from preformatted and approved emergency messaging templates and initiates the notification system by sending the message through OSU Alert in accordance with the process outlined for the Corvallis campus.

Emergency Response and Evacuation Tests

Oregon State University tests its campus-wide response and evacuation procedures on an annual basis. The emergency manager at Oregon State University uses the Homeland Security Exercise and Evaluation Program (HSEEP) to conduct these tests.

The HSEEP format identifies the name, dates, scope, mission area(s), core capabilities, objectives, threat or hazard, scenario, sponsor(s), participating organizations, and point of contact for the exercise. The emergency manager uses tabletop exercises, functional exercises, drills, and occasionally, full scale exercises to test response and evacuation procedures.

The HSEEP-format documents a description of the exercise, the date the test was held, the time the test started and ended, and whether the test was announced or unannounced. The HSEEP-formatted exercises are scheduled, contain objectives that test procedural operations, and involve the coordination of response efforts. For example, after the emergency manager schedules the exercise, participants, such as medical response agencies, are invited to participate.

The HSEEP exercise objectives and core capabilities describe the expected outcomes. The objectives and aligned core capabilities are guided by selected and appointed officials and selected by the Exercise Planning Team. The exercise identifies a mission area(s), such as response, and establishes core capabilities.

The emergency manager may evaluate skills, such as coordination, communication, public health, and medical services. Upon completion, post-exercise and evaluation activities are conducted, including hot washes, controller and evaluator debriefings, participant feedback forms, exercise evaluation guides, after-action reports, improvement planning processes, and after-action meetings.

The emergency manager publicizes emergency response and evacuation procedures in conjunction with at least one test per calendar year. Publications about various preparedness topics can also be found in the OSU Today and on the Emergency Management planning website, https://emergency.oregon state.edu/, which contains more information about emergency operations plans and how to respond to specific types of emergency situations.

University members are also encouraged to sign up for text messages, phone calls, or add additional phone numbers or email addresses (parents, spouses, etc.) by managing their OSU Alert account at https://oregonstate.edu/alerts/osu-alert-portal and using their ONID email and password.



Missing Student Notifications



The following information describes the procedures the Corvallis campus, OSU-Cascades, and the Hatfield Marine Science Center (HMSC) follow in the event a student residing in an on-campus student housing facility is reported missing.

These policy statements do not apply to the OSU Agriculture and Natural Resource Program at EOU or the OSU Portland Center because these locations do not have on-campus student housing facilities that are owned or controlled by Oregon State University. OSU students at Eastern Oregon University use EOU student housing facilities as a part of their dual enrollment as EOU students.

Students, employees, or other individuals should report a missing student to the following university officials as soon as the student is suspected missing or when the student has been missing for 24 hours.

Corvallis Campus

Department of Public Safety

Priority Line: 541-737-7000

■ Non-Emergency Line: 541-737-3010

Address: 200 Cascade Hall, 601 SW 17th St., Corvallis, OR

University Housing and Dining Services (8am-5pm, Monday-Friday)

Phone: 541-737-4771

Address: Oxford House, 957 SW Jefferson Ave., Corvallis OR

OSU-Cascades

Campus Safety

Non-Emergency Line: 541-322-3110

Address: Room 108 Obsidian Hall, 1500 SW Chandler Ave, Bend campus

Residential Education and Housing

Phone: 541-322-3177

Address: Residence Hall, First Floor, Bend campus

Hatfield Marine Science Center

Housing & Student Support Coordinator

Phone: 541-867-0876

Address: Director's Office, 2030 SE Marine Science Dr., Newport, OR

TCB Security Services (6pm-7am)

Non-Emergency Line: 541-574-2828

Address: 437 Northeast 1st St., Newport, OR

Also notifies HMSC leadership.

Missing Student Notifications

At the Corvallis campus and OSU-Cascades, any missing student report will be referred immediately to the Department of Public Safety or Campus Safety respectively. Any missing student report at the Hatfield Marine Science Center will be referred immediately to the Newport Police Department (emergency: 911, non-emergency: 541-574-5807, address: 169 SW Coast Hwy, Newport, Oregon).

When completing their application for on-campus student housing facilities, students are required to identify a contact person or persons whom Oregon State University will notify within 24 hours of the determination that the student is missing, if the student has been determined missing by the Department of Public Safety, OSU-Cascades Campus Safety, or the local law enforcement agency.

For more information about how to register a confidential contact or contacts, please reach out to the applicable student housing office listed below.

This contact information is registered confidentially, accessible only to authorized campus officials, and will not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation.

For students who are under 18 years of age and not emancipated, Oregon State University will notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student.

Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, Oregon State University will also notify the local law enforcement agency that has jurisdiction in the area within 24 hours of the determination that the student is missing, unless the local law enforcement agency was the entity that made the determination that the student is missing.

University Housing and Dining Services

Phone: 541-737-4771

Email: <u>UHDS@oregonstate.edu</u>

Residential Education and Housing

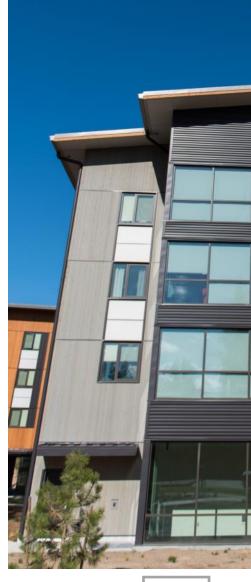
Phone: 541-322-3177

Email: housing@osucascades.edu

HMSC Housing & Student Support Coordinator

Phone: 541-867-0876

Email: HMSC_Housing@oregonstate.edu



Alcohol Policies

General Alcohol Policies

No person may consume alcohol or carry an open container containing alcohol in any form or serve alcoholic beverages on universityowned or -controlled property, except as provided in University Standard 07-005 and in accordance with other applicable laws, university policies or standards, rules, and guidelines. This standard also governs the service of alcohol at Athletic Department venues, LaSells Stewart Center, CH2M Hill Alumni Center, Memorial Union, and the Agricultural Experiment Stations. Games or devices that encourage or facilitate the rapid and/or excessive consumption of alcohol are prohibited. Alcohol service is restricted to beer, wine, and cider; liquor service is generally not permitted. Generally, alcohol service is prohibited during university business hours and is generally prohibited at informal events on university-controlled property. See University Standard 07-005 section 5.1 for more information. As per University Standard: 07-005 section 5.1.8 Residence Halls and Dining Facilities, alcohol service and consumption are restricted in residence halls and dining facilities. In general, events taking place at residence halls may not serve alcohol. Exceptions to allow alcohol service for events in dining facilities may be made in limited circumstances by the Director of University Housing and Dining Services or by the Associate Vice President for Finance and Strategic Planning at OSU-Cascades. For more information on the limits of alcohol use in residence halls (including for student residents over the age of 21 to drink or possess alcohol), please see the UHDS Student Policy and Information Guide (https://uhds.oregonstate. edu/housing/uhds-policy-guide) or Residential Education and Housing (REH) Student Policy and Information Guide (https:// osucascades.edu/housing/rates-policies/ policy-guide). See also Appendix B: University Standard: 07-005 Alcohol Service for details about rules, exceptions, and more.

Code of Student Conduct Alcohol Policy

The Code of Student Conduct includes the following alcohol policies which seek to establish standards and procedures necessary to maintain a community conducive to learning, whether on-campus or online, and to advance the educational objectives of Oregon State University. The following behavior is prohibited:

- Use, possession, or procurement of alcohol by persons under the legal drinking age; students are also considered to be in possession if the substance is in their bodies or the use is otherwise detectable:
- Furnishing, manufacturing, distributing, or selling alcohol except as expressly permitted by law and the university's policies regarding alcohol;
- Driving under the influence of alcohol in excess of the applicable legal limit;
- Public intoxication, possession, or use while on university property or at events except as expressly permitted by university policies regarding alcohol;
- Disruptive behavior or other Code violations due to alcohol intoxication regardless of location;
- Failure of a student organization to take all necessary steps to ensure that no person under the legal drinking age possesses alcoholic beverages at functions it sponsors or organizes, or within any property or transportation it owns, operates, and/or rents;
- Using alcohol to facilitate incapacitation or forcing ingestion of alcohol without consent: or
- Use, or possession, of alcohol in a way that is prohibited by applicable law.

Alcohol Policies

University Housing and Dining Services and Residential Education and Housing Alcohol Policy

University Housing and Dining Services (UHDS) and Residential Education and Housing (REH) also establish the following alcohol policies for areas under their control.

- Residents and their guests must abide by the Code of Student Conduct expectations regarding alcohol use.
 Residents and their guests who are under the age of 21 may not possess or consume alcohol.
- No resident, or their guests, regardless of age, may possess or consume hard alcohol in the residence halls.
 Hard alcohol is defined as alcohol that is equal to or greater than 15 percent alcohol by volume or 30 proof.
- Residents and their guests may not consume alcohol in the presence of those under the age of 21. It is a violation of policy for anyone under the age of 21 to be present in a residential space where they know that alcohol or alcohol containers are present (empty or full), or in a common area where violations of this policy are occurring.
- Residents of any age who reside in substance-free living environments are not permitted to possess alcohol in their rooms.
- Residents who are 21 years of age or older may possess alcohol, with the exception of hard alcohol (defined as
 equal to or greater than 15 percent alcohol by volume or 30 proof) which is never permitted, if they follow the
 requirements listed below:
 - Residents who are at least 21 years of age may not consume alcohol in the room in the presence of individuals, including roommates, who are under the age of 21.
 - Residents of legal age must discreetly transport alcohol to their rooms.
 - o Residents of legal age may only store their alcohol out of view in their assigned area of the room.
- It is a violation of housing policy to provide alcohol to anyone regardless of age who is visibly intoxicated.
- It is a violation of housing policy to be publicly intoxicated in the residence halls. Students who are 21 or over who are disruptive because of the use of alcohol may be considered in violation of this policy.
- Individuals under 21 years of age and all residents living in Substance Free Living Environments, regardless of age, may not display and/or possess alcohol containers (empty or full) within Housing facilities or grounds.
- Open containers of alcohol are not permitted in public or common areas either inside or outside of residential buildings. Common areas include, but are not limited to, outside entry or adjacent sidewalk areas, all lounges, lobbies, kitchenettes, recreation rooms, entertainment areas, hallways, bathrooms, stairways, fire exits, elevators, and laundry rooms, and a student room with an open door.
- Games of chance, imitation or actual drinking games, contests, and other activities that induce, encourage, or result in the rapid consumption of alcohol are prohibited. Items used for drinking games or other activities that encourage the excessive or rapid consumption of alcohol (e.g., keg, beer pong tables, beer bongs, funnels, etc.) are prohibited.

University officials will ask individuals who violate the alcohol policy to dispose of all alcohol in their possession. Students who violate the alcohol policy may be referred for disciplinary action. University officials have discretion to call police. Housing staff will dispose of alcohol found abandoned in public areas. Housing staff will direct students to dispose of alcohol that is determined to have been in the illegal possession of a student.

Alcohol Policies



Enforcement of State Underage Drinking Laws

Oregon Revised Statute 471.430, Purchase or possession of alcoholic beverages by person under 21 (minor in possession-alcohol), is the state underage drinking law. In Oregon, a person under 21 years of age may not attempt to purchase, purchase or acquire alcoholic beverages. Except when such minor is in a private residence accompanied by the parent or guardian of the minor and with such parent's or guardian's consent, a person under 21 years of age may not have personal possession of alcoholic beverages. Those violating this law commit a Class B violation, unless they are operating a motor vehicle; then, it is a Class A violation. Violations in Oregon are not criminal and are only punishable by a fine. For Class A violations, the presumptive fine is \$440; the minimum fine is \$225 and the maximum fine for individuals is \$2,000. For Class B violations, the presumptive fine is \$265; the minimum fine is \$135 and the maximum fine for individuals is \$1,000. Campus law enforcement and, if applicable, local law enforcement have the authority to enforce violations of minor in possession-alcohol on properties owned and controlled by Oregon State University. In addition to the possibility of being arrested or cited by law enforcement, any person or entity violating these laws or policies is subject to: (a) Institutional disciplinary proceedings, if a student or employee; (b) Forfeit of deposits or ticket costs; or (c) An order to leave the immediate premises or property owned or controlled by the university by a person in charge of university property. Persons failing to comply with an order by a person in charge to leave or to remain off the immediate premises or property owned or controlled by the university are subject to arrest for criminal trespass. Employees violating alcohol laws and policies are subject to sanctions (not exhaustive), such as termination, nonrenewal, suspensions, or written reprimands. Employees should consult with Employee and Labor Relations (employee.relations@oregonstate.edu) to address any questions regarding alcohol laws and policies.

The Office of Student Conduct and Community Standards (SCCS), University Housing and Dining Services (UHDS), and Residential Education and Housing (REH) can impose sanctions for violations of alcohol policies under the Code of Student Conduct, UHDS Policy Guide, and REH Policy Guide respectively. These sanctions include warnings, educational sanctions, program participation (e.g., IMPACT), residential disciplinary probation, cancellation of housing contract, university conduct probation, university/community service work hours, restriction/exclusion, conduct suspension, student organization recognition revocation, and expulsion. Please see the Code of Student Conduct, UHDS Policy Guide, and REH Policy Guide for more details.

Staff members at Student Health Services, Counseling & Psychological Services (CAPS), and the Student Wellness Office can address questions or concerns about alcohol use. Trained staff can provide information, assistance, and counseling. For more information, visit https://studenthealth.oregon state.edu/prevention-and-advocacy-coalition/alcohol-drug-prevention.

General Illegal Drugs Policies

Oregon State University is committed to maintaining a workplace free from the unlawful manufacture, use, dispensing, possession, or distribution of controlled substances (as defined in section 102 of the Controlled Substances Act [21 U.S.C. 802]). Unlawful manufacture, use, dispensing, possession, or distribution of controlled substances by university employees in the workplace is prohibited under university policy.

In addition, university policy prohibits students, employees and members of the general public from possessing, using or distributing marijuana in any form on any of the university's campuses or facilities and during any university activities. See Appendix C: University Policy: 07-045 Cannabis for more details. Abuse of controlled substances in the workplace is dangerous and must be avoided. Employees convicted of violating a criminal drug statute in the workplace must notify their supervisor and the Associate Vice President and Chief Human Resources Officer no later than five days after such conviction.

If the employee is involved in work supported by a federal agency, the University will notify the federal agency within ten days after receiving notice of the criminal drug conviction. Within 30 days of receiving notification that an employee has been convicted of violating a criminal drug statute in the workplace, the University will take appropriate personnel action against such an employee, or will require the employee to participate satisfactorily in a controlled substance assistance or rehabilitation program. Employees found to be in violation of this policy may be subject to disciplinary sanctions consistent with applicable provisions of state laws and regulations, collective bargaining agreements, University and Oregon State Board of Higher Education administrative rules, as well as penalties under federal and state law.

The University supports programs for the prevention of controlled substance abuse by university employees as well as assistance programs for those with problems related to controlled substance abuse. Employees found to be in violation of this policy may be required to provide evidence of satisfactory participation in a substance abuse assistance or rehabilitation program.

Employees are encouraged to seek assistance for controlled substance dependency problems through the University Employee Assistance Program. Evaluation, counseling and referral services are available to employees through this program, and assistance is provided on a confidential basis. In most cases, the health benefits packages available to all university employees provide at least partial reimbursement for treatment and rehabilitation associated with substance abuse problems. For more information about the Beyond Benefits: Employee Assistance Program, please visit https://hr.oregonstate.edu/benefits/current-employees/health-wellness-work-life/employee-assistance-program/beyond-benefits.

Code of Student Conduct Illegal Drugs Policy

The following behavior is prohibited under the Code of Student Conduct, where "drugs" includes but is not limited to federally controlled substances, synthetic drugs or inhalants, natural substances used for drug effects, and medication used/possessed/handled in non-prescribed manners:

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

Code of Student Conduct Marijuana Policy

Concerning marijuana, the following behavior is prohibited under the Code of Student Conduct:

- use, possession, or procurement of marijuana or its derivatives or paraphernalia related to use by persons under the legal age; students are also considered to be in possession if the substance is in their bodies or the use is otherwise detectable;
- public intoxication, possession, or use of marijuana or its derivatives or paraphernalia related to use while on university property or at university events;
- furnishing, manufacturing, distributing, or selling marijuana or its derivatives except as expressly permitted by law;
- driving under the influence of marijuana or its derivatives;
- disruptive behavior or other Code violations due to marijuana or cannabis intoxication regardless of location;
- failure of a student organization to take all necessary steps to ensure that no person under the legal age possesses or consumes marijuana or its derivatives at functions it sponsors or organizes, or within any property or transportation it owns, operates, and/or rents;
- facilitating incapacitation or ingestion without consent through the use of marijuana or its derivatives; or
- use, or possession, of marijuana in a way that is prohibited by applicable law.



University Housing and Dining Services & Residential Education and Housing Illegal Drugs Policy

- Residents and their guests must abide by the Code of Student Conduct expectations regarding drug use.
- The possession, use, or distribution of illegal drugs in Housing is prohibited. The illegal possession, use, or distribution of prescription drugs in Housing is also prohibited.
- The use of substances outside of their intended purposes and in a manner not prescribed by a physician is prohibited. Prescription drugs are permitted on campus if accompanied by an authentic medical prescription. Use of legal medication outside the parameters of the medical authorization is prohibited.
- It is prohibited to be under the influence of federally controlled substances in any form. Students who exhibit behaviors that appear to have been influenced by federally controlled substances use may be subject to disciplinary process. Such behaviors may include, but are not limited to, slurred speech, smell of other drugs, lack of balance, or swaying. Students are reminded that being under the influence of drugs, including legal substances such as salvia, is not an excuse for disruptive behavior or other violations of University policies or rules.
- Students may not possess drug paraphernalia. Drug paraphernalia includes equipment, products and materials of any kind which are marketed for use or designed for drug use including, but not limited to, bongs, smoking pipes, vaporizers, syringe needles, and roach clips. For a more complete listing of prohibited items please see Oregon Revised Statutes (ORS) 475.525.
- It is a violation of policy for anyone to knowingly be present in a room/suite where illegal substances are present, or where violations of the Drugs section of the Code of Student Conduct behavioral expectations are taking place.

Violations may be referred to the Department of Public Safety/OSU-Cascades Campus Safety.

University Housing and Dining Services & Residential Education and Housing Marijuana (Cannabis) Policy

- Residents and their guests must abide by the Code of Student Conduct expectations regarding cannabis use.
- The possession, use or distribution of cannabis in Housing is prohibited. This is true regardless of age or medical marijuana cardholder status.
- It is a violation of policy for anyone to knowingly be present in a room/suite where cannabis is present, or where violations of the Cannabis section of the Code of Student Conduct are taking place.
- It is prohibited to be under the influence of cannabis in any form. Students who exhibit behaviors that appear to have been influenced by cannabis use may be subject to disciplinary process. Such behaviors may include, but are not limited to smell of cannabis or disruptive behavior due to cannabis use.
- Students may not possess cannabis paraphernalia, which includes equipment, products and materials of any kind which are marketed for use or designed for cannabis use including, but not limited to, bongs, smoking pipes, vaporizers, and roach clips. For a more complete listing of prohibited items please see Oregon Revised Statutes (ORS) 475C.373.

Because cannabis is prohibited on campus regardless of age or medical cardholder status, Housing staff will work with the Department of Public Safety or OSU-Cascades Campus Safety to remove and destroy cannabis in any form and/or drug paraphernalia that is found on campus property. For more information, please visit: https://policy.oregonstate.edu/UPSM/07-045 university policy marijuana.

Enforcement of Federal and State Drug Laws

Chapter 475 of the Oregon Revised Statutes regulates controlled substances and Chapter 475C governs the regulation of cannabis in the state of Oregon. Please refer to the following links for more information: https://www.oregonlegislature.gov/bills-laws/ors/ors475.html and https://www.oregonlegislature.gov/bills-laws/ors/ors475C.html.

Offenses in Oregon, including those listed in the aforementioned chapters, are classified as either crimes or violations. Convictions for crimes can include fines and/or imprisonment. Convictions for violations are only punishable by fines. Please refer to the above links for more information about classifications for specific drug offenses.

Campus law enforcement and, if applicable, local law enforcement have the authority to issue citations and make arrests for the violation of local and state drug laws on properties owned and controlled by Oregon State University.

Oregon State University will also cooperate with any federal law enforcement agency enforcing drug laws on university property.

In addition to the possibility of being arrested or cited by law enforcement, any person or entity violating these laws or policies is subject to: (a) Institutional disciplinary proceedings, if a student or employee; (b) Forfeit of deposits or ticket costs; or (c) An order to leave the immediate premises or property owned or controlled by the university by a person in charge of university property. Persons failing to comply with an order by a person in charge to leave or to remain off the immediate premises or property owned or controlled by the university are subject to arrest for criminal trespass.

Employees violating federal and state drug laws are subject to sanctions (not exhaustive), such as termination, nonrenewal, suspensions, or written reprimands.



Enforcement of Federal and State Drug Laws (Cont.)

Employees should consult with Employee and Labor Relations (employee.relations@oregonstate.edu) to address any questions regarding drug laws and policies.

The Office of Student Conduct and Community Standards (SCCS), University Housing and Dining Services (UHDS), and Residential Education and Housing (REH) can impose sanctions for violations of drug and cannabis policies under the Code of Student Conduct, UHDS Policy Guide, and REH Policy Guide respectively. These sanctions include warnings, educational sanctions, program participation (e.g., IMPACT), residential disciplinary probation, cancellation of housing contract, university conduct probation, university/community service work hours, restriction/exclusion, conduct suspension, student organization recognition revocation, and expulsion. Please see the Code of Student Conduct, UHDS Policy Guide, and REH Policy Guide for more details.

Staff members at Student Health Services, Counseling & Psychological Services (CAPS), and the Student Wellness Office can address any questions or concerns about drug use. Trained staff can provide information, assistance, and counseling. For more information on alcohol and other drugs please visit the following website: https://studenthealth.oregonstate.edu/prevention-and-advocacy-coalition/alcohol-drug-prevention.

Drug-Free Schools and Communities Act

Oregon State University Student Health Services provides the overall coordination of the Drug-Free Schools and Communities Act. Each year, Oregon State University notifies each employee and student, in writing, of the:

- 1. standards of conduct;
- 2. sanctions for violation of federal, state, and local law and campus policy; and
- 3. health risks associated with alcohol and drug use.

This annual notification is distributed to comply with part of the requirements of the 1989 amendments to the Drug-Free Schools and Communities Act (DFSCA), as articulated in the Education Department General Administrative Regulations (EDGAR) §86.1 – the Drug-Free Schools and Campuses Regulations. Please find the most recent annual notification and biennial review here: https://studenthealth.oregonstate.edu/prevention-and-advocacy-coalition/alcohol-drug-prevention/alcohol-and-other-drugs. Here also are direct links to both reports:

- 2022-2023 Annual Notification
- 2022 Biennial Review

Jurisdictional Definitions

Oregon State University prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking, as those terms are defined for the purposes of the Clery Act and under <u>University Policy: 05-001 Sexual Misconduct and Discrimination</u>. The jurisdictional definitions of these crimes provided by the Oregon Revised Statutes (ORS) are as follows:

Dating Violence: Oregon state law requires institutions of higher education to adopt policies addressing dating violence (ORS 350.253). However, under Oregon state law, there is no specific definition of dating violence. Oregon state law only defines teen dating violence in ORS 147.450 as follows:

- "Teen dating violence" means:
 - A pattern of behavior in which a person uses or threatens to use physical, mental or emotional abuse to control another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age; or
 - Behavior by which a person uses or threatens to use sexual violence against another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age.

Domestic Violence as defined by ORS 135.230: "Domestic violence" means abuse between family or household members.

- "Family or household members" means any of the following:
 - Spouses.
 - o Former spouses.
 - Adult persons related by blood or marriage.
 - Persons cohabiting with each other.
 - Persons who have cohabited with each other or who have been involved in a sexually intimate relationship.
 - Unmarried parents of a minor child.
- "Abuse" means:
 - Attempting to cause or intentionally, knowingly or recklessly causing physical injury;
 - Intentionally, knowingly or recklessly placing another in fear of imminent serious physical injury; or
 - Committing sexual abuse in any degree as defined in ORS 163.415 (Sexual abuse in the third degree), 163.425 (Sexual abuse in the second degree) and 163.427 (Sexual abuse in the first degree).





Sexual Assault: The following statutes apply to the jurisdictional definition of sexual assault.

Definitions provided by ORS 163.305:

- "Forcible compulsion" means to compel by:
 - Physical force; or
 - A threat, express or implied, that places a person in fear of immediate or future death or physical injury to self or another person, or in fear that the person or another person will immediately or in the future be kidnapped.
- "Mentally incapacitated" means that a person is rendered incapable of appraising or controlling the conduct of the person at the time of the alleged offense.
- "Oral or anal sexual intercourse" means sexual conduct between persons consisting of contact between the sex organs of one person and the mouth or anus of another.
- "Physically helpless" means that a person is unconscious or for any other reason is physically unable to communicate unwillingness to an act.
- "Sexual contact" means any touching of the sexual or other intimate parts of a person or causing such person to touch the sexual or other intimate parts of the actor for the purpose of arousing or gratifying the sexual desire of either party.
- "Sexual intercourse" has its ordinary meaning and occurs upon any penetration, however slight; emission is not required.

ORS 163.355, Rape in the third degree:

- A person commits the crime of rape in the third degree if the person has sexual intercourse with another person under 16 years of age.
- Rape in the third degree is a Class C felony.

ORS 163.365, Rape in the second degree:

- A person who has sexual intercourse with another person commits the crime of rape in the second degree if the other person is under 14 years of age.
- Rape in the second degree is a Class B felony.

ORS 163.375, Rape in the first degree:

- A person who has sexual intercourse with another person commits the crime of rape in the first degree if:
 - The victim is subjected to forcible compulsion by the person;
 - o The victim is under 12 years of age;
 - The victim is under 16 years of age and is the person's sibling, of the whole or half blood, the person's child or the person's spouse's child; or
 - The victim is incapable of consent by reason of mental incapacitation, physical helplessness or incapability of appraising the nature of the victim's conduct.
- Rape in the first degree is a Class A felony.

ORS 163.385, Sodomy in the third degree:

- A person commits the crime of sodomy in the third degree if the person engages in oral or anal sexual intercourse with another person under 16 years of age or causes that person to engage in oral or anal sexual intercourse.
- Sodomy in the third degree is a Class C felony.

ORS 163.395, Sodomy in the second degree:

- A person who engages in oral or anal sexual intercourse with another person or causes another to engage in oral or anal sexual intercourse commits the crime of sodomy in the second degree if the victim is under 14 years of age.
- Sodomy in the second degree is a Class B felony.

ORS 163.405, Sodomy in the first degree:

- A person who engages in oral or anal sexual intercourse with another person or causes another to engage in oral or anal sexual intercourse commits the crime of sodomy in the first degree if:
 - The victim is subjected to forcible compulsion by the actor;
 - The victim is under 12 years of age;
 - The victim is under 16 years of age and is the actor's brother or sister, of the whole or half blood, the son or daughter of the actor or the son or daughter of the actor's spouse; or
 - The victim is incapable of consent by reason of mental incapacitation, physical helplessness or incapability of appraising the nature of the victim's conduct.
- Sodomy in the first degree is a Class A felony.





ORS 163.408, Unlawful sexual penetration in the second degree:

- Except as permitted under ORS 163.412 (Exceptions to unlawful sexual penetration prohibition), a person commits the crime of unlawful sexual penetration in the second degree if the person penetrates the vagina, anus or penis of another with any object other than the penis or mouth of the actor and the victim is under 14 years of age.
- Unlawful sexual penetration in the second degree is a Class B felony.

ORS 163.411, Unlawful sexual penetration in the first degree:

- Except as permitted under ORS 163.412 (Exceptions to unlawful sexual penetration prohibition), a person commits the crime of unlawful sexual penetration in the first degree if the person penetrates the vagina, anus or penis of another with any object other than the penis or mouth of the actor and:
 - The victim is subjected to forcible compulsion;
 - The victim is under 12 years of age; or
 - The victim is incapable of consent by reason of mental incapacitation, physical helplessness or incapability of appraising the nature of the victim's conduct.
- Unlawful sexual penetration in the first degree is a Class A felony.

ORS 166.065, Harassment:

- A person commits the crime of harassment if the person intentionally harasses or annoys another person by subjecting such other person to offensive physical contact and the offensive physical contact consists of touching the sexual or other intimate parts of the other person.
- Harassment is a Class A misdemeanor in this case.

ORS 163.415, Sexual abuse in the third degree:

- A person commits the crime of sexual abuse in the third degree if:
 - The person subjects another person to sexual contact and:
 - The victim does not consent to the sexual contact; or
 - The victim is incapable of consent by reason of being under 18 years of age; or
 - For the purpose of arousing or gratifying the sexual desire of the person or another person, the person intentionally propels any dangerous substance at a victim without the consent of the victim.
- Sexual abuse in the third degree is a Class A misdemeanor.
- As used in this section, "dangerous substance" means blood, urine, semen or feces.

ORS 163.425, Sexual abuse in the second degree:

- A person commits the crime of sexual abuse in the second degree when:
 - The person subjects another person to sexual intercourse, oral or anal sexual intercourse or, except as provided in ORS 163.412 (Exceptions to unlawful sexual penetration prohibition), penetration of the vagina, anus or penis with any object other than the penis or mouth of the actor and the victim does not consent thereto; or
 - The person violates ORS 163.415 (Sexual abuse in the third degree)
 (1)(a)(B);
 - The person is 21 years of age or older; and
 - At any time before the commission of the offense, the person was the victim's coach or teacher, as those terms are defined in ORS 163.426.
- Sexual abuse in the second degree is a Class C felony.

ORS 163.427, Sexual abuse in the first degree:

- A person commits the crime of sexual abuse in the first degree when that person:
 - Subjects another person to sexual contact and:
 - The victim is less than 14 years of age;
 - The victim is subjected to forcible compulsion by the actor; or
 - The victim is incapable of consent by reason of being mentally incapacitated, physically helpless or incapable of appraising the nature of the victim's conduct; or
 - o Intentionally causes a person under 18 years of age to touch or contact the mouth, anus or sex organs of an animal for the purpose of arousing or gratifying the sexual desire of a person.
- Sexual abuse in the first degree is a Class B felony.

ORS 163.525, Incest:

- A person commits the crime of incest if the person marries or engages in sexual intercourse or oral or anal sexual intercourse with a person whom the person knows to be related to the person, either legitimately or illegitimately, as an ancestor, descendant or brother or sister of either the whole or half blood.
- Incest is a Class C felony.





Oregon State University Consent Definition

"Knowing, voluntary, and clear permission by word or action, to engage in mutually agreed upon sexual activity."

Oregon State University uses this definition in the policies and procedures addressing VAWA offenses. Consent is further defined by the Sexual Misconduct and Discrimination Policy in Section 5.5, "Evaluation of Consent."

Stalking as defined by ORS 163.732:

- A person commits the crime of stalking if:
 - The person knowingly alarms or coerces another person or a member of that person's immediate family or household by engaging in repeated and unwanted contact with the other person;
 - It is objectively reasonable for a person in the victim's situation to have been alarmed or coerced by the contact; and
 - The repeated and unwanted contact causes the victim reasonable apprehension regarding the personal safety of the victim or a member of the victim's immediate family or household.
- Stalking is a Class A misdemeanor.
 - Notwithstanding paragraph (a) of this subsection, stalking is a Class
 C felony if the person has a prior conviction for:
 - Stalking; or
 - Violating a court's stalking protective order.
 - When stalking is a Class C felony pursuant to paragraph (b) of this subsection, stalking shall be classified as a person felony and as crime category 8 of the sentencing guidelines grid of the Oregon Criminal Justice Commission.

ORS 163.315, Incapacity to consent; effect of lack of resistance:

- A person is considered incapable of consenting to a sexual act if the person is:
 - Under 18 years of age;
 - Incapable of appraising the nature of the person's conduct;
 - Mentally incapacitated; or
 - o Physically helpless.
- A lack of verbal or physical resistance does not, by itself, constitute consent but may be considered by the trier of fact along with all other relevant evidence.
- A person is incapable of appraising the nature of the person's conduct if:
 - The person is unable to understand the nature of the conduct;
 - The person is unable to understand the right to choose whether and how to engage in conduct, including the right to revoke a prior decision to engage in conduct; or
 - The person is unable to communicate a decision to engage in conduct.

Primary and Ongoing Prevention and Awareness Programs and Campaigns

For all incoming first-year students, Oregon State University requires a primary prevention and awareness program called Voices for Change-Alcohol and Consent, https://studenthealth.oregonstate.edu/alcoholedu. The following is a description of Voices for Change-Alcohol and Consent:

Alcohol and Consent is an interactive course that focuses on the impact alcohol has on your wellness, academic success, and personal development. In addition to discussing alcohol and consent, this course empowers students to make well-informed decisions about alcohol, including how to recognize and respond to an alcohol related emergency. This program is not a lecture or a "just say no" program, but rather a program that gives you the information you need to be safe and make informed choices with alcohol.

For new Ecampus, graduate, and non-degree students, Oregon State University requires a primary prevention and awareness program called Voices for Change-Consent, https://studenthealth.oregonstate.edu/sapu. The following is a description of Voices for Change-Consent:

Voices for Change-Consent is an interactive course that addresses the critical issues of sexual assault, relationship violence, and stalking-specifically on college campuses. The course encourages students to reflect on their personal values when it comes to relationships; uses scenarios from diverse perspectives to provide a relevant and inclusive experience; challenges harmful and demeaning language and attitudes; and provides guidance for supporting a friend who may have experienced sexual violence.

Oregon State University requires all employees to complete "<u>Critical Training</u>" modules which cover university policies and procedures related to nondiscrimination and sexual misconduct, among other topics related to the security and well-being of students, staff, and faculty.

Required training topics include Ethics, Mandatory Reporting of Child Abuse, Protected Leave, Information Security, and Equal Opportunity & Access (which includes Title IX, sexual harassment, prohibited discrimination, and protections afforded under the Americans with Disabilities Act).

For more information about sexual violence prevention programming, please contact Student Health Services at https://cape.oregonstate.edu/ Engagement/workshops or 541-737-2347, the Office of Equal Opportunity and Access at https://eoa.oregonstate.edu/training, or Student Wellness at studentwellness@osucascades.edu.





Primary and Ongoing Prevention and Awareness Programs and Campaigns (Cont.)

The following selected ongoing workshops use a range of strategies for audiences throughout the university and focus on increasing the understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking. Bystander intervention options and risk reduction information are also included as appropriate and are provided in a trauma-informed manner that avoids victim blaming. At OSU-Cascades, community organizations, such as Saving Grace, Planned Parenthood, and Deschutes County, partner with the university to provide programs. The Hatfield Marine Science Center and OSU Portland Center are referred to the Corvallis campus for ongoing prevention and awareness programs. Since members of the OSU at EOU community are on the EOU-La Grande campus, they can access ongoing programs offered by both EOU and OSU.

Beavers Give a Dam™ Workshop (students): The goal of this workshop is to create a community of empowered bystanders who promote safety for everyone. During the workshop students learn to identify barriers, safety considerations, and motivations for intervening. Recognize incidents of harm related to sexual violence. Apply strategies for intervening, advocacy, and activism. Learn how to refer and engage with campus resources. This program addresses dating violence, domestic violence, sexual assault, and stalking.

Beavs Believe (students): The goal of this training is to create empathy and support for survivors, decrease victim blame on campus and learn to cultivate a safe and caring community at Oregon State. By the end of the workshop, students will be able to: Identify and describe what sexual violence is. Evaluate the ways in which rape myths and victim blaming contribute to sexual violence. Employ useful skills to support a survivor. This program addresses dating violence, domestic violence, sexual assault, and stalking.

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

Sexual Health Awareness Workshop (students): This interactive workshop brings everyone up to speed on what it means to have safer sex. Through inclusive activities and discussions, participants will explore what safer sex is and what it means for them. Participants will learn to dispel common myths about sex and sexuality and feel more prepared to protect themselves and their partners. STI testing and other campus resources are also shared. This program addresses dating violence, sexual assault, and consent.

Primary and Ongoing Prevention and Awareness Programs and Campaigns (Cont.)

How to Respond to a Disclosure if You are Faculty or Staff (employees):

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

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

Bystander Intervention Options

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

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





Bystander Intervention Options (Cont.)

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

- Approach everyone as a friend.
- Don't be antagonistic.
- Tell others about plans to intervene.
- Be honest and direct whenever possible.
- Recruit help if necessary.
- Maintain personal safety.
- Avoid using violence.

There are many options to intervene. People choose to intervene in different ways based on their personality or the situational context. Anything done while maintaining safety is good intervention. Consider trying one of these intervention styles:

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

Bystander Intervention Options (Cont.)

- a. "I have to go to the bathroom; come with me."
- b. "I'm starving. Want to grab food?"
- c. Strike up a conversation with both people; don't give up when it gets awkward: "OMG: can you believe what happened on Game of Thrones this week?" or "Hey, didn't we have a class together freshman year?"
- d. Spill your drink.

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

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

Risk Reduction Information

Oregon State University works to reduce the risk of sexual assault, domestic violence, dating violence and stalking through multiple programs designed to reduce perpetration, encourage bystander intervention, and empower those whom others might target as potential victims.

It is vital to recognize that no one deserves to be assaulted, that perpetrators of rape and violence are solely responsible for committing those crimes and that victims are never to be blamed for doing or not doing certain behaviors to avoid an assault.





Risk Reduction Information (Cont.)

Oregon State University helps individuals and the community to address conditions that facilitate violence through prevention and wellness programs. Student Health Services (SHS) provides programs addressing violence prevention, alcohol and drug use, and general wellness.

Additionally, the Center for Advocacy, Prevention and Education (CAPE) provides free and confidential resources and support for survivors as they explore their options and learn about their rights. This can include, but is not limited to, legal/medical advocacy, housing relocation assistance, safety planning, reporting options and emotional support (https://cape.oregonstate.edu/).

In conjunction with SHS and CAPE, both the Office of Equal Opportunity and Access and Counseling and Psychological Services provide programs that seek to create a healthy, understanding, and empowered community.

As a campus community, Oregon State University reduces risks that contribute to violence by focusing on the people committing the acts, conducting community awareness training, teaching bystander intervention techniques, and making safety a priority for campus and campus affiliated spaces. Specific programs and resources include:

- Violence Against Women Act primary and ongoing prevention and awareness programs and campaigns.
- Bystander intervention training and education.
- Student Health Services Violence Prevention web page https://cape.oregonstate.edu/Prevention/prevention-services, including education on consent and sexual health.
- The Rave Guardian app (https://publicsafety.oregonstate.edu/guardian-app) that allows OSU students and staff to quickly access public safety services on and off-campus.

In addition to educational programs, physical campus features, such as emergency phones, lighted callboxes located throughout campus, and close coordination with local police and safety services help address conditions that facilitate violence. The university contributes to improved community livability through funding that supports Corvallis Police Department community livability officer positions and 911 emergency dispatch services for the entire county.

Personal safety planning resources and educational initiatives are designed to empower the campus community and create informed users as well as active partners and advocates of campus safety services and departments. Such safety planning assistance draws heavily from principles such as those found at the Rape, Abuse, and Incest National Network (RAINN), https://rainn.org./articles/staying-safe-campus.

Risk Reduction Information (Cont.)

The following information is meant to provide options for decreasing perpetration and bystander inaction, increasing empowerment for victims in order to promote safety, and helping individuals and communities address conditions that facilitate violence.

- Controlling and violent behavior, even if no physical harm occurred, may be indicators of future physical or sexual abuse.
- Research and know local resources. Find the contact information and location for resources such as campus health services, campus security or law enforcement, and local advocacy services. Take note of campus emergency phones and save the campus security number for easy access.
- Perpetrators of violence may take advantage of vulnerabilities created by voluntary and involuntary alcohol and drug consumption or intoxication.
- Stay alert. When moving around on campus or in the local neighborhoods, be aware of the surrounding environment, and consider inviting friends to join you or asking campus security for an escort. If alone, only use headphones in one ear or speak with someone on the phone while walking to your destination.
- Consent is knowing, voluntary, and clear permission by word or action, to engage in mutually agreed upon sexual activity.
- Sexual intercourse with someone who is unable to give consent for whatever reason, including intoxication, is sexual assault. Rape in the first degree is a Class A felony under the Oregon Revised Statutes and is punishable by up to 20 years in prison, a fine of as much as \$375,000, or both.
- Be aware of social media location settings. Many social media sites use geolocation to publicly share the locations of users. Consider disabling this function and review other social media settings.
- Repetitive, unwanted advances and communication can result in allegations and charges of stalking. Respect wishes to cease contact.
- Crimes are committed when motive, means, and opportunity exist. Taking action to limit opportunities for crime, such as locking doors, traveling in groups, or establishing an itinerary, may increase prevention.
- Dial 911 if there is any immediate danger to someone's life, health, or property.
- The university offers several non-law enforcement supportive measures, including referrals to resources, such as counseling or survivor advocacy, academic supports, on-campus housing relocation, and university no contact orders. These are available regardless of whether or not an individual participates in a university investigation or resolution process.





When a student or employee reports to Oregon State University that they have been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, the university will provide the student or employee a written explanation of the student's or employee's rights and options which includes information that is described in the following sections about reporting and response options, protective measures, university and community resources and assistance, and investigation and resolution processes.

Reporting and Response Options

If you are personally impacted by sexual misconduct, whether you tell others and who you tell is your choice. Be aware that certain reporting deadlines may apply. Consider documenting information and/or preserving evidence (which could include a confidential sexual assault exam) should you want to report at a later date. Preserving evidence may assist in proving that the alleged conduct occurred or may be helpful in obtaining a protection order. As time passes, evidence may dissipate, become lost, or be unavailable, thereby making investigation, possible prosecution, student conduct proceedings, or obtaining an order of protection related to the incident more difficult. Law enforcement can also help individuals obtain medical assistance and refer them to additional resources. Note, completing a forensic examination does not require the individual to file a police report.

The following are response options individuals can follow after an incident of dating violence, domestic violence, sexual assault, or stalking. Some information may overlap. You can also anonymously speak to a confidential advocate to discuss your options and choices.

- If in immediate danger, call 911.
- Preserve evidence by saving text messages, instant messages, social networking pages, other communications, pictures, logs, or other copies of documents; do not change the bed linen or alter the area where an assault took place.
- Regardless of whether an individual chooses to make a report to law enforcement, a medical exam can be done to preserve evidence. It is best if the person does not bathe, shower, eat, drink, douche, or change clothing. Evidence, however, can still be collected even if any or all of these occurred.
- Consider seeking medical attention and forensic examination.
 - Contact the Center for Advocacy, Prevention and Education (CAPE) for any questions or further clarification about a forensic examination.

Reporting and Response Options (Cont.)

- Consider contacting the Office of Equal Opportunity and Access (EOA).
 - Resolves Title IX and sexual misconduct allegations via informal resolution or investigation.
 - Can provide support measures and information about rights and options.
 - Can issue mutual no contact directives.
- Consider contacting a campus or local survivor advocacy resource.
- Consider contacting a counseling resource.
- Consider reporting to law enforcement.
- Consider seeking a Mutual No Contact Directive, Restraining Order, Stalking Protective Order, Sexual Abuse Protection Order, or Extreme Risk Protection Order.
 - See Protective Measures section for more information.
 - The Mutual No Contact Directive issued by the university is not enforceable by law enforcement.

You have the option to report to, or not report to, EOA by phone (541-737-3556), in-person (330 Snell Hall, Corvallis, OR) or online (https://cm.max ient.com/reportingform.php?OregonStateUniv&layout id=2).

EOA provides consultation, resources and assistance (with or without the filing of a complaint to EOA), informal resolution of concerns, and/or formal investigation of alleged policy violations.

You have the option to report to, or not report to, law enforcement authorities, including on-campus and local police. You can report to law enforcement instead of, or in addition to, reporting to EOA.

If desired, Oregon State University, such as through an EOA staff member or a confidential advocate, can provide support and assistance in notifying law enforcement authorities. If an individual decides to file a police report, they can expect the following:

- 1. Individuals may contact either on-campus, if applicable, or off-campus law enforcement.
- 2. An individual will likely speak with a law enforcement dispatcher or records personnel first.





Reporting and Response Options (Cont.)

- 3. After an individual gives basic contact information and incident details to the dispatcher, the dispatcher will notify a law enforcement officer of the call for service.
- 4. The law enforcement officer will respond to collect the reporting individual's information (name, date of birth, address, phone number, etc.), interview the individual about the VAWA incident, obtain suspect information, and collect evidence.
- 5. If an individual decides to participate in a medical assessment, ORS 147.404 requires medical assessment providers or law enforcement to contact a victim advocate and make reasonable efforts to ensure that a victim advocate is present and available at the medical facility.
- 6. The individual can expect to be asked whether they wish to pursue charges against the alleged suspect(s).
- 7. The individual could be contacted by the investigating law enforcement officer at a later date for a follow-up interview. The individual may also be contacted by a detective depending upon the complexity of the case.
- 8. The individual can expect to be notified of their rights as a victim. ORS 147.417 requires law enforcement officers in Oregon to notify victims of their rights under section 42, Article I of the Oregon Constitution.
- 9. If an arrest is made, the reporting individual can expect to be contacted by the district attorney's office.

Oregon State University protects the confidentiality of victims and other necessary parties, and completes publicly available recordkeeping, including Clery Act reporting and disclosures (e.g., daily crime log, timely warnings, and annual disclosure of crime statistics), without the inclusion of personally identifiable information about the victim, as defined in section 40002(a)(20) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)(20)).

Furthermore, the university maintains as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality does not impair the ability of the university to provide the accommodations or protective measures.

Personally identifiable information about students and employees and information about accommodations or protective measures provided to impacted parties will be shared only with persons who have a specific need to know because they are investigating, adjudicating the complaint, delivering resources or support services to the parties, or classifying the incident in accordance with the Clery Act.

Protective Measures

You have the right to seek orders of protection, "no-contact" orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court or by Oregon State University. The university complies with Oregon law in recognizing orders of protection and restraining orders and will assist university students and employees who obtain one from any U.S. state with information and safety planning when requested.

Individuals with protection or restraining orders should provide a copy to university security/law enforcement and the Office of Equal Opportunity and Access. If desired, university security/law enforcement can help develop a safety plan to reduce risks of harm while on or coming and going from campus. Employees who are survivors of domestic and sexual violence may be eligible to take intermittent or continuous leave in order to secure restraining orders, attend court, or the like.

The following describes available types of orders, which are all free of charge, and how to obtain each one.

Mutual No Contact Directive for Students Only (**Not Enforceable by Law Enforcement**)

■ **Description:** A university issued directive that describes the set of expectations given between two or more student parties to not contact or communicate with each other, including directly, through third parties, or online. No Contact Directives are usually reciprocal (mutual) and generally cannot be lifted without the express consent of all named parties. Certain OSU administrators are authorized to issue Mutual No Contact Directives that prohibit contact between students who have made allegations against one another, or when a student is the recipient of threats or persistent unwanted or harassing contact. This directive is outlined in the Code of Student Conduct and EOA information and is designed as a protective measure to mitigate potential problematic interactions in the future. This directive applies to both on- and off-campus contact and expires when the students graduate or leave campus.

Office to Contact:

- Student Conduct and Community Standards, 340 Student Experience Center, Corvallis campus, 541-737-3656
- The Office of Equal Opportunity and Access, 330 Snell Hall, Corvallis campus, 541-737-3556
- Filing Instructions: A student considering a Mutual No Contact Directive may discuss the situation with a staff member of Student Conduct and Community Standards or the Office of Equal Opportunity and Access. The Center for Advocacy, Prevention and Education and student housing professional staff can assist with filing a request for a Mutual No Contact Directive.
- Enforcement: To enforce a Mutual No Contact Directive, an individual should report any violations to Student Conduct and Community Standards. Violations of No Contact Directives issued by Oregon State University are not criminal offenses and are not enforceable by law enforcement officers. Oregon State University will normally honor requests for Mutual No Contact Directives and may resolve violations of university-issued No Contact Directives through issuing warnings, engaging in educational conversations, or initiating a student conduct process.



Protective Measures (Cont.)

Family Abuse Prevention Act (FAPA) Restraining Order

Description: A Restraining Order is a court order to protect the petitioner's physical safety. It can tell the other person (the "respondent") to move and specify locations where the respondent cannot go. The petition for a Restraining Order includes other things the petitioner can ask for, if they believe it will help them stay safe.

Office to Contact:

- Corvallis Campus: Benton County Courthouse, 120 NW 4th St.,
 Corvallis, OR, (541) 766-6815
- OSU-Cascades: Deschutes County Circuit Courthouse, 1100 NW Bond St, Bend, OR, (541) 388-5300
- Hatfield Marine Science Center: Lincoln County Courthouse, 225 W
 Olive St., Newport, OR, (541) 265-4236
- OSU Portland Center: Multnomah County Courthouse, 1200 SW 1st Ave, Portland, OR, (971) 274-0500
- OSU at Eastern Oregon University: Union County Circuit Courthouse, 1105 K Ave., La Grande, OR, (541) 962-9500

General Information:

- o Family Abuse Prevention Act (FAPA) Restraining Orders
- Filing for a Restraining Order Under the Family Abuse Prevention Act (FAPA)
- Filing Instructions: The applications should be filed at the circuit court courthouse in the county where either the petitioner or the respondent lives. The Center for Advocacy, Prevention and Education, local victim assistance programs, and other advocacy groups, such as Saving Grace, can help file the application. To review the requirements for a Restraining Order, review the application packet (see above link).
- Enforcement: To enforce a Restraining Order, law enforcement should be contacted. A law enforcement officer must arrest the respondent if the officer believes they violated the order.



Protective Measures (Cont.)

Sexual Abuse Protective Order

Description: A Sexual Abuse Protective Order (SAPO) is available in certain cases where a person was subjected to unwanted sexual abuse by another person who is not a family member or intimate partner. A SAPO is a court order that tells the respondent to leave the petitioner, petitioner's children, and petitioner's family alone. It can order the respondent not to enter a reasonable area around the petitioner's residence. The petitioner can ask the judge to add other conditions (listed in the protective order) that they believe will help them stay safe.

Office to Contact:

- Corvallis Campus: Benton County Courthouse, 120 NW 4th St., Corvallis, OR, (541) 766-6815
- OSU-Cascades: Deschutes County Circuit Courthouse, 1100 NW Bond St, Bend, OR, (541) 388-5300
- Hatfield Marine Science Center: Lincoln County Courthouse, 225 W
 Olive St., Newport, OR, (541) 265-4236
- OSU Portland Center: Multnomah County Courthouse, 1200 SW 1st Ave, Portland, OR, (971) 274-0500
- OSU at Eastern Oregon University: Union County Circuit Courthouse, 1105 K Ave., La Grande, OR, (541) 962-9500

General Information:

- Sexual Abuse Protection Order (SAPO)
- o Getting a Sexual Abuse Protective Order (SAPO)
- Filing Instructions: The SAPO must be filed in the courthouse in the county where either the petitioner or the respondent lives. The Center for Advocacy, Prevention and Education, local victim assistance programs, and other advocacy groups, such as the Center Against Rape and Domestic Violence and Call to Safety, can help file the application. To review the requirements for a Sexual Abuse Protective Order, review the application packet (see above link).
- **Enforcement:** If the respondent does not obey the SAPO, law enforcement should be called. The petitioner should not contact the respondent. The officer must arrest the respondent if there is probable cause to believe a violation has occurred. The respondent can be charged with contempt of court. If the court finds the respondent to be in contempt, the respondent can be fined, placed on probation, or put in jail.





Protective Measures (Cont.)

Stalking Protective Order

 Description: A Stalking Protective Order is a court order that tells a person who has made unwanted contact with you or a member of your immediate family or household to stop this behavior.

Office to Contact:

- Corvallis Campus: Benton County Courthouse, 120 NW 4th St.,
 Corvallis, OR, (541) 766-6815
- OSU-Cascades: Deschutes County Circuit Courthouse, 1100 NW Bond St, Bend, OR, (541) 388-5300
- Hatfield Marine Science Center: Lincoln County Courthouse, 225 W
 Olive St., Newport, OR, (541) 265-4236
- OSU Portland Center: Multnomah County Courthouse, 1200 SW 1st Ave, Portland, OR, (971) 274-0500
- OSU at Eastern Oregon University: Union County Circuit Courthouse, 1105 K Ave., La Grande, OR, (541) 962-9500

General Information:

- Stalking Protective Order
- o Filing for a Stalking Protective Order
- Filing Instructions: A Stalking Protective Order should be filed at the courthouse in the county where the respondent lives or where the unwanted contacts took place. The Center for Advocacy, Prevention and Education, local victim assistance programs, and other advocacy groups, such as the Center Against Rape and Domestic Violence and Call to Safety, can help file the application. To review the requirements for a Stalking Protective Order, review the application packet (see above link).
- **Enforcement:** If the respondent does not obey a Stalking Protective Order, it is a crime and law enforcement should be called. Police must arrest the respondent if they have reason to believe the respondent violated the order.

Center for Advocacy, Prevention & Education

Call 541-737-2030 for safe, confidential support and resources

Counseling and Psychological Services

Call 541-737-2131 for information about confidential counseling and therapy services

Protective Measures (Cont.)

Extreme Risk Protection Order

 Description: An Extreme Risk Protection Order (ERPO) is a court order that prevents a person who is at risk of hurting another person or of committing suicide from having or getting deadly weapons, including firearms.

Office to Contact:

- Corvallis Campus: Benton County Courthouse, 120 NW 4th St., Corvallis, OR, (541) 766-6815
- OSU-Cascades: Deschutes County Circuit Courthouse, 1100 NW Bond St, Bend, OR, (541) 388-5300
- Hatfield Marine Science Center: Lincoln County Courthouse, 225 W
 Olive St., Newport, OR, (541) 265-4236
- OSU Portland Center: Multnomah County Courthouse, 1200 SW 1st Ave, Portland, OR, (971) 274-0500
- OSU at Eastern Oregon University: Union County Circuit Courthouse, 1105 K Ave., La Grande, OR, (541) 962-9500

General Information:

- Filing for an Extreme Risk Protection Order
- Filing Instructions: An ERPO should be filed at the circuit court courthouse in the county where the respondent lives. The Center for Advocacy, Prevention and Education, local victim assistance programs, and other advocacy groups, such as the Center Against Rape and Domestic Violence and Call to Safety, can help file the application. To review the requirements for an Extreme Risk Protection Order, review the application packet (see above link).
- **Enforcement:** If the respondent does not obey an Extreme Risk Protection Order, law enforcement should be called.

ASOSU Student Legal Service:

Call 541-737-4165 for legal advice and representation for OSU students when they have a dispute that does not pertain to the University

University Ombuds Office

Call 541-737-4537 for information about addressing conflict and systemic concerns and accessing facilitation and mediation services





Protective Measures (Cont.)

Elderly Persons and Persons with Disabilities Abuse Prevention Act (EPPDAPA) Restraining Order

• **Description:** A Restraining Order is a court order to protect you. It can tell the other person (the "respondent") not to contact, harass, threaten, insult, or harm you. The order can also specify locations where Respondent cannot go and order Respondent to leave your residence. The Order may include other orders to help you stay safe and prevent someone from misusing your money, property, or other assets. These forms are for orders under the Elderly Persons and Persons with Disabilities Act (EPPDAPA).

Office to Contact:

- Corvallis Campus: Benton County Courthouse, 120 NW 4th St.,
 Corvallis, OR, (541) 766-6815
- OSU-Cascades: Deschutes County Circuit Courthouse, 1100 NW Bond St, Bend, OR, (541) 388-5300
- Hatfield Marine Science Center: Lincoln County Courthouse, 225 W
 Olive St., Newport, OR, (541) 265-4236
- OSU Portland Center: Multnomah County Courthouse, 1200 SW 1st Ave, Portland, OR, (971) 274-0500
- OSU at Eastern Oregon University: Union County Circuit Courthouse, 1105 K Ave., La Grande, OR, (541) 962-9500

General Information:

- o **EPPDAPA Restraining Order**
- **Filing Instructions:** The application should be filed at the circuit court courthouse in the county where either the petitioner or the respondent lives. The Center for Advocacy, Prevention and Education, local victim assistance programs, and other advocacy groups, such as the Center Against Rape and Domestic Violence and Call to Safety, can help file the application. To review the requirements for a Restraining Order, review the application packet (see above link).
- **Enforcement:** To enforce a Restraining Order, law enforcement should be contacted. A law enforcement officer must arrest the respondent if the officer believes they violated the order.

Office of Institutional Diversity Bias Response

Call 541-737-1063 for information about bias incident reporting and response

University and Community Resources and Assistance

EOA is able to provide supportive measures to individuals whether or not a person chooses to file a complaint with EOA or report to law enforcement. Supportive measures are available to both complainants and respondents. Supportive measures may include changes to academic schedules or other academic supports, changes to on-campus living arrangements, modifications to university work arrangements, coordination of temporary transportation/parking assistance or escort, mutual no contact directives for students, and/or other reasonable adjustments on a case-by-case basis.

When a student or employee reports to Oregon State University that they have been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, the university will provide written notification about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community. The university will also provide written notification about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures. Oregon State University must make such accommodations or provide such protective measures if requested and if they are reasonably available, regardless of whether those impacted by sexual misconduct choose to report to campus police or local law enforcement. The following information lists existing university and community resources and assistance:

Confidential Counseling Services

- Counseling and Psychological Services (CAPS),
 - o 541-737-2131
 - o 500 Snell Hall, Corvallis campus
- Student Wellness
 - o student.wellness@osucascades.edu
 - Tykeson Hall 210 suite, Bend campus
- Eastern Oregon University Counseling Center
 - o 541-962-3524
 - o 6th Street & "L" Avenue, La Grande, OR
- Oregon Community Mental Health Programs
 - o https://www.oregon.gov/oha/hsd/amh/pages/cmh-programs.aspx



University and Community Resources and Assistance (Cont.) Medical Services

Corvallis Campus

- Student Health Services
 - 541-737-9355
 - Health Center, 850 SW 26th St., Corvallis Campus
- o Sarah's Place (On Staff Sexual Assault Nurse Examiners)
 - 541-812-4421
 - 1046 Sixth Ave SW, Albany, OR
- o Good Samaritan Regional Medical Center
 - 541-768-5111
 - 3600 NW Samaritan Dr, Corvallis, OR

OSU-Cascades

- St. Charles Emergency Department (On Staff Sexual Assault Nurse Examiners)
 - 541-382-4321
 - 2500 NE Neff Rd., Bend, OR

Hatfield Marine Science Center

- Samaritan Pacific Communities Hospital
 - 541-265-2244
 - 930 SW Abbey St, Newport, OR

OSU Portland Center

- Providence Portland Medical Center
 - 503-215-1111
 - 4805 NE Glisan St, Portland, OR

OSU Agriculture and Natural Resource Program at EOU

- o EOU Student Health Center
 - 541-962-3524
 - One University Boulevard, La Grande, OR
- o Mt. Emily Safe Center (On Staff Sexual Assault Nurse Examiners)
 - 541-963-0602
 - 2107 3rd Street, La Grande, OR

University and Community Resources and Assistance (Cont.)

Confidential Advocacy Services

Corvallis Campus

- o Center for Advocacy, Prevention and Education
 - 541-737-2030
 - 350 Student Experience Center, Corvallis, OR
- Center Against Rape and Domestic Violence (CARDV)
 - 541-754-0110 (local hotline number), 1-800-927-0197 (toll free hotline)
 - 2208 SW 3rd St., Corvallis, OR

OSU-Cascades

- Saving Grace
 - 541-389-7021
 - 1004 NW Milwaukee, Ste. 100, Bend, OR

Hatfield Marine Science Center

- My Sister's Place
 - 541-994-5959 (24-hours), 1-800-841-8325 (toll free)
 - 934 SW 8th St, Newport, OR

OSU Portland Center

- Call to Safety
 - 503-235-5333 (local), 1-888-235-5333 (24/7, toll free)
 - PO Box 42610, Portland, OR

OSU Agriculture and Natural Resource Program at EOU

- Privileged Campus Advocate (PCA) at Eastern Oregon University
 - 541-962-3381
 - 216 Library, EOU campus
- Shelter From the Storm
 - 541-963-9261 (24-hours), 541-963-7226 (office)
 - 10901 Island Ave, Island City, OR





University and Community Resources and Assistance (Cont.)

Legal Assistance

- ASOSU Student Legal Services
 - 232 Student Experience Center, Corvallis campus
 - o 541-737-4165
 - https://asosu.oregonstate.edu/asosu/legalservices
- Legal Aid Services of Oregon
 - 433 Fourth Ave. SW, Albany, OR
 - 541-926-8678
 - https://lasoregon.org/
- Oregon Crime Victim and Survivor Services
 - o 1162 Court St. NE, Salem, OR
 - 503-378-5348
 - https://www.doj.state.or.us/crime-victims/

Visa and Immigration Assistance

- Office of International Services
 - University Plaza, 1600 SW Western Blvd., Suite 130, Corvallis, OR
 - o 541-737-6310
 - https://internationalservices.oregonstate.edu/
- Oregon Law Center
 - o 494 State St, Salem, OR
 - 0 503-485-0696
 - https://oregonlawcenter.org/

Student Financial Aid

- Office of Financial Aid
 - o Kerr Admin 218, Corvallis campus
 - 0 541-737-2241
 - https://financialaid.oregonstate.edu/

University and Community Resources and Assistance (Cont.)

Law Enforcement

Corvallis Campus

- On campus: Oregon State University Police, 541-737-3010 (nonemergency line), 541-737-7000 (priority line), 200 Cascade Hall, Corvallis campus
- Off campus: Corvallis Police Department, 541-766-6911 (nonemergency), 911 (emergency), 180 NW 5th St., Corvallis, OR
- Off campus: (outside city limits): Benton County Sheriff's Office,
 541-766-6858 (non-emergency), 911 (emergency), 180 NW 5th St.,
 Corvallis, OR

OSU-Cascades

- On campus and off campus: Bend Police Department, 911 (emergency), 541-693-6911 (non-emergency), 555 NE 15th St., Bend, OR
- Off campus (outside of city limits): Deschutes County Sheriff's Office, 911 (emergency), 541-388-6655 (non-emergency), 63333 US-20, Bend, OR

Hatfield Marine Science Center

- On and off campus: Newport Police Department, 911 (emergency), 541-574-5807 (non-emergency), 169 SW Coast Hwy, Newport, OR
- Off campus (outside city limits): Lincoln County Sheriff's Office,
 911 (emergency), 541-265-0777 (non-emergency), 251 W Olive St,
 Newport, OR

OSU Portland Center

- On and off campus: Portland Police Bureau, 911 (emergency), 503-823-3333 (non-emergency), 1111 SW 2nd Ave, Portland, OR
- Off campus (outside city limits): Multnomah County Sheriff's Office, 911 (emergency), 503-988-4300 (non-emergency), 501 SE Hawthorne Blvd #350, Portland, OR

OSU Agriculture and Natural Resource Program at EOU

- On and off campus: La Grande Police Department, 541-963-1017 (non-emergency), 911 (emergency), 1109 K Ave, La Grande, OR
- Off campus (outside city limits): Union County Sheriff's Office, 541-963-1017 (non-emergency), 911 (emergency), 1109 K Ave, La Grande, OR





University and Community Resources and Assistance (Cont.)

Title IX and Student Conduct Contacts

- Office of Equal Opportunity and Access
 - o 541-737-3556
 - o 330 Snell Hall, Corvallis campus
- Office of Student Conduct and Community Standards
 - 0 541-737-3656
 - 342 Student Experience Center, Corvallis campus

Other Services

- Student Care
 - 0 541-737-8748
 - https://studentlife.oregonstate.edu/student-care
- OSU Assist (Wed to Sun, 1 PM to 1 AM)
 - 0 541-737-7000
 - https://studentlife.oregonstate.edu/osu-assist
- University Ombuds Office
 - o 116 Waldo Hall, Corvallis campus
 - o 541-737-4537
 - o https://ombuds.oregonstate.edu/

The following offices can provide options and assistance with changes to academic, living, transportation, and working situations. For information about protective measures, please see pages 58-63. To request changes to any of the following situations, you can contact the listed offices directly or the Office of Equal Opportunity and Access. EOA coordinates with various university offices to facilitate supportive measures, such as academic registration changes, parking accommodations, emergency housing, etc.

Academic Options and Assistance

- Division of Student Affairs OSU Experience Website
 - Services include the Academic Success Center, Student Care, and academic coaching.
 - o https://experience.oregonstate.edu/

University and Community Resources and Assistance (Cont.)

- Office of the Registrar Petition for Late Change of Registration
 - The Petition for Late Change of Registration enables students to request an exception to an academic regulation or deadline when qualifying unusual circumstances beyond their control have occurred.
 - B102 Kerr Administration, Corvallis campus
 - 541-737-4331
 - o https://registrar.oregonstate.edu/late-change-registration
- Disability Access Services
 - DAS provides academic accommodations for students to ensure equal access.
 - A200 Kerr Administration, Corvallis campus
 - 541-737-4098
 - o https://ds.oregonstate.edu/

Transportation Options and Assistance

- Transportation Services
 - In coordination with other university departments, Transportation
 Services may be able to provide parking accommodations
 depending upon the specific circumstances.
 - Corvallis Campus: Western Building
 - 541-737-2583
 - https://transportation.oregonstate.edu/
 - OSU-Cascades: Obsidian Hall 108-4
 - 541-322-2036
 - https://osucascades.edu/transportation-services

listen. believe. support.





University and Community Resources and Assistance (Cont.)

Housing Options and Assistance

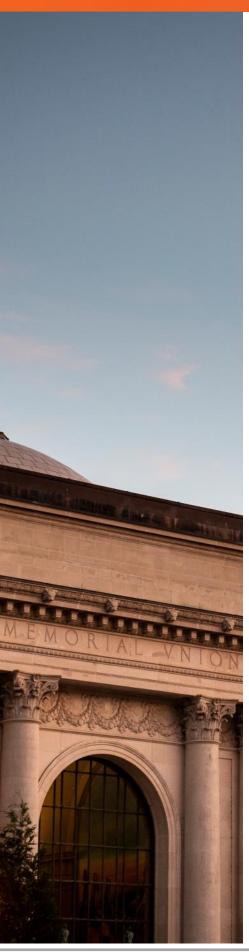
- University Housing and Dining Services
 - UHDS can help facilitate requests to change rooms. Submit a request through your Housing Portal (https://uhds.oregonstate.edu/resident-services/changing-rooms#Change).
 - Oxford House, Corvallis campus
 - o 541-737-4771
 - https://uhds.oregonstate.edu/
- Residential Education and Housing
 - REH can help facilitate requests to change rooms. For more information, visit: https://osucascades.edu/housing/resident-services/changing-rooms.
 - Residence Hall, first floor, Bend campus
 - o 541-322-3177
 - https://osucascades.edu/housing
- Hatfield Marine Science Center Housing Coordinator
 - To request a room change, contact <u>HMSC_housing@oregon</u> <u>state.edu</u>. There is limited housing capacity year-round, so room changes may not be possible or may only be possible at a higher monthly or nightly rental rate. Please contact housing staff or TCB security right away for assistance with any safety concerns.
 - 003 MSC Education Bldg., Newport campus
 - 541-867-0876
 - https://hmsc.oregonstate.edu/main/housing
- Basic Needs Center
 - Students facing imminent housing insecurity (or those currently experiencing homelessness) may be eligible for free short-term housing through partnership with University Housing and Dining Services and the Emergency Housing program.
 - Champinefu Lodge, Corvallis campus
 - o 541-737-3747
 - o https://studentlife.oregonstate.edu/bnc

University and Community Resources and Assistance (Cont.)

- Employee Relocation and Housing Resources
 - o https://oregonlawhelp.org/resource/housing-rights-for-domestic-violence-sexual-a
 - If you are a victim of domestic violence, sexual assault, or stalking you have the following rights:
 - You can end your lease early to move to safety; You can ask your landlord to terminate the tenancy of the abuser without terminating your tenancy; You can change your locks for safety; Your landlord cannot treat you differently because you (or your children) have been the victim of domestic violence, sexual assault, or stalking; and You cannot be held responsible for property damage caused by an abuser during a domestic violence incident.

Employment Options and Assistance

- Employee and Labor Relations
 - The Employee and Labor Relations team provides advice, guidance and direction to academic faculty, professional faculty, graduate assistant employees, classified employees, temporary employees, supervisors, and administrators on a wide range of employee relations and labor relations matters.
 - o 236 Kerr Administration, Corvallis campus
 - o 541-737-3141
 - o https://hr.oregonstate.edu/employees/employee-and-labor-relations
- Beyond Benefits Employee Assistance Program
 - Beyond Benefits EAP is a life event resource that is confidential and at no-cost for employees and their household members to use.
 - o 236 Kerr Administration, Corvallis campus
 - 0 1-855-327-4722
 - https://hr.oregonstate.edu/benefits/current-employees/health-wellness-work-life/ employee-assistance-program/beyond-benefits
- Your employer may be required to allow you to take reasonable time off from work to attend to safety-related matters (such as go to court, report to law enforcement, obtain legal assistance, seek medical treatment or counseling, access survivor support services, move, or make your home safer).
- You may be eligible for unemployment benefits if you have no other alternative than to leave your job to protect yourself or a minor child from further danger.
- Your employer cannot discriminate against you if you have experienced domestic violence, sexual assault, or stalking. For more information: https://www.oregon.gov/boli/workers/pages/domestic-violence-protections-for-workers.aspx



Overview of University Disciplinary Procedures for Alleged VAWA Offenses

The following provides a general overview of the processes used to investigate and resolve alleged violations of the Sexual Misconduct and Discrimination Policy, https://policy.oregonstate.edu/UPSM/05-001 sexual misconduct discrimination, which includes offenses defined by the Violence Against Women Act. Depending upon the circumstances, an allegation of a VAWA offense may be routed through one of three processes which are managed by the Office of Equal Opportunity and Access (EOA).

One process, the Title IX Investigation and Resolution Process (for Students and Employees), applies in all instances in which a faculty member, staff, student, or other member of the university community is alleged to have engaged in behavior that would violate University Policy 05-001 Sexual Misconduct and Discrimination ("Policy") and/or the Title IX Sexual Misconduct provision of the Code of Student Conduct, and which would also constitute sexual harassment (sexual harassment, sexual assault, dating violence, domestic violence, or stalking) as defined by federal Title IX law. The other two processes apply to non-Title IX matters. The Investigation and Resolution Process for Students (for non-Title IX matters), applies in instances in which a student is alleged to have violated non-Title IX provisions of the Policy and/or Section 4.4, Discrimination and Sexual/Gender-Based Misconduct ("Discriminatory Misconduct"), of the Code of Student Conduct. The Investigation and Resolution Process for Employees (for non-Title IX matters), applies to employees who are accused of non-Title IX violations of the Policy. Summaries of each process are found after this section, and full versions can be found in Appendices D, E, and F.

EOA will designate an investigator to conduct a prompt, thorough, fair, and impartial investigation. The investigator is typically an Equity Associate but may also be an experienced external professional investigator. All university staff tasked with implementing these processes, including investigators, decision-makers, and appellate decision-makers, will participate in annual continuing education on related topics as required by applicable law, such as issues related to sexual and gender-based harassment, sexual assault, dating violence, domestic violence, and stalking.

All Equity Associates who serve as investigators, and all decision-makers receive relevant training on how to conduct fair and impartial investigations and adjudications that provide parties with notice and a meaningful opportunity to be heard, and that foster the safety of the parties and all participants while promoting accountability. All proceedings include a prompt, fair, and impartial process from the initial investigation to the final result.

Overview of University Disciplinary Procedures for Alleged VAWA Offenses (Cont.)

A complainant or respondent may be accompanied by any advisor of their choice at any stage of these processes. An advisor can be a friend, family member, union representative, attorney, advocate, or any individual of the party's choosing. The role of the advisor is to support the party and/or give advice regarding the process. An advisor may observe, take notes, request breaks to consult with the party, and ask for clarification about the process.

Except during the Title IX administrative hearing, an advisor may not directly participate in the process, answer questions for the party, interject comments that disrupt the meeting, or interrupt the process to such an extent that the purpose of the meeting is impaired. If an advisor violates these restrictions, as determined by the Equity Associate or decision-maker, or designee, they will be given one warning. If the disruptive conduct continues, they will be requested and expected to leave the meeting or interview. The party can then elect to be accompanied by a new advisor.

For employee parties, an attorney may serve as the advisor and attend meetings up through and including the appeal process, if any, but not extending to the disciplinary action process, if any.

EOA will provide both the complainant and respondent simultaneous written notice of the outcome and rationale of any disciplinary process that arises from an allegation of dating violence, domestic violence, sexual assault, or stalking, including procedures for the complainant and respondent to appeal the results of the process. In the event the result is appealed, the appellate decision-maker will issue the written decision simultaneously to the parties, describing the result of the appeal (including any change to the result) and the rationale for the result within a reasonable timeframe of receiving the appeal. The determination(s) of the appellate decision-maker serves as the final determination of the university on the matter; no additional appeals are available, and there is no appeal process for an informal resolution outcome.

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

The applicable evidentiary standard for all violations of University Policy 05-001 Sexual Misconduct and Discrimination ("Policy") and/or Section 4.5, Title IX Sexual Misconduct, of the Code of Student Conduct ("Code") is a preponderance of the evidence. This standard is met when the evidence shows that it is "more likely than not" that the alleged misconduct occurred.

When involving student respondents, the Director of the Office of Student Conduct and Community Standards, or their designee, will assign sanctions that are proportionate to the facts and circumstances of each complaint, the impact of the conduct on the complainant, the impact on the campus or surrounding community.





Overview of University Disciplinary Procedures for Alleged VAWA Offenses (Cont.)

Sanctions may include educational, restorative, and rehabilitative components. Some conduct, however, is so egregious in nature, harmful to the individuals involved, and/or so detrimental to the educational process that it requires severe sanctions, including suspension or expulsion.

As set forth in more detail in Section 6 of the Code of Student Conduct, potential sanctions for student respondents include: warnings, required educational activities, university/community service work hours, behavioral expectations, restitution, restrictions/exclusions, no contact directives, academic sanctions, removal from a class, residential disciplinary probation, university conduct probation, conduct suspension, expulsion, student organization recognition revocation, and degree revocation. Sanctions may be imposed individually or in combination.

For employee respondents, the respondent's supervisory chain will be consulted when determining what disciplinary action is appropriate, consistent with university policy and any applicable collective bargaining agreement. Disciplinary actions include: behavioral expectations, restrictions/exclusions, written reprimand, suspension with or without pay, or dismissal. More information about possible disciplinary sanctions is available from Employee and Labor Relations, other university policies, and in applicable collective bargaining agreements.

The imposition of sanctions is designed to eliminate sexual misconduct and discrimination, prevent its recurrence, and remedy its effects, while supporting the university's educational mission, and state and federal obligations.

The university is committed to taking immediate steps to stop any inappropriate behavior and to remedy the effects of that behavior. In support of that commitment, supportive measures are sometimes necessary and appropriate to address safety concerns of the complainant, the respondent, or the broader university community; to preserve access to educational, research, and employment opportunities; to maintain the integrity of the investigative and/or resolution process; or to deter retaliation.

Supportive measures are non-disciplinary, non-punitive individualized services that are designed and intended to restore or preserve equal access to the university's educational programs or activities, including measures designed to protect the safety of all parties and the campus community, and/or the university's educational environment, and/or to deter sexual harassment.

The availability of supportive measures will be determined by the specific circumstances of each complaint and will be tailored to avoid unreasonably burdening any party's access to their educational or employment opportunities. The university will consider a number of factors in determining which measures to take, including the needs of the party seeking supportive measures; the severity or pervasiveness of the alleged conduct; whether the party requesting supportive measures has been credibly negatively impacted;

Overview of University Disciplinary Procedures for Alleged VAWA Offenses (Cont.)

any continuing effects on the party; whether the complainant and the respondent share the same residence hall, academic course(s), on-campus work location(s); and whether either party has received court protection from the other (e.g. protective orders). The university will work in good faith to implement the requirements of judicially-issued protective orders and similar orders, to the extent that doing so is within its authority.

EOA is responsible for ensuring the implementation of supportive measures and coordinating the university's response with the appropriate offices on campus. EOA, in consultation with the Director of Student Conduct and Community Standards ("Director, SCCS") and/or the Associate Vice Provost/Senior Director ("AVP/SD") of Employee and Labor Relations ("ELR"), as appropriate, has the discretion to impose and/or modify any supportive measures based on all available information and is available to meet with a complainant or respondent to address any concerns about the provision of supportive measures. Alleged violation of any supportive measures will be promptly addressed, with EOA investigating the alleged violations and referring its findings to the relevant office: SCCS (for any violations by students) or to ELR (for any violations by employees).

Supportive measures are available to the complainant regardless of whether the complainant pursues an investigation. Supportive measures are also available to respondents to alleviate any negative impact of participating in the process. The university will provide the parties with reasonable supportive measures throughout the process and thereafter as determined to be necessary and reasonable. EOA will coordinate the implementation of supportive measures with other university offices as needed.

Supportive measures for students may include, but are not limited to the following actions:

- a. Provide information on available campus and community-based advocacy support;
- b. Provide information on available psychological counseling and health services, including guidance in obtaining a sexual assault forensic examination:
- c. Facilitate changes to academic classes, such as adjustments to academic deadlines, course schedules, withdrawal from a class without penalty, and completing a course on-line, if appropriate and available;
- d. Facilitate changes to on-campus living situations, if appropriate;
- e. Facilitate changes to on-campus work arrangements, if appropriate;
- f. Coordinate temporary transportation/parking assistance or escort, if appropriate;





Overview of University Disciplinary Procedures for Alleged VAWA Offenses (Cont.)

- g. Issue a mutual no-contact directive to the parties or others involved in the matter, if appropriate and as determined on a case-by-case basis, prohibiting the parties or other involved individuals from having contact or communications with each other;
- h. Refer a party to resources to assist in obtaining a protective order;
- Refer a party to resources to assist with any financial aid, visa, or immigration concerns;
- j. At the discretion of EOA, any other reasonable supportive measure that does not interfere with either party's access to education or unreasonably burden the other party.

Supportive measures for employees may include, but are not limited to the following actions:

- a. Providing information about campus and community-based advocacy support and counseling and health services;
- b. Referring a party to resources to assist in obtaining a judicially-issued protective order;
- c. In consultation with ELR, as appropriate, working with the parties to limit unnecessary interactions;
- d. Other reasonable supportive measures that do not interfere with either party's access to the workplace and/or educational program or activity or unreasonably burden the other party.

The Office of Equal Opportunity and Access (EOA)

330 Snell Hall, Corvallis, OR 97331

541-737-3556

equal.opportunity@oregonstate.edu

EOA is responsible for overseeing compliance with civil rights and affirmative action laws, regulations, and policies. EOA serves as the University's Title IX and Americans with Disabilities Act/Section 504 coordinating office.

Investigation and Resolution Process Summary for Title IX Complaints Against Students and Employees

The Office of Equal Opportunity & Access ("EOA") is the university office charged with responding to all reported Title IX Complaints. EOA may consult with other university administrators as part of this Title IX Process.

A complainant must complete and sign a formal Title IX Complaint for EOA to proceed with an informal resolution or formal investigation under this Title IX Process. In some instances, the Title IX Coordinator may initiate an investigation of a Title IX Complaint where an impacted party has not submitted a Complaint. While EOA will respond to all Title IX Complaints, the submission of a Complaint does not always result in either an informal resolution or a formal investigation.

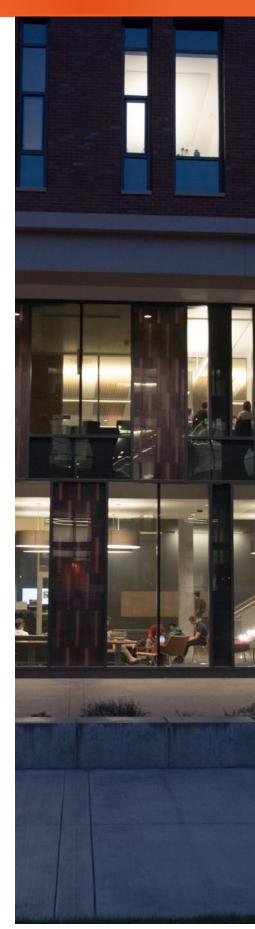
The process for resolution begins when EOA is notified of a complaint. EOA will attempt to resolve all complaints as promptly as possible, consistent with the need to conduct objective and thorough fact-gathering. The Title IX Process designates reasonably prompt timeframes for the major stages of the investigation and resolution process, but the university may extend any timeframe in this Title IX Process for good cause.

An extension may be required to ensure the integrity and thoroughness of the investigation; in response to the parties or witnesses being unavailable; or for other legitimate reasons, such as intervening breaks in the academic calendar, university finals periods, the complexity of the investigation, the volume of information, number of witnesses, length of the written record, and/or the severity and extent of the alleged misconduct.

Investigations will proceed according to the timeframes in this Title IX Process to the extent possible during the summer and at other times when university classes are not in session. The university will work with the parties to balance the need for promptness and the preference for in-person meetings regarding the investigation.

Timeframes for all phases of the investigation process, including disciplinary proceedings, and any related appeal process, apply equally to both complainants and respondents. While requests for delays in the investigative process by the parties may be considered, the university cannot unduly or unreasonably delay the prompt resolution of a complaint under this Title IX Process.

Reasonable requests for delays by the parties will serve to extend the time for resolution of the reported incident. The university has the authority to determine whether an extension is required or warranted by the circumstances. The university will provide the parties with written notice of delays or time frame extensions and the reasons for the delay or time frame extension.





Investigation and Resolution Process Summary for Title IX Complaints Against Students and Employees (Cont.) Phase One: Receipt of Report

Thuse one. Receipt of Report

Upon receipt of a report, EOA:

- Responds to any immediate health or safety concerns raised by the report,
- Evaluates whether the reported conduct is within EOA's jurisdiction, and
- If so, reaches out to the Complainant¹ to provide resources and offer assistance.
- If the reported conduct is not within EOA's jurisdiction, refers to other appropriate office or closes the reported matter.

Phase Two: Intake and Assessment

- EOA conducts intake with Complainant to further assess if the report is within EOA's jurisdiction and advises Complainant of available resources, supportive measures, and options for resolution, if desired. Supportive Measures are available regardless of whether the complainant pursues an Informal Resolution or investigation.
- If the reported conduct is within EOA's jurisdiction and asserts information that, if true, would constitute a violation of the Title IX provisions of OSU's Sexual Misconduct and Discrimination Policy, EOA will provide the Complainant OSU's Title IX complaint form, invite the Complainant to fill out and submit the complaint form to EOA, and discuss the Title IX Investigation and Resolution Process with the Complainant. If the reported conduct does not fall under Title IX provisions of OSU's Sexual Misconduct and Discrimination Policy or if the Complainant does not wish to complete a Title IX complaint form, EOA will discuss other processes, options and resources that may be available to the Complainant.
- If Complainant submits a Title IX complaint form, EOA will consider requests from the Complainant for an Informal Resolution or an Investigation.
- If Informal Resolution is requested, EOA determines whether Informal Resolution is appropriate based on the specifics of the reported conduct. Informal Resolution is not an option when a student alleges Title IX sexual misconduct by an OSU employee.
- At times in order to protect the safety of the campus community, EOA may need to proceed with an investigation or other appropriate action absent a signed Title IX Complaint form from the Complainant, even if the Complainant specifically requests that the matter not be pursued (see Section I for more information).

¹ When the report is submitted by a third party, EOA will treat the reported impacted party as the Complainant.

79

Investigation and Resolution Process Summary for Title IX Complaints Against Students and Employees (Cont.)

Phase Three: Informal Resolution or Investigation Process

Informal Resolution Process² (Section J)

- EOA provides written notice to both parties of the Title IX complaint, the
 Title IX sexual misconduct alleged in the complaint, and about the Informal
 Resolution process.
- 2. EOA will ask for the parties' voluntary written consent to engage in the Informal Resolution process.
- 3. EOA meets with Complainant to explore options for resolution.
- 4. EOA meets with Respondent to explore options for resolution.
- 5. If a mutually agreed resolution is reached, a written record of the resolution will be documented by EOA. OSU will consider the Informal Resolution to be the final outcome between the parties and the matter is then considered closed by EOA. No appeals of an Informal Resolution outcome are possible.
- 6. If an agreement is not reached and EOA determines that further action is necessary, or if a party fails to comply with the terms of the Informal Resolution, the matter may be referred for an investigation or other appropriate action.
- 7. At any time prior to reaching a mutual agreement, any party has the right to withdraw from the Informal Resolution process and to request a formal investigation. If either party withdraws from the Informal Resolution process or the process is otherwise terminated for any reason, any statements, disclosures, records, or other evidence gathered and/or created during the Informal Resolution process could later be used in a formal investigation.

Investigation Process (Section K)

- 1. Equity Associate meets with Complainant to review process, gather a complete statement from Complainant, and provide information on available resources and assistance.
- 2. Equity Associate sends Respondent a Notice of Allegations (see section K.5. for full details of the Notice) and a request to meet.³ Complainant receives a Notice of Acknowledgment of allegations.
- 2 The Informal Resolution process cannot be used when a student alleges Title IX sexual misconduct by an OSU employee.
- ³ Respondent participation is not required; however, the investigation will continue with or without their participation.





Investigation and Resolution Process Summary for Title IX Complaints Against Students and Employees (Cont.)

- 3. Equity Associate meets with Respondent to review process and provide information on available resources and assistance, and offers an opportunity to submit a written statement.
- 4. Equity Associate conducts an investigation by gathering relevant information, which includes reviewing documents and interviewing parties and witnesses.
- 5. When the investigation is complete, Equity Associate prepares a Draft Investigation Report and Investigation Record and sends it to parties and their advisors, if any, for their review.
- 6. Parties have ten (10) business days to review and respond to the Draft Investigation Report and Investigation Record (either party may request an extension of the timeline in writing for good cause). The party's response may provide written comments or feedback to information within the Draft Investigation Report or Record, include additional information or follow up questions to be asked of the other party or witnesses, identify additional witnesses, and/or request that the Equity Associate collect other relevant information.
- 7. Equity Associate considers any new information or requests in parties' written responses, conducts further investigation as appropriate, and submits Final Investigation Report and Investigation Record to the appropriate decision-maker for adjudication. Generally, the Director of Student Conduct and Community Standards (SCCS Director), or their designee, will serve as the decision-maker for those matters involving a student respondent, and the Associate Vice Provost/Senior Director of Employee and Labor Relations (AVP/SD of ELR), or designee, will serve as the decision-maker for those matters involving an employee respondent.

Phase Four: Live Administrative Hearing, for complaints that have been investigated (Section L.1)

- 1. The SCCS Director, or designee (for students), or AVP/SD of ELR, or designee (for employees), serves as decision-maker.
- 2. The decision-maker will issue a Notice of Administrative Hearing to the parties, generally within five (5) business days of receipt of the Final Investigation Report and Investigative Record from Equity Associate. The Hearing date will be at least ten (10) business days from the date the Notice of Hearing is issued.
- 3. A live administrative hearing is conducted. The decision-maker will ask the Equity Associate questions, followed by the advisor of each party. The decision-maker will separately pose questions of the parties and witnesses.

Investigation and Resolution Process Summary for Title IX Complaints Against Students and Employees (Cont.)

The parties, through their advisor, will have the opportunity to pose relevant questions and follow-up questions of the other party and witnesses.

- 4. At the conclusion of the administrative hearing process, the decision-maker determines, by preponderance of evidence, whether there has been a violation of Policy and/or Code. Generally, the decision-maker will issue a written notice of decision simultaneously to both parties within twenty (20) business days after the conclusion of the administrative hearing. (See section L.2.a for a full list of what is included in the Notice of Decision).
- 5. The determination of responsibility becomes final either on the date an appeal would no longer be considered, or, if an appeal is filed, on the date the parties are provided with the appeal written Notice of Determination.

Phase Five: Appeal, for complaints that went through the Live Administrative Hearing process (Section L.3)

- Both parties have the right to appeal the decision-maker's notice of decision. Appeals must be submitted within five (5) business days after the Notice of Decision is issued. Appeals are to be filed electronically with the Director, SCCS, at sccs@oregonstate.edu for matters involving student respondents, or with the Title IX Coordinator at equal.opportunity@oregonstate.edu for matters involving employee respondents. See section L.3.c for grounds for appeal.
- 2. If an appeal is filed by either party, the appeal will be forwarded to the appropriate appellate decision-maker. The appellate decision-maker will be an impartial decision-maker trained in issues related to Title IX and not the same person as the decision-maker who reached the original determination.
- 3. The appellate decision-maker will notify the non-appealing party of the appeal and provide the party an opportunity to review the appeal and submit any relevant information they want considered by the appellate decision-maker within five (5) business days from the date they receive notice of the appeal.
- 4. The appellate decision-maker will issue the written Notice of Decision simultaneously to the parties, describing the result of the appeal and the rationale for the result. The determination(s) of the appellate decision-maker serves as the final decision of the university on the matter and no additional appeals are available.





Investigation and Resolution Process Summary for Non-Title IX Complaints Against Students

EOA is the university office charged with investigating all reported violations of University Policy 05-001 Sexual Misconduct and Discrimination, and Section 4.4, Discriminatory Misconduct, of the Code of Student Conduct. EOA is responsible for responding to all complaints by students, employees, or third parties, or anyone prevented from participating in a university program, that are brought against students, employees, or third parties. EOA will respond to all verbal, written, and electronic complaints of conduct that may violate the Policy and/or Discriminatory Misconduct provisions under the Code. In some instances, EOA may initiate an investigation in the absence of a formal complaint. While EOA will respond to all verbal, written or electronic complaints providing notice regarding a concern, submission of a complaint does not always result in either an investigation or an informal resolution.

The process for resolution begins when EOA is notified of a complaint. EOA will attempt to resolve all complaints as promptly as possible, consistent with the need to conduct sensitive and informed fact-gathering to ensure an equitable resolution. The Student Process designates reasonably prompt timeframes for the major stages of the investigation and resolution process, but the university may extend any timeframe in this Process for good cause. An extension may be required: to ensure the integrity and thoroughness of the investigation; to comply with a request by law enforcement; in response to the unavailability of the parties or witnesses; or for other legitimate reasons, such as intervening breaks in the academic calendar, university finals periods, the complexity of the investigation, the volume of information, number of witnesses, length of the written record, and/or the severity and extent of the alleged misconduct.

Investigations will proceed according to the timeframes in this Student Process to the extent possible during the summer and at other times when classes at the university are not in session. EOA will work with the parties to balance the need for promptness and the preference for in-person meetings regarding the investigation. Timeframes for all phases of the investigation process, including disciplinary proceedings, and any related appeal process, apply equally to both the complainants and respondents. While requests for delays in the investigative process by the parties may be considered, the university cannot unduly or unreasonably delay the prompt resolution of a complaint under this Student Process. Reasonable requests for delays by the parties will serve to extend the time for resolution of the reported incident. The university has the authority to determine whether an extension is required or warranted by the circumstances. The university will keep the parties advised of the progress of the process.

Although cooperation with law enforcement may require the university to suspend the fact-finding portion of a sexual misconduct and discrimination

Investigation and Resolution Process Summary for Non-Title IX Complaints Against Students (Cont.)

investigation temporarily, the university will generally resume its investigation as soon as it is notified by the law enforcement agency that the agency has completed its evidence gathering process. The university generally will not wait for the conclusion of a criminal proceeding to begin its own investigation and, if needed, will take immediate steps to provide appropriate Supportive Measures for the parties.

Phase One: Receipt of Report

Upon receipt of a report, EOA:

- Responds to any immediate health or safety concerns raised by the report,
- Evaluates whether the reported conduct is within the scope of EOA's jurisdiction, and
- If so, reaches out to the Complainant¹ to provide resources and offer assistance.
- If the reported conduct is not within EOA's jurisdiction, refers to other appropriate office or closes the reported matter.

Phase Two: Intake and Assessment

- EOA conducts intake with Complainant to further assess if the report is within EOA's jurisdiction and advises Complainant of available resources, supportive measures, and options for resolution, if desired. Interim Measures are available regardless of whether the complainant pursues an informal resolution or investigation.
- If the reported conduct is within EOA's jurisdiction and asserts information that, if true, would constitute a violation of the Code of Student Conduct, EOA will assess if the allegation falls under federal Title IX regulations. If the reported conduct falls under Title IX, see the Title IX Process. If it does not, this process continues.
- EOA will consider requests from Complainant for an Informal Resolution, an Investigation, or no process from EOA.
- EOA determines whether Informal Resolution or Investigation is appropriate, or, whether a request for no process is an appropriate action and response.
- At times, in order to protect the safety of the campus community, EOA
 may need to proceed with an Investigation or other appropriate action
 even if Complainant specifically requests that the matter not be pursued
 (see Section H for more information).

 $^{^{\}scriptscriptstyle 1}$ When the report is submitted by a third party, EOA will treat the reported impacted party as the Complainant.





Investigation and Resolution Process Summary for Non-Title IX Complaints Against Students (Cont.)

Phase Three: Informal Resolution or Investigation Process

Informal Resolution Process (Section K)

- 1. Intake and Assessment Associate or Equity Associate meets with Complainant to explore options for resolution.
- 2. If Complainant's request for Informal Resolution involves or impacts Respondent, EOA notifies the Respondent, assesses willingness of the Respondent to participate, and offers appropriate resources. EOA works with both parties toward mutually agreed resolution.
- 3. EOA documents the Informal Resolution.
- 4. Upon completion, the matter is considered closed and cannot be appealed or investigated.
- 5. Complainant, Respondent, or Equity Associate may at any time, prior to closure of the matter, elect to withdraw from or terminate the Informal Resolution process. In this event, the Equity Associate would determine whether, absent a successful Informal Resolution, investigation is an option or otherwise necessary.

Investigation Process (Section L)

- 1. Equity Associate meets with Complainant to review process, gather a complete statement from Complainant, and provide information on available resources and assistance.
- 2. Equity Associate sends Respondent a Notice of Allegations, including allegations, alleged Code violations, and a request to meet.² Complainant receives a Notice of Acknowledgement of the alleged Code violations.
- 3. Equity Associate meets with Respondent to review process and provide information on available resources and assistance, and offers an opportunity to submit a written statement.
- 4. Equity Associate conducts an investigation by gathering relevant information, which includes reviewing documents and interviewing parties and witnesses.
- 5. When the investigation is complete, Equity Associate prepares a Draft Investigation Report and Investigation Record and sends it to parties for their review.

² Respondent participation is not required; however, the investigation will continue with or without their participation.

Investigation and Resolution Process Summary for Non-Title IX Complaints Against Students (Cont.)

- 6. Parties have ten (10) business days to review and submit a written response to the Draft Investigation Report and Investigation Record (either party may request an extension of the timeline in writing for good cause). The party's response may provide written comments or feedback to information within the Draft Investigation Report or Record, include additional information or follow up questions to be asked of the other party or witnesses, identify additional witnesses, and/or request the Equity Associate collect other relevant information.
- 7. Equity Associate considers any new information or requests in parties' written responses, conducts further investigation as appropriate, and submits Final Investigation Report to the Director of Student Conduct and Community Standards (SCCS Director) for adjudication.

Phase Four: Administrative Conference, Sanctions, and Notice of Decision, for complaints that have been investigated (Sections L.8, L.9, and L.10)

- 1. The SCCS Director, or designee, serves as decision-maker.
- 2. Decision-maker may request clarification or further information from Equity Associate.
- 3. Decision-maker issues notice of Administrative Conference to the parties, providing access to the Final Investigation Report.
- 4. Decision-maker holds an Administrative Conference: parties may opt to provide a written statement and, if a written statement is submitted, to individually meet with the Director to discuss the information provided in their written statement. The statements of each party will be provided to the other for review and response. Parties may also submit rebuttal evidence and witnesses.
- 5. Decision-maker determines, by preponderance of evidence, whether Code was violated and, if so, determines appropriate sanction(s).
- 6. Decision-maker simultaneously sends both parties a Notice of Decision, including appeal rights and identity of appellate authority.

Phase Five: Appeal, for complaints that have been adjudicated (Section L.11)

- 1. Parties have right to appeal decision-maker's determination of Code violation and any outcome imposed by the decision-maker. Appeals are to be submitted electronically to the SCCS Director within five (5) business days of the date of the Notice of Decision, and can be made on one of three grounds set forth in the Code of Student Conduct.
- 2. The appeal will be considered in a neutral and impartial manner by the designated appellate decision-maker; either the Vice Provost for Student Affairs or the Senior Associate Vice Provost and Dean of Students.
- 3. The appellate decision-maker has the authority to sustain, alter, or reverse the findings and/or sanctions in part or entirely and provides that in writing to the parties.
- 4. The decision of the appellate decision-maker serves as the final decision of the university on the matter.



Investigation and Resolution Process Summary for Non-Title IX Complaints Against Employees

The Office of Equal Opportunity & Access ("EOA") is the university office charged with responding to all reported violations of University Policy 05-001 Sexual Misconduct and Discrimination reported by students, employees, third parties, or anyone prevented from participating in a university program. EOA may consult with other university administrators as part of this Employee Process.

EOA will respond to all oral, written, and electronic complaints of conduct that may violate the Policy. In some instances, EOA may initiate an investigation in the absence of a formal complaint. While EOA will respond to all oral, written or electronic complaints, submission of a complaint does not always result in either an investigation or an informal resolution.

The process for resolution begins when EOA is notified of a complaint. EOA will attempt to resolve all complaints as promptly as possible, consistent with the need to conduct sensitive and informed fact-gathering to ensure an equitable resolution. The Employee Process designates reasonably prompt timeframes for the major stages of the investigation and resolution process, but the university may extend any timeframe in this Employee Process for good cause.

An extension may be required: to ensure the integrity and thoroughness of the investigation; to comply with a request by law enforcement; in response to the unavailability of the parties or witnesses; or for other legitimate reasons, such as intervening breaks in the academic calendar, university finals periods, the complexity of the investigation, the volume of information, number of witnesses, length of the written record, and/or the severity and extent of the alleged misconduct. Investigations will proceed according to the timeframes in this Employee Process to the extent possible during the summer and at other times when university classes are not in session. EOA will work with the parties to balance the need for promptness and the preference for in-person meetings regarding the investigation.

Timeframes for all phases of the investigation process, including disciplinary proceedings, and any related appeal process, apply equally to both complainants and respondents. While requests for delays in the investigative process by the parties may be considered, the university cannot unduly or unreasonably delay the prompt resolution of a complaint under this Employee Process. EOA has the sole authority to determine whether an extension is required or warranted by the circumstances. The university will keep the parties advised of the progress of the process.

Although cooperation with law enforcement may require the university to temporarily suspend the fact-finding portion of a sexual misconduct and discrimination investigation, the university will generally resume its

Investigation and Resolution Process Summary for Non-Title IX Complaints Against Employees (Cont.)

investigation as soon as it is notified by the law enforcement agency that the agency has completed its evidence gathering process. However, there may be circumstances where the university cannot wait for the law enforcement agency notification in order to comply with its legal requirements, but the university will strive to coordinate with law enforcement when possible. The university generally will not wait for the conclusion of a criminal proceeding to begin or commence its own investigation and, if needed, will take immediate steps to provide appropriate support resources for the parties.

Phase One: Receipt of Report

Upon receipt of a report, EOA:

- Responds to any immediate health or safety concerns raised by the report,
- Evaluates whether the reported conduct is within EOA's jurisdiction, and
- If so, reaches out to the Complainant¹ to provide resources and offer assistance.
- If the reported conduct is not within EOA's jurisdiction, refers to other appropriate office or closes the reported matter.

Phase Two: Intake and Assessment

- EOA conducts intake with Complainant to further assess if the report is within EOA's jurisdiction and advises Complainant of available resources, support measures, and options for resolution, if desired. Interim Measures are available regardless of whether the complainant pursues an informal resolution or investigation.
- If the reported conduct is within EOA's jurisdiction and asserts information that, if true, would constitute a violation of the Sexual Misconduct and Discrimination Policy, EOA will assess if the allegation falls under federal Title IX regulations. If the reported conduct falls under Title IX, see the Title IX Process. If the allegation does not, this process continues.
- EOA will consider requests from Complainant for an Informal Resolution, an Investigation, or no process from EOA.
- EOA determines whether Informal Resolution or investigation is appropriate, or whether a request for no process is an appropriate action and response.
- At times, in order to protect the safety of the campus community, EOA may need to proceed with an investigation or other appropriate action even if Complainant specifically requests that the matter not be pursued (see Section H for more information).

¹ When the report is submitted by a third party, EOA will treat the reported impacted party as the Complainant.





Investigation and Resolution Process Summary for Non-Title IX Complaints Against Employees (Cont.)

Phase Three: Informal Resolution or Investigation Process

Informal Resolution Process² (Section I)

- 1. Intake and Assessment Associate or Equity Associate meets with Complainant to explore options for resolution.
- If Complainant's request for Informal Resolution involves or impacts
 Respondent, EOA coordinates with Employee and Labor Relations, and
 notifies Respondent, assesses the willingness of Respondent to participate,
 and offers appropriate resources. EOA works with both parties toward
 mutually agreed resolution.
- 3. EOA documents the Informal Resolution.
- 4. Upon completion, the matter is considered closed and cannot be appealed or investigated.
- 5. Complainant, Respondent, or Equity Associate may at any time, prior to closure of the matter, elect to withdraw from or terminate the Informal Resolution process. In this event, the Equity Associate would determine whether, absent a successful Informal Resolution, investigation is an option or otherwise necessary.

Investigation Process (Section J)

- 1. Equity Associate meets with Complainant to review process, gather a complete statement from Complainant, and provide information on available resources and assistance.
- 2. Equity Associate sends Respondent a Notice of Allegations, which includes the allegations, alleged Policy violations, and a request to meet.³ Complainant receives a Notice of Acknowledgment of investigation.
- 3. Equity Associate meets with Respondent to review process and provide information on available resources and assistance, and offers an opportunity to submit a written statement.
- 4. Equity Associate conducts an investigation by gathering relevant information, which includes reviewing documents and interviewing parties and witnesses.
- ² The Informal Resolution process is typically not used to resolve complaints when a student has reported sexual misconduct against an employee in a position of authority over the student.
- ³ Respondent participation is not required; however, the investigation will continue with or without their participation.

Investigation and Resolution Process Summary for Non-Title IX Complaints Against Employees (Cont.)

- 5. When the investigation is complete, Equity Associate prepares a Draft Investigation Report and Investigation Record and sends it to parties for their review.
- 6. Parties have ten (10) business days to review and submit a rebuttal statement to the Draft Investigation Report and Investigation Record (either party may request an extension of the timeline in writing for good cause). The rebuttal statement may address the charges, provide written comments or feedback, include additional information, identify additional witnesses, or request that the Equity Associate collect other relevant information.
- 7. Equity Associate considers any new information or requests in parties' rebuttal statements, conducts further investigation as appropriate, and submits Final Investigation Report to the Associate Vice Provost and Senior Director of Employee and Labor Relations, or designee, for adjudication. Both parties are notified when the Final Investigation Report is submitted to the Adjudicator and concurrently receive copies.

Phase Four: Adjudication and Resolution, for complaints that have been investigated (Section J.8 and 9)

- 1. The Associate Vice Provost/Senior Director of Employee and Labor Relations, or designee, serves as Adjudicator (decision-maker).
- 2. The Adjudicator may request clarification or further information from Equity Associate.
- 3. The Adjudicator determines, by preponderance of evidence, whether Policy was violated and simultaneously sends both parties a Notice of Decision, including appeal rights and identity of appellate authority.
- 4. In cases where there has been a violation of policy, the Adjudicator confers with Respondent's supervisory unit on what disciplinary action is appropriate, consistent with applicable policy and collective bargaining agreement.

Phase Five: Appeal, for complaints that have been adjudicated (Section J.10)

- 1. Both parties have the right to appeal the Adjudicator's decision regarding whether there has been a violation of Policy. Appeals are to be submitted electronically to the Executive Director of EOA/Title IX Coordinator within five (5) business days of the date of the Notice of Decision, and can be made on one of two grounds set forth in the Employee Process.
- 2. Administrators outside the Office of Equal Opportunity and Access have been designated as Appellate Authorities.
- 3. The Appellate Authority makes a decision on the appeal and provides that in writing to the parties. The Appellate Authority's decision is the final decision of the university.
- 4. If a party wishes to contest disciplinary action imposed by their supervisory chain, it must be done through the applicable OSU grievance process or collective bargaining agreement.



Introduction

Oregon State University publishes this Fire Safety Report in compliance with the Higher Education Act of 1965 and as a part of annual Clery Act compliance. This report contains fire safety policies and statistics for university on-campus student housing facilities at the Corvallis Campus, OSU-Cascades, and Hatfield Marine Science Center (HMSC). This report reflects data from calendar years 2020, 2021, and 2022. Fire statistics are also reported to the U.S. Department of Education each year. Fire safety is a priority of Oregon State University and the local fire departments serving the Corvallis Campus, OSU-Cascades, and HMSC. Each year, professional and student staff conduct fire drills in student housing facilities to practice the safe and orderly evacuation of the buildings. Evacuation guidelines are posted in each room.

The OSU Portland Center and OSU Agriculture and Natural Resource Program at Eastern Oregon University (EOU) do not have on-campus student housing facilities that are owned or controlled by Oregon State University. For information regarding fire safety at EOU, please refer to this website: https://www.eou.edu/student-affairs/security-report/.

Fire Safety Rules for On-Campus Student Housing Facilities

Oregon State University generally prohibits smoking and tobacco use on all university-owned or -controlled property. The Smoking and Tobacco Use on University Property policy can be found here: https://policy.oregonstate.edu/UPSM/07-020 tobacco use. University policy guides for on-campus student housing facilities provide the following list of fire safety rules:

- Students may not tamper with, disable, cover, or damage fire equipment, including but not limited to sprinkler heads, smoke detectors, alarms/ strobe lights, exit signs, pull stations, sprinkler system, fire doors and fire extinguishers, heat sensors, and fire safety signage. Students who tamper with fire equipment may face disciplinary action and/or a monetary fine, and may also be referred to law enforcement authorities. Students may not hang items from the sprinkler heads, cages covering the sprinkler heads, or pipes associated with sprinklers.
- Students may not use or possess candles, or any other object that produces an open flame inside of on-campus student housing buildings and within 30 feet of on-campus student housing buildings (for any purpose, including ceremonial, decorative, or scent burning purposes).
- The following items may not be used or possessed inside of on-campus student housing buildings and within 30 feet of on-campus student housing buildings: extension cords without fuse protectors, combustible materials or liquids, live cut trees, dried plants, light bulbs that generate excessive heat (including halogen and/or incandescent bulbs that exceed 60 watts), or other large flammable material.

Fire Safety Rules for On-Campus Student Housing Facilities (Cont.)

- Students may not use or possess any object that smolders (incense, sage, sweetgrass, etc.) inside of and/or within 30 feet of on-campus student housing buildings unless they are preapproved for a religious and/or spiritual accommodation. To request a religious and/or spiritual accommodation, students must contact the Office of Equal Opportunity and Access and follow the Housing Smudging and Religious Practices Process.
- Hall fire doors MUST be closed at all times unless they are held open by magnets that are connected to the fire alarm system. These doors must be free of obstruction and able to close should the fire alarm sound.
- Students may loft their bed according to rules outlined by student housing policies.
- Students may not plug power strips or extension cords into other power strips or extension cords.
- Hallways must remain clear of all items that pose a tripping hazard. These items include, but are not limited to shoes, bikes, bed parts, and trash.
- Residents and their guests are not allowed to sleep in public or common areas.
- Residents and their guests may not leave food unattended while cooking.
 Residents may only put food and items that are microwave safe into a microwave.
- Doors and walls in the hallway must be clear of large coverings that are taped or tacked to the surface. No more than 30% of any door or wall surface may be covered with combustible materials. Wall surfaces include doors, resident doors, windows, ceilings and floors. Please refer to General Promotion Guidelines for additional information about posting materials anywhere other than your assigned residence hall room door.
- When a fire alarm is activated, all persons inside a residential or dining facility are required to leave the building immediately, even if it is believed to be a drill or false alarm, unless directed otherwise by a University official, the fire marshal, or emergency responders.

Please exercise good judgement when deciding to bring items to on-campus student housing facilities. All items need to meet the following criteria to be permitted:

 All items should be in good working order and cannot be under recall by the manufacturer. Some information regarding recalls can be found here: https://www.cpsc.gov/Recalls. Any damaged or altered items are prohibited.





Fire Safety Rules for On-Campus Student Housing Facilities (Cont.)

- All appliances should be UL listed and have an automatic shutoff.
- Items should be shut off when not in use and any cords should be examined to ensure they are not worn, frayed or subject to pinch damage.
- Item must be used as intended; misuse or illegal use of electrical appliances creates serious hazards in residence halls and is prohibited.
- Appliances may not have exposed heating sources.
- Appliances and devices in the halls should not produce an open flame.
- Only enclosed appliances are permitted for food preparation; the food being prepared should not be exposed to the open air/atmosphere while the device is operating.
- Not interfere with OSU's wireless or network infrastructure.
- Any approved cooking appliance must be attended at all times.

The following items are never approved in the residence halls:

- Air conditioners, barbecues and grills, electric and air fryers, electric grills and sandwich makers/presses, extension cords, fog, smoke, and haze machines, gasoline, hybrid powered scooters, hookahs, hookah smoking accessories, e-cigarettes, vaporizers, microwaves (unless microwave/ refrigerator combination unit), and wireless network routers and wireless access points.
- Storing flammable or combustible liquids or gasses.
- Appliances that produce steam, smoke, or grease laden vapors.
- Any device with light bulbs that generate excessive heat (including halogen bulbs and/or incandescent bulbs that exceed 60 watts).
- Any device that would exceed the electrical load.
- If you have a special need for an exception, please talk to your Resident Director or Area Director, who can guide you through the process.

The following items are never approved in or near Orchard Court Apartments and The Gem apartments:

- Grills of any type; Dishwashers; Clothes washers/dryers; or Space heaters
- If you have a special need for an exception, please talk to your Apartment Operations Coordinator or Community Assistant, who can guide you through the process.

Fire Safety Rules for On-Campus Student Housing Facilities (Cont.)

Exceptions

- Some coffee makers:
 - Coffee makers that do not use a warming plate to keep the coffee warm, can be used in all residence hall rooms.
 - Coffee makers with warming plates are permitted only in Halsell Hall, and only if it remains in the kitchen area of the suite, is UL listed, and has an automatic shut off function.
- Food preparation appliances may be granted an exception if the owners meet and get approval from their resident director and the appliances are UL listed, used in community kitchens (or Halsell suite kitchens), and are attended at all times when in use. They may only be stored in residence hall rooms. Individual microwaves, air and electric fryers, and non-UL listed appliances are prohibited.
- Clothes irons, curling irons, hot curlers and flat irons. These items are permitted as long as they are used according to manufacturer's instructions and are UL listed.
- Clothes irons, electric kettles used to boil water, candle warmers, and scent diffusers
- Power strips or a plug multiplier. Power strips and plug multipliers must have a built-in circuit breaker to be permitted within the residence halls.
- Some refrigerators: Small refrigerators that are not part of a microwave/ refrigerator combination unit are allowed, as long as they meet the following criteria: Energy Star rated, draw 11 amps or less, and are 3.2 cubic feet or less. All halls have shared, full-sized refrigerators available for resident use in common areas.
- Electric bikes, scooters, and hoverboards with the UL 2272 safety standard are allowed for storage in residence hall rooms if all of the conditions found in student housing policy guides are met.
- Space heaters are allowed if all of the conditions found in student housing policy guides are met.
- 3D printers are permitted if all of the conditions found in student housing policy guides are met.

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





Corvallis Campus Fire Evacuation Procedures

The following information is the general evacuation procedures and responsibilities professional staff, student staff, and students should follow in the event of a fire in an on-campus student housing facility at the Corvallis Campus. While each facility follows these general procedures, there are different designated evacuation locations specific to each facility.

The majority of university buildings are equipped with automatic fire detection and alarm systems which are constantly monitored by the Department of Public Safety Dispatch Center so resources can be dispatched immediately when necessary. Buildings are equipped with a variety of features that are designed to detect, stop, contain, or suppress the spread of fire. A door can be the first line of defense against the spread of smoke or fire from one area to another.

Some doors, such as fire doors in corridors and stairwells of on-campus student housing facilities, are designed to withstand fire better than those of individual rooms. It is important that these doors are closed if there is a fire. For instructions regarding a specific on-campus student housing facility, please contact University Housing and Dining Services, Oxford House, Corvallis campus, (541) 737-4771.

Please note the East Greenhouse Apartment, West Greenhouse Apartment, and the Swine Center Apartment are not managed by University Housing and Dining Services. Therefore, residents should follow general evacuation procedures (Section C) and evacuate at least 50 feet from the building.

Section A: Professional Staff Members

- 1. In the event of an alarm, the person in charge is instructed to contact OSU Public Safety at 541-737-7000. The Building Manager of the hall is the person in charge (PIC), if present.
 - a. If the Building Manager is not present, the first staff member to arrive is the PIC until the Building Manager or Professional Staff Member on Call arrives.
- 2. Staff will provide the following information to dispatch:
 - a. Building location
 - b. Information about the location and nature of emergency, if known, or known information about the location.
 - c. Anyone at immediate risk.
 - d. Call back number/name (example: Sackett Hall Duty Phone 541-230-4076).
 - e. Action(s) taken (if any) to fight the fire.
 - f. Stay on the line until instructed to get off of the line.

Corvallis Campus Fire Evacuation Procedures (Cont.)

Section A: Professional Staff Members (Cont.)

- 3. Additional Notes: In order to find the source of the emergency, look at the screen located on the fire annunciator panel in the 1st floor lobby. If the alarm is a supervisory or trouble alarm the RD/AD will investigate the situation and notify OSUPD of the alarm's cause.
- 4. The PIC, or designee, will immediately contact the Professional Staff Member on Call and notify them of the evacuation.
- 5. The PIC, or designee, will get the emergency evacuation kit and assure that fire department personnel are aware of all individuals who have indicated a need for assistance.

Section B: Student Staff Members

- 1. If the Building Manager is not present, the first staff member to arrive is the PIC until the Building Manager or Professional Staff Member on Call arrives. This individual must follow the steps in Section A/Points 1-5.
- 2. If staff is present at the time/place of a fire, they should immediately pull the fire alarm then call DPS Emergency (541-737-7000) or 911.
- 3. If staff is present at the time/place of a fire, the fire is small and contained, and they are trained and confident to use a fire extinguisher, they should attempt to extinguish the fire. Otherwise, they should close the door to contain the fire and then begin evacuation procedures. Staff SHOULD NOT put themselves at risk to extinguish a fire.
- 4. Each staff member shall be responsible to assist clearing their section. Staff members will walk, knocking on doors and announce loudly that there is a fire alarm, that everyone should evacuate, and the designated evacuation location.
- 5. Staff members will be posted at building entrances to make sure that no one re-enters the building and to provide crowd control at the evacuation area, at the direction of the PIC after gathering at the designated evacuation location.
- 6. Staff will help the residents form groups by floor/wing/district in the designated evacuation location. At that point UHDS staff or Fire Department personnel will be able to inform residents of any conditions for re-occupation of the building.
 - a. Groups shall be formed by floor/wing/district; a staff member or resident will hold up a floor/wing placard around which students should gather.
 - b. Once residents are in their floor/wing/district it is important that they remain in place as it allows for a quicker counting/reentry process into the building.
 - c. Residents will be accounted for by the hall staff; once they have checked in they are free to leave if they need to, but they SHOULD NOT reenter the building until given permission to do so by the Fire Department.
- 7. If residents are not evacuating appropriately or they are not outside when it is determined who is/is not present, then the student staff member will notify the PIC, who will notify emergency personnel.

Corvallis Campus Fire Evacuation Procedures (Cont.)

Section C: Residents

- 1. In an emergency, residents are asked to, if possible, take safe and appropriate steps to contain the emergency but their primary responsibility is to exit the building quickly and safely. Upon hearing the fire alarm sound, please leave the building immediately. If it is safe, proceed to the closest fire escape stairwell. DO NOT USE THE ELEVATOR.
- 2. If a resident(s) is present at the time/place of a fire, they should immediately pull the fire alarm then call DPS emergency (541-737-7000) or 911.
- 3. If a resident(s) is present at the time/place of a fire, the fire is small and contained, and they are trained and confident to use a fire extinguisher, they should attempt to extinguish the fire. Otherwise, they should close the door to contain the fire and then begin evacuation procedures. Residents SHOULD NOT put themselves at risk to extinguish a fire.
- 4. Before evacuating: first feel the door with the back of your hand.
 - a. If the door is warm:
 - i. Do not open it!
 - ii. Call the Fire Department (911), notifying them of your exact location.
 - iii. Place a cloth along the bottom of the door to keep smoke out.
 - iv. Close as many doors as possible between you and the fire or smoke.
 - v. Hang a brightly colored towel, sheet, or blanket the window for the firefighters to see.
 - vi. Stay calm and wait to be rescued; you will be found.
 - vii. Do not break the window!
 - b. If the door is cool, open it cautiously, and be prepared to close it if there is excessive smoke.
 - c. Proceed to the exit. The only time you should exit when there is visible smoke is if you can see the exit visibly under the smoke. If the hall is full of heat, fire, or smoke that obstructs vision of the exit, stay put in your room.
- 5. After evacuating, residents should proceed to the designated evacuation location, find their wing/floor placard and group by wing/floor, and remain there so that staff or their designees may account for their presence. Staff members will provide instructions about when to reenter the building. DO NOT reenter the building just because the alarm stops ringing.
- 6. Should there not be a staff member in the building, please use caution and use the closest available "Yellow Call Box" phone to alert Public Safety to the alarm. Please dial 7-7000. These boxes can be found at the entrances to all UHDS buildings. Alternatively, you can use a telephone at a nearby university building, such as a dining hall or service center. If you are unsure if someone has contacted public safety dispatch, please make the telephone call yourself. It is always better for dispatch to have many phone calls than none.

Corvallis Campus Fire Evacuation Procedures (Cont.)

Section D: Specific Evacuation Locations for On-Campus Student Housing Facilities

Facility/Address	Primary Evacuation Location	Backup Indoor Evacuation Location		
Bloss Hall 2001 SW Western Blvd, Corvallis, OR	Parking lot on the south side of the building	Arnold Dining Center		
Buxton Hall 310 SW Weatherford PI, Corvallis, OR	Basketball court by the Intramural Fields	Marketplace West Dining Hall		
Callahan Hall 1420 SW Jefferson Ave, Corvallis, OR	Cement area between Tebeau and Wilson Halls	McNary Dining Center		
Cauthorn Hall 361 SW Sackett Pl, Corvallis, OR	Intramural Fields	Marketplace West Dining Hall		
Dixon Lodge 265 SW 11th St, Corvallis, OR	Grassy area west of Dixon Lodge across 11th St.	McNary Hall		
Finley Hall 2100 SW May Way, Corvallis, OR	Grassy area between Arnold Dining Center and the ILLC	Arnold Dining Center		
The Gem 155 NW Kings Blvd, Corvallis, OR	Follow Sec. C procedures and evacuate at least 50 feet from the building	Follow Sec. C procedures and evacuate at least 50 feet from the building		
Greenhouse Apartment (East) 2801 SW Campus Way, Corvallis, OR	Follow Sec. C procedures and evacuate at least 50 feet from the building	Follow Sec. C procedures and evacuate at least 50 feet from the building		
Greenhouse Apartment (West) 3201 SW Campus Way, Corvallis, OR	Follow Sec. C procedures and evacuate at least 50 feet from the building	Follow Sec. C procedures and evacuate at least 50 feet from the building		
Halsell Hall 644 SW 17th St, Corvallis, OR	Courtyard to the southwest of the building (toward Arnold Dining Center)	Arnold Dining Center		
Hawley Hall 311 SW Sackett Pl, Corvallis, OR	Basketball court by the Intramural Fields	Marketplace West Dining Hall		
Hilton Garden Inn (Temporary COVID Housing) 2500 SW Western Blvd, Corvallis, OR	Follow Sec. C procedures and evacuate at least 50 feet from the building	Follow Sec. C procedures and evacuate at least 50 feet from the building		

Corvallis Campus Fire Evacuation Procedures (Cont.)

Facility/Address	Primary Evacuation Location	Backup Indoor Evacuation Location		
Holiday Inn Express (Temporary COVID Housing) 781 NE 2nd St, Corvallis, OR	Follow Sec. C procedures and evacuate at least 50 feet from the building	Follow Sec. C procedures and evacuate at least 50 feet from the building		
Hotel Corvallis (Temporary COVID Housing) 350 SW 4th St, Corvallis, OR	Follow Sec. C procedures and evacuate at least 50 feet from the building	Follow Sec. C procedures and evacuate at least 50 feet from the building		
Int'l Living Learning Center 1701 SW Western Blvd, Corvallis, OR	Lawn on the northwest side of the building, near Bloss Hall	Arnold Dining Center		
McNary Hall 1220 SW Jefferson Ave, Corvallis, OR	East of McNary Hall by 11th St.	McNary Dining Center		
Orchard Court Family Housing 3405 NW Orchard Ave, Corvallis, OR	Laundry room nearest to your apartment	Orchard Court Community Center		
Poling Hall 360 SW Weatherford PI, Corvallis, OR	Student Legacy Fields-Intramural Fields (across Intramural Lane)	Marketplace West Dining Hall		
Sackett Hall 2901 SW Jefferson Way, Corvallis, OR	Learning Innovation Center lawn	Sackett E/H Lounge		
Swine Center Apartment 4500 SW Campus Way, Corvallis, OR	Follow Sec. C procedures and evacuate at least 50 feet from the building	Follow Sec. C procedures and evacuate at least 50 feet from the building		
Tebeau Hall 1351 SW Washington Ave, Corvallis, OR	North of Tebeau Hall near the blue light emergency box	McNary Dining Center		
Weatherford Hall 300 SW 26th St, Corvallis, OR	Intramural Fields	Marketplace West Dining Hall		
West Hall 391 SW 30th St, Corvallis, OR	Intramural lawn across from West Hall	Marketplace West Dining Hall		
Wilson Hall 1351 SW Adams Ave, Corvallis, OR	Grassy lawn east of McNary Dining Center	McNary Dining Center		

OSU-Cascades Fire Evacuation Procedures

The following information is the evacuation procedures and responsibilities professional staff, student staff, and students should follow in the event of a fire in the OSU-Cascades Residence Hall. Please note: The primary evacuation area is the parking lot north of the Residence Hall. In the event of an extended evacuation or inclement weather, the backup indoor location is Obsidian Hall (formerly known as the Dining/Academic Building).

Section A: Professional Staff Members

- 1. In the event of an alarm, the person in charge is instructed to contact the OSU-Cascades Campus Safety at 541-322-3110. The building manager of the hall is the person in charge (PIC), if present.
 - a. If the building manager is not present, the first staff member to arrive is the PIC until the building manager or professional staff member on call arrives.
- 2. Staff will provide the following information:
 - a. Building location
 - b. Information about the location and nature of emergency, if known, or known information about the location.
 - c. Anyone at immediate risk.
 - d. Call back number/name. Example: RA on call, 541-640-9963.
 - e. Action(s) taken (if any) to fight the fire.
 - f. Stay on the line until instructed to get off of the line.
- 3. Additional Notes: In order to find the source of the emergency, you may look at the screen located on the fire annunciator panel in the 1st floor lobby. If the alarm is a supervisory or trouble alarm the RD will investigate the situation and notify Campus Safety of the alarm's cause.
- 4. The PIC, or designee, will immediately contact the professional staff member on call and notify them of the evacuation.
- 5. The PIC, or designee, will get the emergency evacuation kit and assure that fire department personnel are aware of all individuals needing assistance.

Section B: Student Staff Members

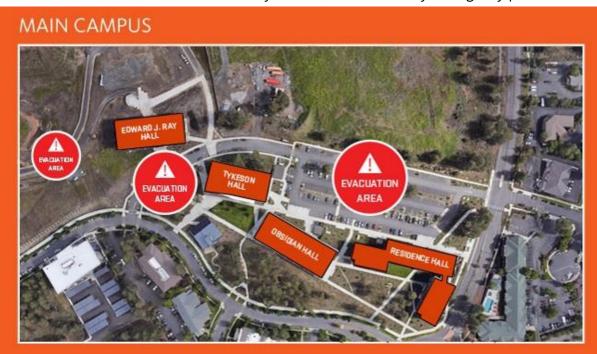
- 1. If the building manager is not present, the first staff member to arrive is the PIC until the building manager or professional staff member on call arrives. This individual must follow the steps in Section A, points 1-5.
- 2. If staff is present at the time/place of a fire, they should immediately pull the fire alarm then call 911.



OSU-Cascades Fire Evacuation Procedures (Cont.)

Section B: Student Staff Members (Cont.)

- 3. If staff is present at the time/place of a fire, the fire is small and contained, and they are trained and confident to use a fire extinguisher, they should attempt to extinguish the fire. Otherwise, they should close the door to contain the fire and then begin evacuation procedures. Staff SHOULD NOT put themselves at risk to extinguish a fire.
- 4. Each staff member shall be responsible to assist clearing their section. As they evacuate, staff members will walk, knocking on doors and announce loudly that there is a fire alarm, that everyone should evacuate, and the designated evacuation location.
- 5. Staff members will be posted at building entrances to make sure that no one re-enters the building and to provide crowd control at the evacuation area, at the direction of the PIC after gathering at the designated evacuation location.
- 6. Staff will help the residents form groups by floors in the parking lot. At that point REH staff or Bend Fire Department personnel will be able to inform residents of any conditions for re-occupation of the building.
 - a. Groups shall be formed by floor/wing; a staff member or resident will hold up a floor placard around which students should gather.
 - b. Once residents are in their floor/wing it is important that they remain in place as it allows for a quicker counting/reentry process into the building.
 - c. Residents will be accounted for by the hall staff; once they have checked in they are free to leave if they need to, but they SHOULD NOT re-enter the building until given permission to do so by Bend Fire and Rescue.
- 7. If residents are not evacuating appropriately or they are not outside when it is determined who is/is not present, then the student staff member will notify the PIC, who will notify emergency personnel.



OSU-Cascades Fire Evacuation Procedures (Cont.)

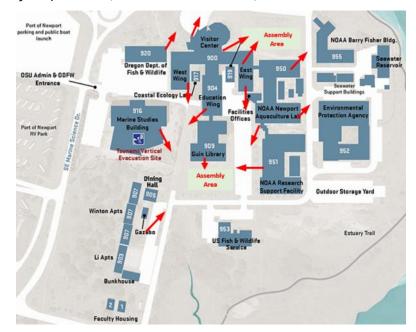
Section C: Residents

- 1. In an emergency, residents are asked to, if possible, take safe and appropriate steps to contain the emergency, but their primary responsibility is to exit the building quickly and safely. See step 4.
- 2. If a resident(s) is present at the time/place of a fire, they should immediately pull the fire alarm then call 911. When calling, please provide as much information as possible about the location and cause of the fire.
- 3. If a resident(s) is present at the time/place of a fire, the fire is small and contained, and they are trained and confident to use a fire extinguisher, they should attempt to extinguish the fire. Otherwise, they should close the door to contain the fire and then begin evacuation procedures. Residents SHOULD NOT put themselves at risk to extinguish a fire.
- 4. If it is safe, proceed to the closest fire escape stairwell. DO NOT USE THE ELEVATOR. Before evacuating: first feel the door with the back of your hand.
 - a. If the door is warm:
 - i. Do not open it!
 - ii. Call the Fire Department (911), notifying them of your exact location.
 - iii. Place a cloth along the bottom of the door to keep smoke out.
 - iv. Close as many doors as possible between you and the fire or smoke.
 - v. Hang a brightly colored towel, sheet, or blanket the window for the firefighters to see.
 - vi. Stay calm and wait to be rescued; you will be found.
 - vii. Do not break the window!
 - b. If the door is cool, open it cautiously, and be prepared to close it if there is excessive smoke.
 - c. Proceed to the exit. The only time you should exit when there is visible smoke is if you can see the exit visibly under the smoke. If the hall is full of heat, fire, or smoke that obstructs vision of the exit, stay put in your room.
- 5. After evacuating, residents should proceed to the designated evacuation location, find their wing/floor placard and group by wing/floor, and remain there so that staff or their designees may account for their presence. Staff members will provide instructions about when to reenter the building. DO NOT reenter the building just because the alarm stops ringing.
- 6. Should there not be a staff member in the building, please use caution and use the closest available Blue Light phone to alert emergency services to the alarm. Alternatively, you can use a cell phone to contact Campus Safety. If you are unsure if someone has contacted Campus Safety or the fire department, once you are safe, please make the telephone call yourself. It is always better for emergency services to have many phone calls, than none.

Hatfield Marine Science Center (HMSC) Fire Evacuation Procedures

For HMSC facilities, including student housing, the following evacuation procedures are followed in the event of fire, smoke, or explosion.

- 1. Activate the nearest fire alarm pull station to alert building occupants and call 9-1-1.
 - a. Fire alarm will sound (either a gong or electric chime)
 - b. Buildings equipped will also have strobe light activation to indicate an active fire alarm
 - c. Note some multistory buildings have sprinkler systems but most buildings on the HMSC campus do not
- 2. Everyone leaves the building immediately when an alarm sounds. Notify others of the evacuation, but do not delay your evacuation.
 - a. If time allows and you can perform the action without endangering yourself:
 - i. Place equipment you are operating into a safe configuration before evacuating
 - ii. Close doors and windows before evacuating, if this can be accomplished quickly and safely. It is particularly important to close doors to contain the fire in the room/area of origin
- 3. Evacuate through the nearest safest exit.
 - a. See Appendix F Emergency Action Plans: Evacuation (https://hmsc.oregonstate.edu/sites/hmsc.oregonstate.edu/files/1. hatfield eop 2021 fully executed small.pdf)
- 4. Call 9-1-1 to report the fire alarm, after evacuating building.
- 5. Do not re-enter the building until fire or police give permission to do so.
- 6. Move to evacuation assembly area (see map). If an evacuation area cannot be reached or is unknown, move as far away from the building as practical, so as not to be in danger or in the way of emergency responders (a minimum of 50 feet).



Hatfield Marine Science Center (HMSC) Fire Evacuation Procedures (Cont.)

- 7. Once safely outside, check to make sure no one is missing, and inform emergency responders/HMSC Leadership if someone is unaccounted for.
- 8. Do not use elevators during an evacuation.
- 9. If evacuation routes are blocked, remain in your room, stand by a window, call 9-1-1 to report your location, and wait for fire department assistance.
- 10. Individuals with mobility or evacuation concerns:
 - a. Students, staff, and visitors who are blind should be assisted through hallways and down stairways
 - b. People with mobility issues should follow evacuation routes on the ground floor of a building. If not on the ground floor, proceed to the nearest assembly area (fire escape or stairway door). Rescue personnel will search these areas first and help individuals with disabilities evacuate the building.
 - i. If no pre-identified area, go to an area that provides a barrier between you and the hazard
 - ii. Communicate with responders
 - iii. Dial 9-1-1 or HMSC facilities: 541-270-0101
 - iv. If possible, place a cloth or clothing out a window to attract attention
 - v. Notify others who are evacuating to inform responders of your location
- 11. Staff/faculty are not required to attempt to fight a fire. If you are trained to do so, and can safely do so, use the appropriate fire extinguisher to attempt to extinguish small fires (office trash can size). Ensure 9-1-1 has been called prior to attempting to extinguish the fire.





Corvallis Campus Fire Safety Education and Training

UHDS staff receive regular trainings on the location and operation of fire alarm systems, as well as a review of evacuation plans and their roles. Staff will also conduct a regular simulation exercise where they practice their individual roles. Resident directors, area directors, and resident assistants receive fire safety training annually. Residents receive a general orientation to the systems present in their hall at first floor meetings at the beginning of the academic year.

Residents also participate in evacuation drills each year. These drills can be either announced or unannounced. After each drill, the information is reviewed again. With the support and coordination of Residential Education management staff, the Environmental Health & Fire/Life Safety Department conducts training sessions for students and staff. To ensure a preventative approach, the Environmental Health & Fire/Life Safety Department performs annual fire safety inspections of all on-campus student housing facilities during the fall term, including The Gem. Follow-up inspections are conducted within two months of this annual inspection.

The Environmental Health & Fire/Life Safety Department also conducts the following training opportunities:

- An information booth at every START event.
- Participates at the Beaver Community Fair each October.
- Conducts a fire safety event at the annual Dixon Recreation Night each September.
- Provides various fire extinguisher training around campus continuously.
- Provides Plageman Student Health Center training each September.
- Provides fire safety training for all dining hall staff every September.

The UHDS Safety Initiative is responsible for:

- Reviewing data from reports of accidents generated by incidents within UHDS facilities.
- Identifying areas and topics for additional training based on trends.
- Compiling resources for recurring and reactive training sessions.

OSU-Cascades Campus Fire Safety Education and Training

OSU-Cascades conducts a campus wide fire safety evacuation drill and live fire demonstration with the Bend Fire Department annually in the fall term. REH conducts multiple drills per year in the Residence Hall in conjunction with Campus Safety. Residents participate in two evacuation drills in the fall (one announced/one unannounced) and one unannounced drill in winter and spring.

Residents receive a general orientation to the systems present in the building at the building's initial All-Hall Opening meeting which takes place in Fall Term and staff review evacuation and emergency procedures on a quarterly basis at floor meetings. Hall Staff receive quarterly orientation to the operations and locations of the fire alarm system, as well as a review of the fire and evacuation plan and their roles.



Hatfield Marine Science Center Fire Safety Education and Training

During orientation and onboarding, HMSC personnel discuss fire evacuation and safety with tenants of on-campus student housing, verifying understanding by conducting group specific fire drills as students and interns transition through. In addition, HMSC posts evacuation and local emergency contact information in each apartment and conducts facility fire drills twice yearly to reinforce critical integrated fire evacuation coordination and facilitation skills.

Reporting Extinguished Fires

If a member of the Corvallis campus community finds evidence of a fire that has been extinguished, they should immediately notify the Department of Public Safety Dispatch Center to initiate an investigation and document the incident. The dispatch center can be contacted at 541-737-3010 (non-emergency) or 200 Cascade Hall, Corvallis, OR. Oregon State University has a certified fire marshal investigator from the Corvallis Fire Department assigned to the Corvallis campus who is available 24 hours a day for such purposes. Oregon State University Police Department is responsible for conducting arson investigations and may be assisted by the certified fire marshal investigator.

If a member of the OSU-Cascades campus community finds evidence of a fire that has been extinguished, they should immediately notify Campus Safety to initiate a report and document the incident. Campus Safety can be contacted at 541-322-3110 (non-emergency) or in Obsidian Hall, Rm. 108, Bend, Oregon.

If a member of the HMSC community finds evidence of a fire that has been extinguished, they should immediately notify the Newport Police Department at 169 SW Coast Hwy, Newport, Oregon, or 541-574-5807 (non-emergency), and then contact the HMSC director at 2030 SE Marine Science Dr., Newport, Oregon, 541-867-0211, or robert.cowen@oregonstate.edu.

Plans for Fire Safety Improvements

Oregon State University continues to assess and upgrade fire safety equipment in an ongoing process to ensure that all equipment meets national fire safety standards. UHDS continues to add fire sprinkler systems to buildings that do not have them. After a sprinkler system is added, UHDS evaluates the system and determines which building will be next. Improvements are made as needed as determined by the ongoing assessment process. Additionally, OSU-Cascades continues to update fire evacuation plans and placards in all campus buildings as building modifications and modernization require.



Corvallis Campus On-Campus Student Housing Fire Safety Systems

Facility/Address	Fire Alarm Monitoring by Department of Public Safety	Sprinkler System**	Smoke Detection	Fire Extinguishers	Evacuation Plans/ Placards	Evacuation Fire Drills in 2022
Bloss Hall 2001 SW Western Blvd Corvallis, OR	Y	Full Sprinkler System	Y	Y	Y	4
Buxton Hall 310 SW Weatherford PI Corvallis, OR	Υ	Full Sprinkler System	Y	Υ	Υ	4
Callahan Hall 1420 SW Jefferson Ave Corvallis, OR	Y	Full Sprinkler System	Y	Υ	Y	4
Cauthorn Hall 361 SW Sackett Pl Corvallis, OR	Y	Full Sprinkler System	Y	Y	Y	4
Dixon Lodge 265 SW 11th St Corvallis, OR	Υ	Full Sprinkler System	Y	Υ	Y	4
Finley Hall 2100 SW May Way Corvallis, OR	Υ	Full Sprinkler System	Y	Υ	Y	4
The Gem 155 NW Kings Blvd Corvallis, OR	Y	Full Sprinkler System	Y	Υ	Y	4
Greenhouse Apartment (East) 2801 SW Campus Way Corvallis, OR	N	N	Υ	Υ	Υ	0*
Greenhouse Apartment (West) 3201 SW Campus Way Corvallis, OR	N	N	Y	Y	Y	0*

Corvallis Campus On-Campus Student Housing Fire Safety Systems (Cont.)

Facility/Address	Fire Alarm Monitoring by Department of Public Safety	Sprinkler System**	Smoke Detection	Fire Extinguishers	Evacuation Plans/ Placards	Evacuation Fire Drills in 2022
Halsell Hall 644 SW 17th St Corvallis, OR	Υ	Full Sprinkler System	Y	Υ	Y	4
Hawley Hall 311 SW Sackett Pl Corvallis, OR	Y	Full Sprinkler System	Y	Y	Y	4
Hilton Garden Inn (Temporary COVID Quarantine Housing) 2500 SW Western Blvd, Corvallis, OR	Y	Full Sprinkler System	Y	Y	Y	0
Holiday Inn Express (Temporary COVID Quarantine Housing) 781 NE 2nd St., Corvallis, OR	N	Full Sprinkler System	Y	Y	Y	2
Hotel Corvallis (Temporary COVID Quarantine Housing) 350 SW 4th St Corvallis, OR	N	N	Y	Y	N	0
Int'l Living Learning Center 1701 SW Western Blvd Corvallis, OR	Υ	Full Sprinkler System	Y	Y	Y	4
McNary Hall 1220 SW Jefferson Ave Corvallis, OR	Υ	Full Sprinkler System	Υ	Υ	Υ	4

Corvallis Campus On-Campus Student Housing Fire Safety Systems (Cont.)

Facility/Address	Fire Alarm Monitoring by Department of Public Safety	Sprinkler System**	Smoke Detection	Fire Extinguishers	Evacuation Plans/ Placards	Evacuation Fire Drills in 2022
Orchard Court Family Housing 3405 NW Orchard Ave Corvallis, OR	See Individual Units Below	See Individual Units Below	See Individual Units Below	See Individual Units Below	See Individual Units Below	See Individual Units Below
Building A	N	N	Υ	Υ	Υ	0*
Building B	N	N	Υ	Υ	Y	0*
Building C	N	N	Υ	Υ	Y	0*
Building D	N	N	Υ	Υ	Υ	0*
Building E	γ***	Full System	Υ	Υ	Υ	0*
Building F	γ***	Full System	Υ	Υ	Y	0*
Building G	γ***	Full System	Υ	Υ	Υ	0*
Building H	N	N	Υ	Υ	Υ	0*
Building J	N	N	Υ	Υ	Υ	0*
Building K	N	N	Υ	Υ	Υ	0*
Building L	N	N	Υ	Υ	Y	0*
Building M	N	N	Υ	Υ	Y	0*
Building N	N	N	Υ	Υ	Υ	0*
Building O	N	N	Υ	Υ	Y	0*
Building Q	N	N	Υ	Υ	Υ	0*
Building R	N	N	Υ	Υ	Y	0*
Building S	N	N	Υ	Υ	Y	0*
Building T	N	N	Υ	Υ	Y	0*
Building U	N	N	Y	Υ	Y	0*
Building V	N	N	Υ	Υ	Υ	0*
Building W	N	N	Υ	Υ	Y	0*
Building Y	N	N	Y	Y	Υ	0*

Corvallis Campus On-Campus Student Housing Fire Safety Systems (Cont.)

Facility/Address	Fire Alarm Monitoring by Department of Public Safety	Sprinkler System**	Smoke Detection	Fire Extinguishers	Evacuation Plans/ Placards	Evacuation Fire Drills in 2022
Poling Hall 360 SW Weatherford Pl Corvallis, OR	Υ	Full Sprinkler System	Y	Υ	Υ	4
Sackett Hall 2901 SW Jefferson Way Corvallis, OR	Υ	Full Sprinkler System	Y	Υ	Υ	4
Swine Center Apartment 4500 SW Campus Way Corvallis, OR	N	N	Υ	Υ	N	0
Tebeau Hall 1351 SW Washington Ave Corvallis, OR	Υ	Full Sprinkler System	Y	Υ	Y	4
Weatherford Hall 300 SW 26th St Corvallis, OR	Υ	Full Sprinkler System	Y	Υ	Y	4
West Hall 391 SW 30th St Corvallis, OR	Υ	Full Sprinkler System	Υ	Υ	Υ	4
Wilson Hall 1351 SW Adams Ave Corvallis, OR	Y	Full Sprinkler System	Y	Y	Y	4

^{*} Fire drills are not conducted for apartments as each apartment has its own entrance, not utilizing an interior hallway.

^{** &}quot;Full Sprinkler System" or "Full System" means the building is equipped with fire sprinklers as required by National Fire Protection Association (NFPA) 13. "Partial Sprinkler System" means the building does not have sprinkler protection everywhere as required by NFPA 13.

^{***} Only units in Buildings E, F, and G have a centrally monitored alarm for sprinkler water flow only.

OSU-Cascades On-Campus Student Housing Fire Safety Systems

Facility/Address	Fire Alarm Monitoring Third Party*	Sprinkler System**	Smoke Detection	Fire Extinguishers	Evacuation Plans/ Placards	Evacuation Fire Drills in 2022
Residence Hall 1500 SW Chandler Ave Bend, OR	Y	Full Sprinkler System	Y	Υ	Y	4

^{*}Fire alarms at OSU-Cascades are monitored by WatchDog security, 541-617-6199.

^{**&}quot;Full Sprinkler System" means the building is equipped with fire sprinklers as required by National Fire Protection Association (NFPA) 13.

Hatfield Marine Science Center On-Campus Student Housing Fire Safety Systems

Facility/Address	Fire Alarm Monitoring by Department of Public Safety	Sprinkler System**	Smoke Detection	Fire Extinguishers	Evacuation Plans/ Placards	Evacuation Fire Drills in 2022
Bunkhouse 2030 SE Marine Science Dr Bldg 902 Newport, OR	N*	N	Y	Y	Y	3
Li House 2030 SE Marine Science Dr Bldg 903 Newport, OR	N*	N	Υ	Υ	Υ	3
Winton House 2030 SE Marine Science Dr Bldg 907 Newport, OR	N*	N	Y	Υ	Y	3
Faculty and Family Housing 2030 SE Marine Science Dr Bldg 1 Newport, OR	N*	N	Y	Υ	Y	3
Faculty and Family Housing 2030 SE Marine Science Dr Bldg 2 Newport, OR	N*	N	Υ	Υ	Y	3

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

^{** &}quot;Full Sprinkler System" or "Full System" means the building is equipped with fire sprinklers as required by National Fire Protection Association (NFPA) 13. "Partial Sprinkler System" means the building does not have sprinkler protection everywhere as required by NFPA 13.

2022 Fire Statistics-Corvallis Campus

Facility/Address	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries	Number of Deaths	Value of Property Damage
Bloss Hall 2001 SW Western Blvd Corvallis, OR	0	0	0	0	0	0
Buxton Hall 310 SW Weatherford Pl Corvallis, OR	0	0	0	0	0	0
Callahan Hall 1420 SW Jefferson Ave Corvallis, OR	0	0	0	0	0	0
Cauthorn Hall 361 SW Sackett Pl Corvallis, OR	1	1	Intentional burning of personal property	0	0	\$0-\$99
Dixon Lodge 265 SW 11th St Corvallis, OR	0	0	0	0	0	0
Finley Hall 2100 SW May Way Corvallis, OR	0	0	0	0	0	0
The Gem 155 NW Kings Blvd Corvallis, OR	0	0	0	0	0	0

Facility/Address	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries	Number of Deaths	Value of Property Damage
Greenhouse Apartment (East) 2801 SW Campus Way Corvallis, OR	0	0	0	0	0	0
Greenhouse Apartment (West) 3201 SW Campus Way Corvallis, OR	0	0	0	0	0	0
Halsell Hall 644 SW 17th St Corvallis, OR	0	0	0	0	0	0
Hawley Hall 311 SW Sackett Pl Corvallis, OR	0	0	0	0	0	0
Hilton Garden Inn (Temporary COVID Quarantine Housing) 2500 SW Western Blvd, Corvallis, OR	0	0	0	0	0	0
Holiday Inn Express (Temporary COVID Quarantine Housing) 781 NE 2nd St., Corvallis, OR	0	0	0	0	0	0
Hotel Corvallis (Temporary COVID Quarantine Housing) 350 SW 4th St Corvallis, OR	0	0	0	0	0	0
Int'l Living Learning Center 1701 SW Western Blvd Corvallis, OR	1	1	Intentional burning of fire safety equipment	0	0	\$0-\$99
McNary Hall 1220 SW Jefferson Ave Corvallis, OR	1	1	Intentional burning of personal property	0	0	\$0-\$99

Facility/Address	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries	Number of Deaths	Value of Property Damage
Orchard Court Family Housing 3405 NW Orchard Ave Corvallis, OR	See Individual Units Below	See Individual Units Below	See Individual Units Below	See Individual Units Below	See Individual Units Below	See Individual Units Below
Building A	0	0	0	0	0	0
Building B	0	0	0	0	0	0
Building C	0	0	0	0	0	0
Building D	0	0	0	0	0	0
Building E	0	0	0	0	0	0
Building F	0	0	0	0	0	0
Building G	0	0	0	0	0	0
Building H	0	0	0	0	0	0
Building J	0	0	0	0	0	0
Building K	0	0	0	0	0	0
Building L	0	0	0	0	0	0
Building M	0	0	0	0	0	0
Building N	0	0	0	0	0	0
Building O	0	0	0	0	0	0
Building Q	0	0	0	0	0	0
Building R	0	0	0	0	0	0
Building S	0	0	0	0	0	0
Building T	0	0	0	0	0	0
Building U	0	0	0	0	0	0
Building V	0	0	0	0	0	0
Building W	0	0	0	0	0	0
Building Y	0	0	0	0	0	0

Facility/Address	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries	Number of Deaths	Value of Property Damage
Poling Hall 360 SW Weatherford Pl Corvallis, OR	0	0	0	0	0	0
Sackett Hall 2901 SW Jefferson Way Corvallis, OR	0	0	0	0	0	0
Swine Center Apartment 4500 SW Campus Way Corvallis, OR	0	0	0	0	0	0
Tebeau Hall 1351 SW Washington Ave Corvallis, OR	3	1	Unintentional- Electrical: Power cable malfunction	0	0	\$0-\$99
Tebeau Hall 1351 SW Washington Ave Corvallis, OR	_	2	Unintentional- Cooking: Pan burned kitchen floor	0	0	\$0-\$99
Tebeau Hall 1351 SW Washington Ave Corvallis, OR	-	3	Unintentional- Cooking: Microwave fire	0	0	\$0-\$99
Weatherford Hall 300 SW 26th St Corvallis, OR	0	0	0	0	0	0
West Hall 391 SW 30th St Corvallis, OR	0	0	0	0	0	0
Wilson Hall 1351 SW Adams Ave Corvallis, OR	0	0	0	0	0	0

2021 Fire Statistics-Corvallis Campus

Facility/Address	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries	Number of Deaths	Value of Property Damage
Bloss Hall 2001 SW Western Blvd Corvallis, OR	0	0	0	0	0	0
Buxton Hall 310 SW Weatherford Pl Corvallis, OR	0	0	0	0	0	0
Callahan Hall 1420 SW Jefferson Ave Corvallis, OR	0	0	0	0	0	0
Cauthorn Hall 361 SW Sackett Pl Corvallis, OR	1	1	Undetermined- Trash in trash can caught fire	0	0	\$0-99
Dixon Lodge 265 SW 11th St Corvallis, OR	0	0	0	0	0	0
Finley Hall 2100 SW May Way Corvallis, OR	0	0	0	0	0	0
The Gem 155 NW Kings Blvd Corvallis, OR	0	0	0	0	0	0
Greenhouse Apartment (East) 2801 SW Campus Way Corvallis, OR	0	0	0	0	0	0

Facility/Address	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries	Number of Deaths	Value of Property Damage
Greenhouse Apartment (West) 3201 SW Campus Way Corvallis, OR	0	0	0	0	0	0
Halsell Hall 644 SW 17th St Corvallis, OR	0	0	0	0	0	0
Hawley Hall 311 SW Sackett Pl Corvallis, OR	0	0	0	0	0	0
Hotel Corvallis (Temporary COVID Quarantine Housing) 350 SW 4th St Corvallis, OR	0	0	0	0	0	0
Int'l Living Learning Center 1701 SW Western Blvd Corvallis, OR	0	0	0	0	0	0
McNary Hall 1220 SW Jefferson Ave Corvallis, OR	0	0	0	0	0	0

Facility/Address	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries	Number of Deaths	Value of Property Damage
Orchard Court Family Housing 3405 NW Orchard Ave Corvallis, OR	See Individual Units Below	See Individual Units Below	See Individual Units Below	See Individual Units Below	See Individual Units Below	See Individual Units Below
Building A	0	0	0	0	0	0
Building B	0	0	0	0	0	0
Building C	0	0	0	0	0	0
Building D	0	0	0	0	0	0
Building E	0	0	0	0	0	0
Building F	0	0	0	0	0	0
Building G	0	0	0	0	0	0
Building H	0	0	0	0	0	0
Building J	0	0	0	0	0	0
Building K	0	0	0	0	0	0
Building L	0	0	0	0	0	0
Building M	0	0	0	0	0	0
Building N	0	0	0	0	0	0
Building O	0	0	0	0	0	0
Building Q	0	0	0	0	0	0
Building R	0	0	0	0	0	0
Building S	0	0	0	0	0	0
Building T	0	0	0	0	0	0
Building U	0	0	0	0	0	0
Building V	0	0	0	0	0	0
Building W	0	0	0	0	0	0
Building Y	0	0	0	0	0	0

Facility/Address	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries	Number of Deaths	Value of Property Damage
Poling Hall 360 SW Weatherford Pl Corvallis, OR	0	0	0	0	0	0
Sackett Hall 2901 SW Jefferson Way Corvallis, OR	0	0	0	0	0	0
Swine Center Apartment 4500 SW Campus Way Corvallis, OR	0	0	0	0	0	0
Tebeau Hall 1351 SW Washington Ave Corvallis, OR	0	0	0	0	0	0
Weatherford Hall 300 SW 26th St Corvallis, OR	0	0	0	0	0	0
West Hall 391 SW 30th St Corvallis, OR	0	0	0	0	0	0
Wilson Hall 1351 SW Adams Ave Corvallis, OR	0	0	0	0	0	0

2020 Fire Statistics-Corvallis Campus

Facility/Address	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries	Number of Deaths	Value of Property Damage
Bloss Hall 2001 SW Western Blvd Corvallis, OR	0	0	0	0	0	0
Buxton Hall 310 SW Weatherford Pl Corvallis, OR	0	0	0	0	0	0
Callahan Hall 1420 SW Jefferson Ave Corvallis, OR	0	0	0	0	0	0
Cauthorn Hall 361 SW Sackett Pl Corvallis, OR	0	0	0	0	0	0
Dixon Lodge 265 SW 11th St Corvallis, OR	0	0	0	0	0	0
Finley Hall 2100 SW May Way Corvallis, OR	0	0	0	0	0	0
The Gem 155 NW Kings Blvd Corvallis, OR	0	0	0	0	0	0
Greenhouse Apartment (East) 2801 SW Campus Way Corvallis, OR	0	0	0	0	0	0

Facility/Address	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries	Number of Deaths	Value of Property Damage
Greenhouse Apartment (West) 3201 SW Campus Way Corvallis, OR	0	0	0	0	0	0
Halsell Hall 644 SW 17th St Corvallis, OR	0	0	0	0	0	0
Hawley Hall 311 SW Sackett Pl Corvallis, OR	1	1	Burn mark found on door decoration. Intentional burning.	0	0	\$0-99
Int'l Living Learning Center 1701 SW Western Blvd Corvallis, OR	1	1	Burn mark found on carpet. Unknown origin.	0	0	\$0-\$99
McNary Hall 1220 SW Jefferson Ave Corvallis, OR	1	1	Burn mark found on whiteboard. Intentional burning.	0	0	\$0-\$99

Facility/Address	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries	Number of Deaths	Value of Property Damage
Orchard Court Family Housing 3405 NW Orchard Ave Corvallis, OR	See Individual Units Below	See Individual Units Below	See Individual Units Below	See Individual Units Below	See Individual Units Below	See Individual Units Below
Building A	0	0	0	0	0	0
Building B	0	0	0	0	0	0
Building C	0	0	0	0	0	0
Building D	0	0	0	0	0	0
Building E	0	0	0	0	0	0
Building F	0	0	0	0	0	0
Building G	0	0	0	0	0	0
Building H	0	0	0	0	0	0
Building J	0	0	0	0	0	0
Building K	0	0	0	0	0	0
Building L	0	0	0	0	0	0
Building M	0	0	0	0	0	0
Building N	0	0	0	0	0	0
Building O	0	0	0	0	0	0
Building Q	0	0	0	0	0	0
Building R	0	0	0	0	0	0
Building S	0	0	0	0	0	0
Building T	0	0	0	0	0	0
Building U	0	0	0	0	0	0
Building V	0	0	0	0	0	0
Building W	0	0	0	0	0	0
Building Y	0	0	0	0	0	0

Facility/Address	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries	Number of Deaths	Value of Property Damage
Poling Hall 360 SW Weatherford Pl Corvallis, OR	1	1	Partially burned paper found. 0 Intentional burning.		0	\$0-\$99
Sackett Hall 2901 SW Jefferson Way Corvallis, OR	2	1	burning. Burn mark found on dresser. Unknown origin.		0	\$0-\$99
Sackett Hall 2901 SW Jefferson Way Corvallis, OR	ı	2	Burn mark found on desk. Unknown origin.	Burn mark found on desk. Unknown		\$0-\$99
Swine Center Apartment 4500 SW Campus Way Corvallis, OR	0	0	0			0
Tebeau Hall 1351 SW Washington Ave Corvallis, OR	0	0	0	0	0	0
Weatherford Hall 300 SW 26th St Corvallis, OR	0	0	0	0	0	0
West Hall 391 SW 30th St Corvallis, OR	0	0	0 0		0	0
Wilson Hall 1351 SW Adams Ave Corvallis, OR	0	0	0 0		0	0

2022 Fire Statistics OSU-Cascades

Facility/Address	Total Fires in Each Building			Number of Injuries		Value of Property Damage
Residence Hall 1500 SW Chandler Ave Bend, OR	0	0	0	0	0	0

2021 Fire Statistics OSU-Cascades

Facility/Address	Total Fires in Each Building			Number of Injuries		Value of Property Damage
Residence Hall 1500 SW Chandler Ave Bend, OR	0	0	0	0	0	0

2020 Fire Statistics OSU-Cascades

Facility/Address	Total Fires in Each Building			Number of Injuries		Value of Property Damage
Residence Hall 1500 SW Chandler Ave Bend, OR	0	0	0	0	0	0

2022 Fire Statistics-Hatfield Marine Science Center

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

2021 Fire Statistics-Hatfield Marine Science Center

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

2020 Fire Statistics-Hatfield Marine Science Center

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

Appendix A: Glossary

Clery Act Crimes

- 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.
- **Arson:** any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.
- Burglary: the unlawful entry of a structure to commit a felony or a theft.
- **Dating Violence:** violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. 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. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse, but does not include acts covered under the definition of domestic violence.
- Destruction/Damage/Vandalism of Property: to willfully or maliciously destroy, damage, deface, or
 otherwise injure real or personal property without the consent of the owner or the person having custody or
 control of it. Reportable only when motivated by bias (see Hate Crime definition).
- **Domestic Violence:** a felony or misdemeanor crime of violence committed by: (A) By a current or former spouse or intimate partner of the victim; (B) By a person with whom the victim shares a child in common; (C) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; (D) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; (E) 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.
- Drug Abuse Offenses: the violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.
- **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 incapacity.
- Hate Crime: a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Under the Clery Act, there are eight categories of bias: Race, Religion, Sexual Orientation, Gender, Gender Identity, Ethnicity, National Origin, and Disability. Hate Crimes include any of the Primary Criminal Offenses (i.e., Murder, Rape, Robbery, Aggravated Assault, etc.) and any incidents of Destruction/Damage/Vandalism of Property, Intimidation, Larceny-Theft, or Simple Assault that are motivated by bias.
- **Incest:** sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- 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. Reportable only when motivated by bias (see Hate Crime definition).

Appendix A: Glossary

Clery Act Crimes (Cont.)

- Larceny-Theft: the unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another. Reportable only when motivated by bias (see Hate Crime definition).
- **Liquor Law Offenses:** the violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.
- Manslaughter by Negligence: the killing of another person through gross negligence.
- Motor Vehicle Theft: the theft or attempted theft of a motor vehicle.
- Murder and Non-Negligent Manslaughter: the willful (non-negligent) killing of one human being by another.
- **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.
- **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.
- **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. Reportable only when motivated by bias (see Hate Crime definition).
- Stalking: engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others, or suffer substantial emotional distress. 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. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.
- Statutory Rape: sexual intercourse with a person who is under the statutory age of consent.
- **Weapons Offenses:** the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

Clery Act Geography

- On-Campus: (i) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and (ii) Any building or property that is within or reasonably contiguous to the area identified in paragraph (i) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).
- Noncampus building or property: (i) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (ii) Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.
- Public property: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is
 within the campus, or immediately adjacent to and accessible from the campus.

Alcohol Service

1. Policy Statement

- 1.1. Alcohol service is only permitted in accordance with this university standard, and with respect to university events, only for events that support the university's mission of teaching, research, and outreach and engagement.
- 1.2. All university and non-university events involving the service of alcohol are subject to applicable unit rules, guidelines, contracts, facility use agreements, or other arrangements. Such rules and agreements must accord with this university standard and may include additional restrictions on alcohol service and consumption.

2. Reason for Policy

- 2.1. Oregon State University ("university") strives to promote student success, faculty and staff excellence, and public health by fostering a culture of healthy living that encourages sound judgment, accountability, responsible behavior, and informed decision-making in all areas of life. The misuse of alcohol and other drugs remains a top public health concern on college campuses and can result in a multitude of adverse personal, social, professional, or academic consequences. The university is committed to maintaining a secure environment that is conducive to the health, safety, and overall welfare of its students, faculty, staff, and visitors. In keeping with these principles, this university standard sets restrictions on and describes requirements for how alcohol may be served and consumed at university and non-university events.
- 2.2. The university is dedicated to preventing the abuse of alcohol and other drugs in its community and cautions against the excessive consumption of alcoholic beverages. The university expects that all persons of legal drinking age who choose to consume alcohol will do so responsibly.

3. Scope & Audience

3.1. This university standard applies to all university employees, students, contractors, volunteers, visitors and anyone on university-owned or -controlled property. This standard also applies to university events held on property not owned or controlled by OSU.

4. Definitions

- 4.1. **Insured and licensed vendor**: A business entity that holds an annual liquor license and any applicable temporary licenses to serve alcohol off-premises, issued by the Oregon Liquor Control Commission ("OLCC"), and that carries general liability and liquor liability insurance at minimum limits satisfactory to the University Director of Insurance and Risk Management Services.
- 4.2. **University event:** An event sponsored by a university office, department, unit, program, or other university entity that takes place either on or off university-owned or -controlled property.
- 4.3. **Non-university event:** An event sponsored by a third party or non-university entity that has undergone an event approval process to be hosted on university-owned or -controlled property.

5. Responsibilities & Procedures

5.1. General Restrictions and Prohibitions

- 5.1.1. No person may consume alcohol or carry an open container containing alcohol in any form, or serve alcoholic beverages on university-owned or -controlled property, except as provided in this university standard and in accordance with other applicable laws, university policies or standards, rules, and guidelines.
- 5.1.2. No person may bring their own alcohol to drink or serve at a university event, or carry or consume alcohol on university-owned sidewalks, streets, and parking lots, with the exception of tailgating activities as separately permitted by the Department of Intercollegiate Athletics on game days.

Alcohol Service (Cont.)

- 5.1.3. Purchase of alcoholic beverages or employee reimbursements related to the purchase of alcoholic beverages must be in compliance with the university Fiscal Policy Program (https://fa.oregonstate.edu/fiscal-policy-program/03-140-505-meals-refreshments-and-events-non-travel).
- 5.1.4. Games or devices that encourage or facilitate the rapid and/or excessive consumption of alcohol are prohibited.
- 5.1.5. Alcohol service is restricted to beer, wine, and cider; liquor service is generally not permitted.
- 5.1.6. Generally, alcohol service is prohibited during university business hours.
- 5.1.7. **Events where Alcohol is Prohibited.** Alcohol is prohibited at the following events:
 - a. University events that do not support the university's mission of teaching, research, outreach and engagement;
 - b. Informal social gatherings held on OSU-owned or -controlled property by departments, employees, or student groups;
 - c. Events taking place at or near locations where child care services are provided, including, but not limited to, the Azalea Child Care Center, Child Development Center, Our Little Village locations, and Beaver Beginnings;
 - d. Events where a significant number of attendees (50% or more) are under the legal drinking age, or when adequate measures are not in place to prevent unlawful service to minors; or,
 - e. Events that have not met the approval and registration requirements set forth in Section 5.3 of this university standard.
- 5.1.8. **Residence Halls and Dining Facilities.** Alcohol service and consumption is restricted in residence halls and dining facilities. In general, events taking place at residence halls may not serve alcohol. Exceptions to allow alcohol service for events in dining facilities may be made in limited circumstances by the Director of University Housing and Dining Services or by the Associate Vice President for Finance and Strategic Planning at OSU-Cascades. For more information on the limits of alcohol use in residence halls (including for student residents over the age of 21 to drink or possess alcohol), please see the <u>UHDS Student Policy and Information Guide</u>.

5.2. Events where Alcohol may be Served

- 5.2.1. **Athletic Events.** Alcoholic beverages may be served and consumed at athletic facilities, as approved by the Director of Athletics, if served with food and non-alcoholic beverages by the insured and licensed vendor in accordance the regulations of the OLCC and where otherwise consistent with this policy.
- 5.2.2. **Educational and Research Purposes.** Alcohol may be served and consumed as part of research studies if the study adheres to applicable university policies, standards, or rules; is approved by the university Institutional Review Board, Institutional Biosafety Committee, or the Institutional Animal Care and Use Committee, as applicable; and accords with federal and state laws. Alcohol may be manufactured, served, and consumed as part of a recognized educational activity so long as such activity is done in compliance with applicable federal, state, and local laws and regulations, including the regulations of the OLCC.
- 5.2.3. **University Events.** Alcohol service is permitted at events that support the university's mission of teaching, research, and outreach and engagement. Examples of university events where the service of alcohol is permitted include, but are not limited to, gallery openings, fundraising activities for university programs, banquets to honor university employees for their service and contributions to the institution, or formal conferences or symposiums organized by departments, colleges, divisions, etc.

Alcohol Service (Cont.)

5.2.4. **Non-University Events.** Alcohol service is permitted for approved non-university events, such as weddings, receptions, fundraisers, or other events held by third parties on university-owned or -controlled property, provided that the event adheres to all applicable university policies or standards, as well as federal, state, and local laws.

5.3. Procedures and Requirements for Alcohol Service

- 5.3.1. **Approval.** The Senior Associate Vice President for Administration, or designee, approves requests to serve alcohol and may consult with relevant university leaders, as necessary. The Athletics Director, or designee, approves alcohol service for athletics events and may consult with relevant university leaders, as necessary. The Associate Vice President for Finance and Strategic Planning at OSU-Cascades, or designee, approves requests to serve alcohol for the OSU-Cascades campus and may consult with relevant university leaders, as necessary.
- 5.3.2. **Registration.** All events where alcohol is to be served must be registered with Insurance and Risk Management Services (https://risk.oregonstate.edu/alcohol-service). Events must be registered at least 21 days prior to the event in order to assure adequate time for review. A licensed and insured vendor, approved by the university, must be named as the server. The vendor serving alcohol must provide a certificate of insurance meeting the minimum standards as outlined by Insurance and Risk Management Services. There must be an OLCC license for the event, if one is required under applicable law.
- 5.3.3. **Laws.** Adherence to all applicable federal, state, and local laws and regulations, including the regulations of the OLCC, is required.

5.4. Exceptions

- 5.4.1. Exceptions to this university standard may be made by the Athletics Director for athletic events, provided that they are documented and shared with Insurance and Risk Management Services. Other exceptions are considered on a case-by-case basis and may be granted by the Senior Associate Vice President for Administration, by the Associate Vice President for Finance and Strategic Planning for OSU-Cascades, in consultation with relevant university leadership, or in limited circumstances by the Director of University Housing and Dining Services. All such decisions will be documented and shared with Insurance and Risk Management Services.
- 5.4.2. Interview meals, retirement celebrations and other university events held at restaurants are exempt from certain requirements under this policy, including registration. Details of the exception are maintained by Insurance and Risk Management Services.

5.5. Enforcement

- 5.5.1. Any person or entity violating this university standard is subject to:
 - a. Institutional disciplinary proceedings, if a student or employee;
 - b. Forfeit of deposits or ticket costs; or,
 - c. An order to leave the immediate premises or property owned or controlled by the university by a person in charge of university property.
- 5.5.2. Persons failing to comply with an order by a person in charge to leave or to remain off the immediate premises or property owned or controlled by the university are subject to arrest for criminal trespass.
- 5.6. **Employee and Student Appeals.** Appeals related to violations by students and university employees must be made through the applicable student and employee appeal procedures set forth in other university policies, standards, rules, or applicable collective bargaining agreement.
- 5.7. **All Other Appeals.** This Section 5.7 establishes the exclusive procedure for an individual (other than a student or employee) charged with a violation of this university standard to appeal an action taken by the university under the authority of this university standard.

Alcohol Service (Cont.)

- 5.7.1. **Exhaustion of university-level appeals.** An allegedly aggrieved individual must timely exhaust all opportunities to appeal an action at the university level under this Section 5.7 before seeking judicial review of the university's decision or action.
- 5.7.2. **Permissible reasons for appeal.** An allegedly aggrieved individual may file an appeal only on the basis that the university violated or is violating federal or state law or university standards, policies, or procedures in the process.

5.7.3. Required contents of written appeal.

- a. An allegedly aggrieved individual's written appeal must fully specify all the reasons and bases for the appeal, including a discussion of all relevant facts and any federal or state laws or university standards, policies, or procedures at issue, and all ways in which the individual has been aggrieved or adversely affected.
- b. The written appeal must include all evidence that the allegedly aggrieved individual wants the university to consider, including copies of any relevant documents. Failure to include any reason for the appeal or any evidence in support of it will constitute a final, knowing, and voluntary waiver of the right to assert such reason or evidence. Irrelevant and immaterial evidence will not be considered.

5.7.4. University appeal authority and decision.

- a. The Senior Associate Vice President for Administration or that person's designee has the authority to decide written appeals brought under this section.
- b. In deciding appeals under this Section 5.7, the appropriate university official or designee will consider the contents of the written appeal and the university's records pertinent to the appeal. The appropriate university official or designee, in his or her sole discretion, also may confer with and seek advice from university staff or university legal counsel about any factual, policy, or legal issues raised by the written appeal.
- c. The Senior Associate Vice President for Administration or designee will issue a final written order on the appeal in a timely manner.
- d. The final written order may affirm, reverse, or modify the university's decision or action at issue in whole or in part.
- 5.7.5. **Judicial Review.** Judicial review of a university action under this university standard is available pursuant to the pertinent provisions of ORS Chapter 34.

6. Forms & Tools

- 6.1. Alcohol service registration: http://risk.oregonstate.edu/alcohol-service
- 6.2. Tailgating map: https://static.osubeavers.com/custompages/gameday/parking.html

7. Frequently Asked Questions

7.1. None.

8. Related Information

- 8.1. Oregon Liquor Control Commission: https://www.oregon.gov/olcc/Pages/index.aspx
- 8.2. ORS 845-006 Oregon Liquor Control Commission: https://secure.sos.state.or.us/oard/viewSingleRule.action? ruleVrsnRsn=212410

Alcohol Service (Cont.)

- 8.3. More information is available through the <u>Student Conduct and Community Standards Office</u>, <u>Student Leadership and Involvement</u>, or the <u>OSU Administrative Policies and Procedures Manuals</u>.
- 8.4. For students who may be experiencing difficulty with addiction and/or the abuse of alcoholic beverages, assistance is available through on-campus resources such as <u>Counseling and Psychological Services</u> ("CAPS") and the <u>Student Health Services Prevention and Wellness Department</u>, which offers several opportunities for additional support, including participation in the <u>Collegiate Recovery Community</u> and individual sessions with a Certified Alcohol and Drug Counselor (CADC). For faculty and staff, assistance is available through CAPS as well as the <u>Employee Assistance Program</u>. OSU-Cascades students will find support resources at OSU-Cascades <u>Student</u> Wellness.
- 8.5. Student Code of Conduct: https://studentlife.oregonstate.edu/studentconduct
- 8.6. Fiscal Policy Program: https://fa.oregonstate.edu/fiscal-policy-program/03-140-505-meals-refreshments-and-events-non-travel

9. History

- 9.1. Adopted by OSU on July 1, 2014 as University Standard 576-060.
- 9.2. Amended: January 2019.
- 9.3. Amended: October 14, 2020.
- 9.4. Last review date: October 14, 2020.
- 9.5. Next scheduled review date: October, 2023.

10. Website

10.1. University Standard 07-005 Alcohol Service: http://policy.oregonstate.edu/UPSM/07-005 alcohol service

11. Contacts

Department: Insurance and Risk Management Services

Phone: 541-737-7252

Website: http://risk.oregonstate.edu/

135

Appendix C: University Policy: 07-045 Cannabis

University Policies Regarding Cannabis

Oregon State University policy prohibits students, employees and members of the general public from possessing, using or distributing marijuana in any form on any of the University's campuses or facilities and during any University activities.

While Oregon law as of July 1, 2015, may allow certain marijuana-related activities, such as limited medical marijuana use and other recreational use and possession, using and possessing marijuana in any form remains a crime under federal law.

Oregon State University's policies related to the use and possession of recreational marijuana has not changed now that the state of Oregon's recreational marijuana law has taken effect.

As a recipient of considerable federal funding, such as financial aid and federal grants and contracts for research, the university is required to continue to prohibit the use and possession and distribution of all federally controlled substances – including marijuana. Consequently, such activity will remain prohibited by university policy and the OSU Student Conduct Code.

At the federal level, the Controlled Substances Act states that the growing and use of marijuana is a crime and federal enforcement agencies can prosecute users and growers of marijuana, regardless of state law. In addition to being a federal offense, the use of medical marijuana in the workplace and on campus is restricted by additional federal laws, such as the federal Safe and Drug Free Schools and Communities Act and the Drug-Free Workplace Act. It is those federal laws that require OSU to prohibit the use of marijuana on campus.

For the convenience and understanding of the University community, OSU's most prominent marijuana-related policies are summarized below.

Departmental Practices and Policies Related to Marijuana

STUDENT CODE OF CONDUCT

Oregon State University's Student Conduct Code will continue to prohibit the possession, use, or distribution of marijuana, and such activity may result in disciplinary action.

HUMAN RESOURCES

As an employer, Oregon State University will continue to abide by the federal Drug Free Workplace Act, which continues to prohibit the possession, use, manufacturing or distribution of marijuana in the workplace. Any previously applicable University drug testing policies remain unchanged, but no new University policies will be implemented as a result of Measure 91.

ACADEMIC INSTRUCTION

Oregon State University faculty will not instruct students during class or through class materials about how to grow, manufacture, distribute or dispense marijuana.

RESEARCH

Oregon State University policy prohibits faculty from conducting research that involves the possession, use, or distribution of marijuana unless such research is in compliance with already established guidelines set forth by federal agencies, including the Drug Enforcement Administration, Federal Drug Administration and National Institute of Drug Abuse. At this time, OSU policy allows faculty to perform research on industrial hemp in compliance with established federal guidelines. Additional guidance on industrial hemp can be found at: https://research.oregonstate.edu/cannabis-research.

HOUSING AND DINING

Oregon State University prohibits the possession, use or distribution of marijuana in residence and dining halls. The University also prohibits the possession of marijuana-related paraphernalia. Marijuana possessed by students on campus will be confiscated and destroyed.

Appendix C: University Policy: 07-045 Cannabis

University Policies Regarding Cannabis (Cont.)

STUDENT JOB POSTINGS

Oregon State University will not advertise, promote, or otherwise coordinate student internships, research or job opportunities with companies involved in the manufacturing, distribution or possession of marijuana.

The 2018 Farm Bill does not provide for the legalization of industrialized hemp production outside of research purposes until a federal regulatory framework is in place, and this is not expected to happen for at least a year. The university currently does not allow the posting of jobs associated with illegal activity. Employers will be allowed to post jobs on OSU sites with the confirmation that they are not engaged in illegal activity and fully compliant with state and federal regulations.

STUDENT INTERNSHIPS

Oregon State will not provide University academic credit for student internships with companies where the students are involved in the manufacturing, distribution, or possession of marijuana.

Undergraduate students may appeal an internship denial to the Vice Provost and Dean of Undergraduate Studies for re-consideration. Graduate students may appeal to the Dean of the Graduate School.

Students are permitted to participate in OSU employment and/or internship opportunities associated with growing and cultivating industrial hemp for academic research purposes, with the following stipulations:

- 1. The research/production is permitted and otherwise permissible under the 2014 and 2018 Farm Bill;
- 2. The end purpose of the production and cultivation is not for commercial activity; and,
- 3. The funding source for the research is approved through the OSU Research Office.

This policy would only provide for employment and academic credit for OSU-affiliated activity, and not be extended to non-OSU affiliated entities covered by the Farm Bill.

OSU EXTENSION PROGRAMS

Oregon State University will hold OSU Extension Service and 4-H volunteers accountable to federal laws and University policies while performing duties on behalf of the university. OSU Extension Services will not provide instruction regarding how to grow, manufacture, distribute or dispense marijuana. Guidance on extension policy for providing instruction on industrial hemp can be found at: https://research.oregonstate.edu/cannabis-research.

History

Adopted: June 30, 2015

Amended: Housekeeping, February 28, 2019

Title IX Investigation and Resolution Process (for Students and Employees)

A. Overview.

Oregon State University ("university") is committed to creating an equitable and inclusive university free of violence and all forms of prohibited discrimination and discriminatory harassment (including discrimination on the basis of sex and sexual harassment). All individuals who are participating or attempting to participate in university programs and activities have the right to do so fully, free from sexual misconduct and discrimination, as set forth in University Policy 05-001 Sexual Misconduct and Discrimination ("Policy") and Section 4.5, Title IX Sexual Misconduct, of the Code of Student Conduct ("Code"). This Investigation and Resolution Process for Title IX Complaints applies in all instances in which a faculty member, staff, student, or other member of the university community is alleged to have engaged in behavior that would violate the Policy and/or the Title IX Sexual Misconduct provision of the Code, and which would also constitute sexual harassment (sexual harassment, sexual assault, dating violence, domestic violence, or stalking) as defined by federal law.

This Investigation and Resolution Process for Title IX Complaints ("Title IX Process") sets forth the procedures that will be used to investigate and resolve complaints:

- 1. by faculty, staff, students, and other members of the university community who, at the time of the complaint, are participating or attempting to participate in a university educational program or activity,
- 2. that allege violations occurring against a person in the United States,
- 3. that allege conduct that would constitute sexual harassment as defined by federal law ("Title IX Sexual Misconduct"),
- 4. that allege violations that occurred in a university education program or activity over which the university exercised substantial control over both the respondent and the context in which the alleged sexual harassment occurred, and
- 5. Where the university has actual knowledge through a written, signed formal complaint to the Title IX Coordinator or other university official with authority to institute corrective measure on behalf of the university ("Title IX Complaint").¹

This Title IX Process is available only to individuals who have a current affiliation with the university or are attempting to participate in a university education program or activity. However, the university reserves the right to look into concerns reported by and about individuals who do not have a current university affiliation, through whatever applicable process the university determines most appropriate.

B. Investigation Office.

The Office of Equal Opportunity & Access ("EOA") is the university office charged with responding to all reported Title IX Complaints. EOA may consult with other university administrators as part of this Title IX Process.

C. Reporting.

A complainant must complete and sign a formal Title IX Complaint for EOA to proceed with an informal resolution or formal investigation under this Title IX Process. In some instances, EOA may initiate an investigation of a Title IX Complaint where an impacted party has not submitted a Complaint (see Section I, Requests for EOA Not to Investigate an Allegation). While EOA will respond to all Title IX Complaints, the submission of a Complaint does not always result in either an informal resolution or a formal investigation, as described in Section F, Initial Assessment.

¹Complaints that allege a violation of university policy but do not allege behavior that would constitute a Title IX Complaint will be addressed under other university investigation and resolution processes.

Title IX Investigation and Resolution Process (Cont.)

C. Reporting (Cont.).

The university encourages individuals to bring forward complaints and information as soon as possible after an alleged violation occurs in order to maximize the university's ability to respond promptly and effectively. While there is no timeframe for submitting a Title IX Complaint, prompt reporting will better enable EOA to respond to the complaint, determine the relevant issues, and provide an appropriate response and/or action.

Delay in making a complaint may impede EOA's ability to conduct an investigation or take appropriate responsive actions.

Depending on the relationship of the respondent to the university, the university may no longer have the authority to take any action with regard to the respondent due to the passage of time. In such circumstances, the university will still seek to meet its Title IX obligations by evaluating the reported conduct, providing reasonably available Supportive Measures,² assisting the complainant in identifying external reporting options, and taking reasonably available steps to end any Title IX Sexual Misconduct, prevent its recurrence, and address its effects.

Amnesty: The university encourages all campus community members to report behavior associated with sexual misconduct and discrimination. To support such reporting, the university will not pursue student conduct proceedings against a student complainant, a student respondent, or student witness for their personal use of alcohol, marijuana, or other drugs at or near the time of the incident provided their use did not place the health or safety of any other person at risk. The university may, however, initiate an educational discussion with any student regarding their personal use of alcohol, marijuana, or other drugs.

Anonymous Complaints: With the exception of a "Responsible Employee³," an individual can choose to make a complaint anonymously. However, EOA's ability to investigate complaints or take responsive action may be limited based on the amount of information available to EOA. For example, the possible response may be limited if information contained in the complaint is insufficient to verify violation(s) of the Policy and/or Code or to identify the parties involved. The Title IX Coordinator or their designee has the discretion to determine how EOA will respond to an anonymous complaint. Even if EOA is unable to take responsive action and/or must dismiss a Title IX Complaint because of federal requirements, providing any information, even anonymously, may help the university maintain accurate records regarding the number of incidents involving students, employees, and third parties; determine if there is a pattern of conduct with regard to a particular location or respondent; and alert the campus community to potential dangers when appropriate.

Third Party Complaints: If an alleged violation is reported by a Responsible Employee, witness, bystander, or other person, EOA will treat the person impacted by the reported violation as the complainant for purposes of this Title IX Process.

D. Privacy.

All complaints made to EOA are treated in the most private manner possible. Information regarding the complaint will be shared only on a "need to know" basis with other university offices and employees. When information is shared with university offices and employees, the amount and type of information will also be limited to only that required for the office or employee to carry out their tasks.

Medical and counseling records are considered privileged and confidential documents. Individuals reporting

² See Section G, Supportive Measures.

³ A Responsible Employee, as defined in University Policy 05-005, includes university employees who have the duty to report incidents of sexual misconduct and discrimination. Most university employees, including faculty, are responsible employees unless otherwise specified in the policy.

Title IX Investigation and Resolution Process (Cont.)

D. Privacy (Cont.).

violations of the Policy and/or Code may, but are not required to, disclose those types of documents to EOA as part of this process, and EOA will not access, consider, disclose, or otherwise use such records unless the party who is the subject of those records voluntarily provides a written consent to do so. To the extent medical and/or counseling records shared by a party with EOA, with a written consent for their use, are determined relevant to and are relied upon by EOA in connection with an investigation, they will become subject to inspection and review by the other party in the Investigation Process.

E. Timeframe for Resolution.

The process for resolution begins when EOA is notified of a complaint. EOA will attempt to resolve all complaints as promptly as possible, consistent with the need to conduct objective and thorough fact-gathering. The Title IX Process designates reasonably prompt timeframes for the major stages of the investigation and resolution process, but the university may extend any timeframe in this Title IX Process for good cause. An extension may be required to ensure the integrity and thoroughness of the investigation; in response to the parties or witnesses being unavailable; or for other legitimate reasons, such as intervening breaks in the academic calendar, university finals periods, the complexity of the investigation, the volume of information, number of witnesses, length of the written record, and/or the severity and extent of the alleged misconduct. Investigations will proceed according to the timeframes in this Title IX Process to the extent possible during the summer and at other times when university classes are not in session. The university will work with the parties to balance the need for promptness and the preference for in-person meetings regarding the investigation.

Timeframes for all phases of the investigation process, including disciplinary proceedings, and any related appeal process, apply equally to both complainants and respondents. While requests for delays in the investigative process by the parties may be considered, the university cannot unduly or unreasonably delay the prompt resolution of a complaint under this Title IX Process. Reasonable requests for delays by the parties will serve to extend the time for resolution of the reported incident. The university has the authority to determine whether an extension is required or warranted by the circumstances. The university will provide the parties with written notice of delays or time frame extensions and the reasons for the delay or time frame extension.

F. Initial Assessment.

Upon receipt of a reported concern, EOA will take immediate and appropriate steps to review and intake the matter promptly and equitably. The first step in this process is the Initial Assessment. As part of the Initial Assessment, EOA will gather information about the reported conduct, respond to any immediate health or safety concerns raised by the reported concern, and evaluate if the reported conduct is within the scope of EOA's jurisdiction.

- 1. **EOA will conduct its initial assessment** once immediate health or safety concerns have been addressed and EOA has determined that the reported concern is within EOA's jurisdiction. EOA will take the following steps:
- a. Assess the nature and circumstances of the reported concern, including whether it provides the names and/or any other information that identifies the complainant, the respondent, any witness(es), and/or any other individual with knowledge of the reported incident;
- b. Address ongoing physical safety and emotional well-being concerns of the complainant and/or the campus community;

Title IX Investigation and Resolution Process (Cont.)

F. Initial Assessment (Cont.).

- c. Notify the complainant of their right to contact (or decline to contact) law enforcement and/or seek a civil protection order, and that EOA will coordinate with law enforcement, as appropriate, to minimize delay in its action on the matter;
- d. Notify the complainant of the right to seek medical and/or counseling treatment to address physical or mental health issues;
- e. Notify the complainant of the importance of preservation of evidence, including a forensic sexual assault examination and any relevant documentary evidence;
- f. Provide the complainant with a written copy of EOA's Campus & Community Resources and Rights document, which contains information about their rights to report, civil and legal options, campus-based services and disciplinary processes, privacy policy information, and state and community resources and services, including on and off campus advocacy, support, healthcare and confidential resources;
- g. Notify the complainant of the range of available supportive measures;
- h. Determine whether the reported concern alleges conduct that, if true, would constitute a Title IX Complaint, a non-Title IX violation of the Policy and/or Code, or whether, based on what is alleged in the reported concern, is outside of EOA's jurisdiction;
- i. Provide the complainant with a copy of the applicable university policy(ies) and process(es), and an explanation of the procedural options, including the informal resolution process and the formal investigation process;
- j. Notify the complainant of the right to be accompanied at any step of the process by an advisor of their choice;
- k. Discuss the complainant's expressed preference for manner of resolution and any barriers to proceeding (e.g., privacy or retaliation concerns);
- I. Explain the university's policy prohibiting retaliation and how to report acts of retaliation; and m. Invite the complainant to complete and sign a formal Title IX Complaint.
- EOA will seek to complete the Initial Assessment within ten (10) business days after EOA receives a reported concern, if the complainant chooses to engage with EOA. However, there may be circumstances where the Initial Assessment takes longer based on the availability or participation of the complainant, the availability of other necessary information, a complainant's request to maintain privacy, or other factors outside of EOA's control.

2. In matters where the complainant chooses not to sign a Title IX Complaint:

- a. EOA will inform the complainant that the ability to take action against the respondent may be limited. EOA may independently determine that an investigation should proceed, separate from the intent or wishes of the complainant, based on a formal complaint signed by the Title IX Coordinator (see Section I, Requests for EOA Not to Investigate an Allegation).
- b. If EOA determines an investigation will not proceed separate from the intent or wishes of the complainant, EOA will:
- i. Refer the matter to a non-Title IX process, if applicable; or
- ii. Refer the matter to another appropriate office or department for resolution; or
- iii. Close EOA's file on the matter.

Title IX Investigation and Resolution Process (Cont.)

F. Initial Assessment (Cont.).

3. In matters where the complainant submits a signed Title IX Complaint:

- a. If EOA determines the complainant has submitted a Title IX Complaint that does not meet the criteria of a Title IX Complaint (see pages 1-2) and is therefore not within the scope of this Title IX Process, EOA will:
- i. Provide both the complainant and respondent simultaneous written notice of its determination in a timely manner and notify both parties of the dismissal and reasons for the dismissal, advising the parties of the right to appeal the dismissal (see Section L.3.a. Appeal of a Title IX Complaint Dismissal);
- ii. Direct both the complainant and respondent to other appropriate process(es) or office(s) for assistance, where appropriate; and
- iii. Maintain a record of the Complaint and the reason(s) the Complaint was deemed not within the scope of this Title IX Process.
- b. If EOA determines the complainant has submitted a formal Title IX Complaint that meets the criteria of a Title IX Complaint, EOA will:
- i. Proceed with an informal resolution process. Informal resolution requires the voluntary written consent of both the complainant and respondent (see Section J. Informal Resolution Process), or
- ii. Proceed with an investigation. This will occur when a complainant has requested an investigation or when informal resolution is requested but determined by EOA to not be appropriate or available (see Section K, Investigation Process).

G. Supportive Measures.

When a Title IX Complaint is made to EOA, the university is committed to taking immediate steps to stop any inappropriate behavior and to remedy the effects of that behavior. In support of that commitment, supportive measures are sometimes necessary and appropriate to address safety concerns of the complainant, the respondent, or the broader university community; to preserve access to educational, research, and employment opportunities; to maintain the integrity of the investigative and/or resolution process; or to deter retaliation.

Supportive Measures are non-disciplinary, non-punitive individualized services that are designed and intended to restore or preserve equal access to the university's educational programs or activities, including measures designed to protect the safety of all parties and the campus community, and/or the university's educational environment, and/or to deter sexual harassment. The availability of Supportive Measures will be determined by the specific circumstances of each complaint and will be tailored to avoid unreasonably burdening any party's access to their educational or employment opportunities. The university will consider a number of factors in determining which measures to take, including the needs of the party seeking Supportive Measures; the severity or pervasiveness of the alleged conduct; whether the party requesting supportive measures has been credibly negatively impacted; any continuing effects on the party; whether the complainant and the respondent share the same residence hall, academic course(s), on-campus work location(s); and whether either party has received court protection from the other (e.g. protective orders). The university will work in good faith to implement the requirements of judicially-issued protective orders and similar orders, to the extent that doing so is within its authority.

Title IX Investigation and Resolution Process (Cont.)

G. Supportive Measures (Cont.).

EOA is responsible for ensuring the implementation of Supportive Measures and coordinating the university's response with the appropriate offices on campus. EOA, in consultation with the Director of Student Conduct and Community Standards ("Director, SCCS") and/or the Associate Vice Provost/Senior Director ("AVP/SD") of Employee and Labor Relations ("ELR"), as appropriate, has the discretion to impose and/or modify any Supportive Measures based on all available information and is available to meet with a complainant or respondent to address any concerns about the provision of Supportive Measures. Alleged violation of any Supportive Measures will be promptly addressed, with EOA investigating the alleged violations and referring its findings to the relevant office: SCCS (for any violations by students) or to ELR (for any violations by employees).

Supportive Measures are available to the complainant regardless of whether the complainant pursues an investigation. Supportive Measures are also available to respondents to alleviate any negative impact of participating in the process. The university will provide the parties with reasonable Supportive Measures throughout the Title IX Process and thereafter as determined to be necessary and reasonable. EOA will coordinate the implementation of Supportive Measures with other university offices as needed.

1. Supportive Measures for students may include, but are not limited to the following actions:

- a. Provide information on available campus and community-based advocacy support;
- b. Provide information on available psychological counseling and health services, including guidance in obtaining a sexual assault forensic examination;
- c. Facilitate changes to academic classes, such as adjustments to academic deadlines, course schedules, withdrawal from a class without penalty, and completing a course on-line, if appropriate and available;
- d. Facilitate changes to on-campus living situations, if appropriate;
- e. Facilitate changes to on-campus work arrangements, if appropriate;
- f. Coordinate temporary transportation/parking assistance or escort, if appropriate;
- g. Issue a mutual no-contact directive to the parties or others involved in the matter, if appropriate and as determined on a case-by-case basis, prohibiting the parties or other involved individuals from having contact or communications with each other;
- h. Refer a party to resources to assist in obtaining a protective order;
- i. Refer a party to resources to assist with any financial aid, visa, or immigration concerns;
- j. At the discretion of EOA, any other reasonable Supportive Measure that does not interfere with either party's access to education or unreasonably burden the other party.

2. Supportive Measures for employees may include, but are not limited to the following actions:

- a. Providing information about campus and community-based advocacy support and counseling and health services;
- b. Referring a party to resources to assist in obtaining a judicially-issued protective order;
- c. In consultation with ELR, as appropriate, working with the parties to limit unnecessary interactions;
- d. Other reasonable Supportive Measures that do not interfere with either party's access to the workplace and/or educational program or activity or unreasonably burden the other party.

Title IX Investigation and Resolution Process (Cont.)

H. Concerns Regarding Student and Employee Respondents.

To promote the safety and well-being of members of the campus community and/or take action with a student/ student organization, employee, or other member of the OSU community who poses an immediate threat to the physical health or safety of any member of the university community arising from the allegations of Title IX Sexual Misconduct, the Title IX Coordinator or their designee may request that the university initiate an action to remove an individual from or relocate an individual within the university community.

1. Student respondent:

The university may initiate an administrative suspension against a student respondent. Prior to initiating an administrative suspension, the Director, SCCS, or their designee, in consultation with the Title IX Coordinator or their designee, will complete an individualized safety and risk analysis. If, after that analysis, it is determined that the student respondent poses an immediate threat to the physical health or safety of any person or other individual arising from the allegations of Title IX Sexual Misconduct, the Director SCCS, or designee, will initiate the administrative suspension process. The administrative suspension process includes providing notice to the student respondent and a timely opportunity to challenge the administrative suspension decision. The process for administrative suspension is fully outlined in Section 9, Administrative Suspension, of the Code.

2. Employee respondent:

If the Title IX Coordinator or their designee has or receives concerns regarding an employee respondent, they will work with the AVP/SD of ELR to determine what changes might be possible pending a Title IX Complaint investigation. The AVP/SD of ELR, or their designee, in consultation with the Title IX Coordinator or their designee, will complete an individualized safety and risk analysis.

I. Requests for EOA Not to Investigate an Allegation.

A complainant may request that their name or other personally identifiable information not be shared with a respondent, that no investigation be pursued, or that no disciplinary action be taken. In these instances, prior to asking if the complainant would like to submit a formal Title IX Complaint, and before taking any investigative steps that would involve notifying the respondent, EOA will discuss any concerns with the complainant and seek to address and remedy barriers to reporting based upon concerns about retaliation or questions about procedural options and potential outcomes.

In order to protect the safety of the campus community, EOA may need to proceed with an investigation (which would include sharing complainant's name with respondent) or other appropriate action even if a complainant specifically requests that the matter not be pursued or that their name not be shared. EOA may initiate an investigation of potential violations of Policy and/or the Code that constitute a Title IX offense based on a Title IX Complaint signed by the Title IX Coordinator, even when a complainant has requested that EOA not investigate or when a Title IX Complaint has been withdrawn by the complainant.

- 1. EOA will take into account the following factors when determining whether to honor a complainant's request for EOA not to investigate an allegation or whether to proceed with an EOA initiated investigation.
- a. The totality of the known circumstances;
- b. The nature and scope of the alleged conduct, including whether the reported conduct involves violence, the threat of violence, or use of a weapon;

Title IX Investigation and Resolution Process (Cont.)

I. Requests for EOA Not to Investigate an Allegation (Cont.).

- c. The risk that the respondent will commit additional acts of Title IX Sexual Misconduct, as informed by previous or multiple reported concerns involving the respondent, a history of violence by the respondent, or threatened further Title IX Sexual Misconduct against the complainant by the respondent or others;
- d. Allegations that Title IX Sexual Misconduct was committed by multiple perpetrators;
- e. The risk posed to any individual or to the campus community by not proceeding, including the risk of additional violence;
- f. Whether the reported concern alleges a pattern of Title IX Sexual Misconduct at a given location or by a particular respondent;
- g. The respective ages and roles of the complainant and respondent, including whether alleged conduct involves a complaint of Title IX Sexual Misconduct perpetrated against a minor;
- h. The complainant's interest in the university not pursuing an investigation or disciplinary action and the impact of such actions on the complainant;
- i. The availability of other means to obtain relevant evidence of the alleged Title IX Sexual Misconduct without the participation of the complainant (e.g., security cameras or personnel, physical evidence, witnesses, etc.);
- j. Fairness considerations for both the complainant and respondent;
- k. The university's commitment to a safe and non-discriminatory environment; and
- I. Any other available and relevant information.

EOA will consider what steps may be possible or appropriate when a respondent is unknown or the complainant requests anonymity, and what other measures or supports might be considered to address any effects of the reported behavior on the campus community. The Title IX Coordinator or their designee will make a determination regarding the appropriate manner of resolution under the University Sexual Misconduct and Discrimination Policy and this Title IX Process. EOA will seek resolution consistent with the complainant's interest, if it is reasonably possible to do so, based upon the facts and circumstances, while also protecting the health and safety of the parties and the campus community.

Where EOA determines that a complainant's request(s) to not investigate an allegation can be honored, the university may nevertheless take other appropriate steps to stop the reported conduct, prevent its recurrence, and address its effects on the complainant and the campus community. Those steps may include offering appropriate Supportive Measures to the complainant, providing targeted training and prevention programs, and/or providing or implementing other supports. The Title IX Coordinator or their designee may also re-open a reported concern under the Title IX Process if any new or additional information becomes available, and/or if the complainant later decides that they would like to pursue an investigation.

When EOA determines that it must proceed with an investigation despite the complainant's request that the university take no action, EOA will notify the complainant that it intends to initiate an investigation. The complainant is not required to participate in the investigation or in any of the actions taken by the university.

The university's ability to investigate and respond fully to a reported concern may be limited if the complainant requests anonymity or declines to participate in an investigation. The university may, however, pursue other steps to limit the effects of the reported conduct and prevent its recurrence.

Title IX Investigation and Resolution Process (Cont.)

I. Requests for EOA Not to Investigate an Allegation (Cont.).

In all cases, the final decision on whether, how, and to what extent EOA will conduct an investigation and whether Supportive Measures will be provided in connection with a Title IX Complaint will be made in a manner consistent with the University Sexual Misconduct and Discrimination Policy and will be documented.

J. Informal Resolution Process.

The informal resolution process is a voluntary and solutions-based approach to resolution. Complainants who report Title IX Sexual Misconduct under the Policy and/or Code may request the informal resolution process prior to, instead of, or during an investigation, although a decision to honor a request made during an investigation will be at the discretion of the Equity Associate in consultation with the Title IX Coordinator.

1. **Overview**. To begin the informal resolution process, the complainant should inform an EOA staff member that they want to engage in the informal resolution process. The EOA staff member will inform the complainant of the range of possible outcomes and provide information about the informal resolution process, including the fact that either party may at any time prior to reaching a resolution elect to withdraw from the process and that if an informal resolution is reached, the university will consider that to be the final outcome between the parties, with no available appeal.

The informal resolution process may include an inquiry into the facts, but does not include a full investigation into the allegations.

Informal resolution is not appropriate and will not be offered in Title IX Complaints that allege an employee engaged in Title IX Sexual Misconduct directed at a student.

In some cases, based on the complaint made to EOA or on information gathered in the informal resolution process (e.g. if information suggests a pattern of substantively similar behavior by the respondent or behavior affecting multiple individuals), EOA may determine the matter is most appropriate for an investigation, even if neither party requests an investigation. If EOA determines an investigation is required, the Title IX Coordinator will sign a Title IX Complaint and EOA will notify the parties in writing through a Notice of Allegations (see Section K, Investigation Process).

- 2. **Initiating the Informal Resolution Process.** Before proceeding with the informal resolution process, the complainant must submit a signed Title IX Complaint and request an informal resolution.
- a. EOA will provide written notice to both parties of the Title IX Complaint, the Title IX Sexual Misconduct alleged in the Complaint, and about the informal resolution process, including the fact that either party may at any time prior to reaching a resolution elect to withdraw from the process and that if an informal resolution is reached, the university will consider that to be the final outcome between the parties, with no available appeal.
- b. Prior to initiating an informal resolution, EOA will ask for the parties' voluntary, written consent to engage in the informal resolution process.
- c. At any time prior to reaching a mutual agreement, any party has the right to withdraw from the informal resolution process and to request a formal investigation. If either party withdraws from the informal resolution process or the process is otherwise terminated for any reason, any statements, disclosures, records, or other evidence gathered and/or created during the informal resolution process could later be used in a formal investigation.

Title IX Investigation and Resolution Process (Cont.)

J. Informal Resolution Process (Cont.).

3. **The Informal Resolution**. Any form of informal resolution and any combination of non-disciplinary and non-punitive interventions and supports may be utilized, consistent with university policy, the Code, and/or any applicable collective bargaining agreement. Forms of informal resolution include discussions with the parties, a resolution facilitated by an EOA staff member implementing an arrangement that provides mutual separation between the parties, targeted or broad-based educational programming or training, facilitated conversation or interaction with the respondent, and/or other action determined by the EOA staff member, in consultation with the parties, to effectively address the reported Title IX Complaint.

As part of the informal resolution process, EOA will not compel a complainant or respondent to engage in facilitated conversation with each other, to confront each other directly, or to participate in any particular form of informal resolution. Where a facilitated conversation is requested, no meeting between the complainant and the respondent should occur without involvement by appropriate university staff.

If a mutually agreed resolution is reached, a written record of the resolution will be documented by the EOA staff member and maintained in accordance with applicable EOA recordkeeping policies. The university will consider the informal resolution to be the final outcome between the parties and the matter is then considered closed by EOA. No appeals of an informal resolution outcome are possible.

If an agreement is not reached and EOA determines that further action is necessary, or if a party fails to comply with the terms of the informal resolution, the matter may be referred for an investigation or other appropriate action.

- 4. Withdrawal from the Informal Resolution Process. Either the complainant or respondent may at any time elect to withdraw from the informal resolution process. Additionally, if the EOA staff member determines that a mutually agreeable resolution is not possible, or if the EOA staff member learns of information that requires an investigation, the EOA staff member may terminate the informal resolution process. In that event, the EOA staff member will promptly notify the parties, in writing, that the informal resolution process has terminated, and inform the parties of the right to request an investigation. If an investigation is requested, EOA will consider the request based on EOA's review of the Title IX Complaint and the information gathered in the informal resolution process, taking into consideration whether the complainant has asserted information that, if true, would constitute a violation of the Policy and/or the Code.
- 5. **Timeframe**. EOA will attempt to resolve the complainant's concern(s) promptly. The assigned EOA staff member will meet with the complainant, the respondent, and any other persons the EOA staff member may determine to be necessary. The informal resolution process will typically be completed within thirty (30) business days of the initial complaint.

K. Investigation Process.

1. **Overview**. Prior to initiating a formal investigation, either the complainant or the Title IX Coordinator, or their designee, must submit a written and signed Complaint alleging Title IX Sexual Misconduct by a respondent and requesting that EOA investigate the allegations. Where EOA has determined that the reported concern is within EOA jurisdiction and alleges a violation of Title IX Sexual Misconduct, EOA will conduct a prompt and equitable investigation to gather relevant information necessary to make a determination as to whether or not a violation of the Policy and/or Code occurred. The investigation will be impartial and will be conducted by trained investigators who have no actual bias or conflict of interest for or against the complainant or respondent.

Title IX Investigation and Resolution Process (Cont.)

K. Investigation Process (Cont.).

A respondent will be presumed not responsible for the alleged Title IX Sexual Misconduct until a determination regarding responsibility is made at the conclusion of the Title IX Process.

During the investigation and live hearing processes, both the complainant and respondent have equitable opportunity to participate, including the opportunity to receive written notice of the investigation, including allegations; to participate in the investigation; to present information and evidence; to inspect and review all evidence directly related to the allegations, both inculpatory and exculpatory; to be accompanied by an advisor of their choice at any stage of the EOA investigation process; to receive timely notice of meetings at which their presence will be requested or required; to participate fully in a live administrative hearing; to receive simultaneous written notice of the outcome and rationale; and to receive information about available appeals.

The university, not the parties, is responsible for gathering relevant evidence. The complainant and respondent will be asked to identify witnesses and provide other relevant information, such as documents, communications, and other evidence, if available. The parties are encouraged to provide all relevant information as promptly as possible. In the event that a party declines to voluntarily provide relevant information, the university's ability to conduct a prompt, thorough, and equitable investigation may be impacted.

- 2. **Investigator**. EOA will designate an investigator to conduct a prompt, thorough, fair, and impartial investigation. The investigator is typically an Equity Associate, but may also be an experienced external professional investigator.⁴
- 3. **Evidentiary Standard**. The applicable evidentiary standard for all violations of the Policy and/or Code is a preponderance of the evidence. This standard is met when the evidence shows that it is "more likely than not" that the alleged misconduct occurred.

A respondent is presumed not to have violated the Policy and/or Code until a determination regarding responsibility is made at the conclusion of the Title IX Process.

- 4. **Consolidation of Investigation**. EOA has the discretion to consolidate multiple complaints into a single investigation if evidence relevant to one incident is relevant to the others and the allegations arise out of the same facts or circumstances. Consolidation might involve multiple complainants and a single respondent, multiple respondents, or conduct that is logically connected. Where the conduct is related or part of the same incident or series of incidents, EOA may investigate alleged violations of other university standards, policies, rules, and/or Code provisions.
- 5. **Notice of Allegations**. EOA will issue a notice of allegations to the respondent via their university e-mail account or via U.S. mail. EOA will issue a notice of acknowledgment of allegations to the complainant, also via their university e-mail account or via U.S. mail.
- a. The notice of allegations will provide a summary of the allegations, including: the names of the parties, if known; the date, time, and location of the alleged violation, if known; a brief summary of the nature of the reported conduct; the specific sections of the Policy and/or Code that are alleged to have been violated; the rights of each party; on-campus and off-campus resources available to each party; the prohibition against retaliation; the importance of preserving any potentially relevant evidence; the prohibition against initiating a false report and/or

⁴ The term Equity Associate, as used throughout this Investigation and Resolution Process, includes external professional investigators working for EOA.

Title IX Investigation and Resolution Process (Cont.)

K. Investigation Process (Cont.).

providing false information in connection with the investigation of a Title IX Complaint, if any; the name of the Equity Associate assigned to the investigation; how to challenge the participation of the Equity Associate on the basis of a conflict of interest or bias; the right to have an advisor of their choice, who may be, but is not required to be, an attorney; that they may inspect and review evidence; a copy of the Policy and/or Code, as applicable; and this Title IX Process. If the investigation reveals the existence of additional or different potential violations of the Policy and/or the Code, or of other university policies, rules, and/or Code provisions, EOA will issue a supplemental or new notice of allegations.

- b. The Notice will indicate that the respondent will be presumed to be not responsible for the alleged Title IX Sexual Misconduct until a determination regarding responsibility is made at the conclusion of the Title IX Process.
- c. The notice of allegations will request that the respondent contact EOA within three (3) business days to schedule a meeting with the Equity Associate. Typically the Equity Associate will schedule the initial meeting with the respondent no later than 10 business days after the notice of allegations has been sent to the respondent, in order to allow sufficient time for the respondent to prepare a response. The investigation will continue even if the respondent does not attend the initial meeting with the Equity Associate or if the respondent chooses not to actively participate in the investigation. Respondents can choose to participate at any point in the investigation, but may not be permitted to offer evidence to EOA once the Final Investigation Report has been issued.
- 6. **Evidence Gathering.** After the notice of allegations is sent, the Equity Associate will conduct a thorough and impartial investigation, gathering relevant information about the alleged misconduct. During the investigation, the complainant and the respondent will have equitable opportunities to provide the Equity Associate with the names and contact information of relevant fact or expert witnesses, documentation, and any other relevant inculpatory or exculpatory evidence related to the alleged misconduct.

Both the complainant and the respondent will be invited by the Equity Associate to meet separately with the Equity Associate.

a. Initial Meeting with Complainant

Before or during the Equity Associate's initial meeting with the complainant, which typically takes place before the notice of allegations is issued, the Equity Associate will ensure that the complainant has information regarding rights and options, as set forth in Section F, Initial Assessment, some of which may already have been provided during the intake meeting. In addition, the Equity Associate will address the following:

- Explain the investigation process and timelines and answer any related questions;
- Explain the complainant's rights and options under this Title IX Process, including the right to be accompanied at any step of the process by an advisor of their choice;
- Afford the complainant a full opportunity to provide information regarding the allegations, including providing the Equity Associate with relevant documentary evidence, the identity of potential relevant fact or expert witnesses, and to suggest questions to be asked of the respondent or any witnesses;
- Discuss the complainant's expressed preference for manner of resolution and any barriers to proceeding, including explanation of the informal resolution process versus an investigation process;
- Explain the university's policy prohibiting retaliation;

Title IX Investigation and Resolution Process (Cont.)

K. Investigation Process (Cont.).

- Confirm with the complainant the process for requesting any Supportive Measures; and
- Schedule other meetings, if necessary.

b. Initial Meeting with Respondent

The Equity Associate's initial meeting with a respondent, which takes place after the notice of allegations has been issued, is typically for the purpose of informing the respondent about the allegations and investigation process, including the right to submit a written response to the allegations, and about available support and resource options. Before or during the initial meeting with the respondent, the Equity Associate will address the following:

- Advise the respondent of available on-campus and off-campus advocacy and support resources, including confidential resources;
- Provide the respondent with a copy of the Policy, the Code, as applicable, and this Title IX Process;
- Explain the investigation process and timelines and answer any related questions;
- Explain the respondent's rights and options under the Title IX Process, including the right to be accompanied at any step of the process by an advisor of their choice;
- Provide the respondent full opportunity during the initial meeting, or in a subsequent meeting(s) as necessary, to respond to the allegations and to provide information regarding the allegations, including providing the Equity Associate with relevant documentary evidence, the identity of potential relevant fact or expert witnesses, and to suggest questions to be asked of the complainant or any witness;
- Explain the university's policy prohibiting retaliation;
- Inform the respondent that although they are not required to do so, they have the option to provide a written response to the allegations, and have ten (10) business days from the date of the initial meeting with the Equity Associate to provide that written response;
- Confirm with the respondent the process for requesting any Supportive Measures; and
- Schedule other meetings, if necessary.

c. Witnesses

In addition to meeting with the complainant and respondent, the Equity Associate will meet with relevant witness, who may have information relevant to the incident, who may have observed the acts in question, who may be able to provide contextual information, or who may have other information related to the incident or related matters, either directly or based on reports from either of the parties. Where witnesses are interviewed as part of the investigation, all information gathered in the interviews that is directly related to the Title IX Complaint will be included in the investigation record; all relevant evidence will be fairly summarized in the Investigation Report generated by the Equity Associate to document the investigation.

Witnesses, including employees, are expected to cooperate with and participate in the investigation. Witnesses are expected to make themselves available to answer questions by phone, Zoom, or similar technology if they cannot be interviewed in person. Individuals who are not employees are encouraged and expected to participate and retaliation against an individual who refuses to participate is prohibited. Employees may be required to cooperate with and participate in the investigation and will not be retaliated against for their participation.

Title IX Investigation and Resolution Process (Cont.)

K. Investigation Process (Cont.).

d. Fyidence

The Equity Associate will also gather and consider other relevant information or evidence, including documents, photographs, communications between the parties, medical and/or counseling records (if voluntarily provided to EOA for its consideration by the individual who is the subject of the records with a voluntary, written consent), and other electronic records as appropriate.

e. Investigation/Evidence Gathering Process

The following apply to the investigation/evidence gathering process conducted by the assigned Equity Associate:

- i. Statements made to the Equity Associate during the investigation will be documented in writing and offered for review for accuracy by the individual who provided the information. Individuals who review the accuracy of their statements may suggest clarifications, additions, or alternative language that they believe more accurately reflects what was said during the investigation interview; this information will supplement, not replace, the individual's earlier statement. Individuals who elect to review their statements must provide a response to the Equity Associate within five (5) business days of receiving the written record.
- ii. The Equity Associate may consider information publicly available from online sources that is brought to the attention of EOA. The university does not actively monitor online sources, however, and as with all potentially relevant information, the complaint, respondent, or witness should bring publicly available/online information to the attention of the Equity Associate if they believe it is relevant. The Equity Associate may also consider communications involving or relating to one or both parties that either party brings to the attention of the Equity Associate or that is provided by the parties in response to a request by the Equity Associate. The Equity Associate may also seek review of information available on university devices or servers, to the extent permissible and consistent with the university's information technology policies.
- iii. The Equity Associate may visit relevant physical sites or locations, as appropriate, and record observations through written, photographic, or other means. In some cases, the Equity Associate may consult medical, forensic, technological, or other experts when expertise on a topic is relevant in order to achieve a fuller understanding of the issues under investigation. The university generally will not consider polygraph results.
- iv. In general, a person's medical and counseling records are confidential and not accessible to EOA unless the person voluntarily chooses to share those records with the Equity Associate, and provides a voluntary, written consent. If medical or counseling records are shared by a party and are determined to be relevant to and relied on in the investigation, relevant information from the records will be included in the Investigation Report generated by the Equity Associate to document the investigation.
- v. The Equity Associate will consider all information identified or provided by the parties and will determine the appropriateness, relevance, and probative value of the information developed or received during the investigation. In general, the Equity Associate will not consider statements of personal opinion or statements as to any party's general reputation. All information gathered by the Equity Associate that is directly related to the Title IX Complaint allegations will be included in the investigation record; all relevant evidence will be fairly summarized in the Investigation Report generated by the Equity Associate to document the investigation.
- vi. Prior or subsequent conduct may be considered in determining pattern, knowledge, intent, or motive. The determination of relevance of pattern evidence will be based on an assessment of whether the previous or

Title IX Investigation and Resolution Process (Cont.)

K. Investigation Process (Cont.).

subsequent conduct was substantially similar to the conduct under investigation or indicates a pattern of similar prohibited conduct. The Equity Associate will determine the relevance of this information, which may involve additional investigative steps, and both parties will be informed if evidence of prior or subsequent conduct is deemed relevant.

vii. The sexual history of the complainant or respondent, in a Title IX Complaint alleging Title IX Sexual Misconduct, will never be used by the Equity Associate to prove character or reputation. Evidence related to the prior sexual history of the parties is generally not used in determining whether a violation of the Policy and/or the Code has occurred and will only be considered by the Equity Associate when a determination is made that the evidence is directly relevant to the investigation.

viii. If either party leaves or graduates from the university during the investigation, EOA may proceed with the investigation or take further action as necessary to eliminate, prevent, or address any impacts of the reported Title IX Sexual Misconduct. This Title IX Process will continue to the extent necessary to ensure that the university has taken appropriate action in response to the Title IX Complaint. In some instances, the provision of Supportive Measures may be sufficient to resolve the reported concerns. EOA may, at its sole discretion, continue to offer a complainant who was affiliated with the university at the time the complaint was made, but who has since left or graduated, the opportunity to participate in the process.

- 7. **Investigation Record and Final Investigation Report.** At the completion of the evidence-gathering, the Equity Associate will prepare an investigation record containing all information gathered in the investigation that is directly related to the allegations in the Title IX Complaint and the Policy and/or Code violations with which the respondent has been charged, and will provide the complainant and the respondent equal and timely access to the investigation record. The investigation record will contain all directly related information gathered in the course of the investigation, including statements by the parties and witnesses, relevant evidence submitted by the parties and witnesses, and any other evidence determined by the Equity Associate to be related to the alleged Title IX Sexual Misconduct, including inculpatory and exculpatory evidence whether obtained from a party or other source, and whether or not the Equity Associate considers the information relevant to the allegations. The Equity Associate will prepare a draft investigation report summarizing all relevant information gathered in the fact-gathering phase of the investigation.
- a. EOA will offer the complainant, the respondent, and their advisors, if any, equal opportunity to review and inspect the draft investigation report and investigation record in-person in the EOA office or through a secure online platform. No copies, photographs, saving, or sharing of the investigation record or draft investigation report will be permitted.
- b. The parties will have the opportunity to respond to the draft investigation report and investigation record, with the response due in ten (10) business days from the date the draft investigation report and investigation record are made available for review. Either party may request an extension of the ten (10) business day timeframe to provide their response. The request must be made to the Equity Associate in writing prior to the expiration of the deadline for submission of the response, with an explanation of the good cause for the request. The Equity Associate will notify both parties simultaneously of their decision regarding any requested extension.

Title IX Investigation and Resolution Process (Cont.)

K. Investigation Process (Cont.).

- c. The party's response may: (1) provide written comments or feedback to information within the draft investigation report or investigation record, (2) submit additional information or follow up questions to be asked of the other party or any witness, (3) identify additional witnesses, and/or (4) request the Equity Associate collect other relevant information, with the request indicating generally the nature of the other relevant information the party believes is available. The Equity Associate will determine the appropriateness of additional investigative steps and the relevance of additional information. If either party submits questions for the other party or witnesses, the questions submitted may be asked as provided, asked as modified by the Equity Associate, or not asked at all, based on the Equity Associate's determination of whether or not the questions are relevant or may provide clarity to the investigation. A written record of the questions asked by the Equity Associate and the answers to those questions will be included in the investigation record. If either party provides a written response or makes a request for additional investigation, the written response and any additional substantive information gathered by the Equity Associate will be incorporated as appropriate in the final investigation report.
- d. Unless there are significant additional investigative steps requested by the parties, the Equity Associate will prepare a final investigation report, normally within ten (10) business days after receipt and consideration of additional comments, questions, and/or information from the parties. The final investigation report will include the relevant information contained in the investigation record, the parties' responses to the investigation record and draft investigation report, and an overview of areas of contested or uncontested information.
- e. The Equity Associate will forward the final investigation report and the investigation record to the appropriate university representative designated by the Title IX Coordinator to serve as the decision-maker. Generally, the Director, SCCS, or their designee, will serve as the decision-maker for those matters involving a student respondent, and the AVP/SD of ELR, or their designee, will serve as the decision-maker for those matters involving an employee respondent.

L. Administrative Hearing and Appeal.

1. Live Administrative Hearing

The administrative hearing is a live hearing intended to provide the parties with an equitable opportunity to respond to information contained in the final investigation report, and to question the relevancy and reliability of that information, by posing relevant questions to the other party or witnesses, through their advisor, orally and in real-time.

a. Overview: The administrative hearing is the process the university uses to determine whether or not the Policy and/or Code have been violated. The administrative hearing will be conducted by the decision-maker who will determine responsibility. When determining responsibility, the decision-maker will presume the respondent is not responsible unless and until the available relevant evidence establishes, by a preponderance of the evidence, that they are responsible. The decision-maker will be free from actual conflict of interest or bias for or against complainants or respondents generally or individually.

The decision-maker will conduct the administrative hearing in the following manner:

b. Hearing Date: The decision-maker will set the date for the live administrative hearing. The period of time between the live administrative hearing date and the Notice of Hearing will be at least ten (10) business days.

Title IX Investigation and Resolution Process (Cont.)

L. Administrative Hearing and Appeal (Cont.).

c. Notice of Hearing: The decision-maker will issue a Notice of Administrative Hearing to the parties, generally within five (5) business days of receipt of the Final Investigation Report and Investigative Record. The Notice of Hearing will include: the name of the decision-maker; information regarding the date, time, and location of the administrative hearing and how a party may request a meeting location separate from the other party; the party's opportunity to have an advisor of their choice at the hearing and the role of the advisor, including the requirement that the party's advisor must ask any questions the party seeks answered at the hearing by the other party or witnesses; a statement that if a party or a witness does not attend the administrative hearing, that party's or witness's information must not be relied on by the decision-maker; and the process for requesting disability accommodations and language assistance.

The decision-maker will provide each party and their advisor, via the Notice of Hearing, electronic access to the final investigation report and investigation record. The final investigation report and investigation record will be made available to the parties through the completion of the administrative hearing process unless the process is placed on hold by the decision-maker.

- d. Participation: The administrative hearing is a closed proceeding, not open to the public. The individuals who may participate in the administrative hearing are the decision-maker and their advisor, complainant and their advisor, respondent and their advisor, the Equity Associate, any relevant fact or expert witness called to the hearing, and any university staff involved in facilitating the administrative hearing.
- e. Advisors: A complainant or respondent may be accompanied to the hearing by any one (1) advisor of their choice.

If a party does not attend the administrative hearing with an advisor, the decision-maker will assign the party an advisor of the university's choice, without fee or charge to the party, for the purpose of conducting oral questioning of the other party and any witnesses. The university is not obligated to assign an advisor of equal professional standing as the advisor of the other party. However, the university will seek to assign an advisor who is versed in this Title IX Process.

- f. Non-Participation: The decision-maker may not draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.
- g. Separate Locations: Either party may request to participate in the administrative hearing in a separate location using applicable technology that allows the decision-maker and the parties to simultaneously see and hear the party or witness answering questions. Requests for separate locations should be submitted to the decision-maker five (5) business days prior to the administrative hearing.
- h. Determinations of Relevancy: The decision-maker will determine the relevancy of all information offered, reviewed, or considered in the administrative hearing. Determinations of relevancy will be based on whether the information is directly related to the allegations and whether it will assist in resolving disputed issues between the parties. Questions regarding the complainant's past sexual behavior will be deemed not relevant unless questions or information about the complainant's past sexual behavior are posed to establish that someone other than the respondent engaged in the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

Title IX Investigation and Resolution Process (Cont.)

L. Administrative Hearing and Appeal (Cont.).

- i. Hearing Procedures: Generally, the administrative hearing will proceed as follows:
- i. The decision-maker will ask the Equity Associate to provide a summary of the Final Investigation Report, including undisputed and disputed issues identified during the investigation. The decision-maker will pose questions of the Equity Associate. The parties' advisors will be given the opportunity to separately pose relevant questions and follow-up questions of the Equity Associate. The decision-maker will inform the Equity Associate that prior to answering a question from the parties' advisors, they are to wait for the decision-maker to first determine whether or not the question is relevant and is to be answered. The decision-maker will explain any determination to exclude a question as not relevant.
- ii. The decision-maker will separately pose questions of the parties and witnesses. The parties, through their advisor, will have the opportunity to pose relevant questions and follow-up questions of the other party and witnesses. With each individual, the decision-maker will ask their questions of that individual first and then allow each party's advisor to ask their questions. The decision-maker will inform the parties and witnesses that prior to answering a question from the parties' advisors, they are to wait for the decision-maker to first determine whether or not the question is relevant and is to be answered. The decision-maker will explain any determination to exclude a question as not relevant.
- j. Recording or Transcript: An audio or audiovisual recording, or transcript, of the administrative hearing will be created by the university. The university reserves the right to determine the method of recording or transcription. While the recording or transcript is the sole property of the university, the university will make it available to the parties for inspection and review after the notice of decision is issued. The recording or transcript will remain available to the parties until either the appeal time frame has expired or an appeal decision is issued. Failure by the university to record or transcribe all or part of the administrative hearing due to an error and/or malfunctioning device will not be grounds for appeal.
- k. Timelines: The timelines the administrative hearing process sets for the parties are firm. However, if a party wishes to modify a timeline, the party should submit a written request to the decision-maker for the requested modification. The written request must show good cause for modifying the timeline and must be submitted before the deadline. While the decision-maker has sole authority to grant or deny a request to modify a timeline, the decision-maker may consult with the Title IX Coordinator, or their designee, if necessary. The decision-maker, or designee, will send simultaneous notices of any timeline modifications to the parties. The parties may request periodic updates from the decision-maker, or designee, as to the status of the administrative hearing process.
- I. Conclusion of Hearing: Once the live hearing has been concluded, the administrative hearing process will be considered concluded.

2. Notice of Decision

After the conclusion of the administrative hearing process, the decision-maker will make a decision as to whether there has been a violation of Policy and/or the Code based on the final investigation report, the written statements and responses of the parties, if any, to the investigation record and/or final investigation report, and any other relevant information provided during the administrative hearing.

Generally, the decision-maker will issue a written notice of decision within twenty (20) business days after the conclusion of the administrative hearing. The decision-maker may extend the deadline if needed. The written notice of decision will be issued simultaneously to both parties.

Title IX Investigation and Resolution Process (Cont.)

L. Administrative Hearing and Appeal (Cont.).

Timelines may be increased for employee matters that may result in discipline in order to comply with University policies, applicable collective bargaining agreements, and/or additional established processes.

a. The written notice of decision will include: a list of the allegations; a summary of the procedural steps taken from receipt of the Title IX Complainant through the determination of responsibility; the determination of responsibility for each alleged violation of the Title IX Sexual Misconduct Policy and/or the Code; the findings of fact and the rationale that shaped the determination; any disciplinary sanctions assigned to the respondent and the rationale for each disciplinary sanction; any remedies designed to restore or preserve complainant's equal access to the university's education programs or activities provided to the complainant, and the rationale for each remedy, if any; and information regarding the procedures and bases for either party to appeal the decision-maker's determinations of responsibility.

b. The determination of responsibility becomes final either on the date an appeal would no longer be considered, or, if an appeal is filed, on the date the parties are provided with the appeal written Notice of Determination.

3. Appeals

- a. Appeal of a Title IX Complaint Dismissal: Either the complainant or the respondent may appeal the Title IX Coordinator's dismissal of a Title IX Complaint or any allegations therein. The appeal must be submitted within five (5) business days after the Notice of Dismissal is issued. Appeals of a Title IX dismissal are to be filed with the Title IX Coordinator at Equal.Opportunity@oregonstate.edu.
- b. Appeal of the notice of decision: Either the complainant or the respondent may appeal the decision-maker's notice of decision. The appeal must be submitted within five (5) business days after the notice of decision is issued. Appeals are to be filed electronically with the Director, SCCS, at sccs@oregonstate.edu for matters involving student respondents, or with the Title IX Coordinator at Equal.Opportunity@oregonstate.edu for matters involving employee respondents. Appeals that are not submitted within five (5) business days, that do not list specific grounds for the appeal, or that do not fall under one of the listed grounds will not be considered.
- c. Grounds for appeal: The request for an appeal must include specific justification on at least one of the following grounds:
- i. Procedural irregularity that affected the outcome of the matter;
- ii. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter:
- iii. The Title IX Coordinator, Equity Associate, or decision-maker had a conflict of interest or bias for or against complainants or respondents generally, or the individual complainant or respondent that affected the outcome of the matter.
- d. Review by an appellate decision-maker: If an appeal is filed by either party, the appeal will be forwarded to the appropriate appellate decision-maker. The appellate decision-maker will be an impartial decision-maker trained in issues related to Title IX and not the same person as the decision-maker who reached the original determination. Generally, the Director of Compliance, or their designee, will serve as the appellate decision-maker for appeals of a Title IX Complaint Dismissal, the Vice Provost for Student Affairs, or their designee, will serve as the appellate decision-maker for those matters involving a student respondent, and the Chief Human Resources Officer or the

Title IX Investigation and Resolution Process (Cont.)

L. Administrative Hearing and Appeal (Cont.).

Senior Vice Provost for Faculty Affairs, or either of their designees, will serve as the decision-makers for those matters involving an employee respondent.

- e. Notification of appeal: The appellate decision-maker will notify the other party of the appeal. The non-appealing party will be provided an opportunity to review the appeal and submit any relevant information they want considered by the appellate decision-maker. If a non-appealing party chooses to submit a response to an appeal, they must do so within five (5) business days from the date they receive notice of the appeal.
- f. Notice of Decision: The appellate decision-maker will issue a written decision describing the result of the appeal and the rationale for the result.
- i. The appellate decision-maker has the authority to sustain, alter, or reverse the dismissal, findings and/or sanctions in part or entirely. The appellate decision-maker may also remand the matter to the appropriate review level, either the administrative hearing decision-maker or the Equity Associate, for further consideration.
- ii. In the case that the appellate decision-maker reverses the dismissal of the Title IX Complaint, the complaint will proceed under this Title IX Process.
- g. The appellate decision-maker will issue the written decision simultaneously to the parties, describing the result of the appeal and the rationale for the result within a reasonable timeframe of receiving the appeal. The determination(s) of the appellate decision-maker serves as the final determination of the university on the matter; no additional appeals are available. Following the conclusion of any appeal process, the matter will be closed unless it is remanded for additional process by the appellate decision-maker.

M. Disciplinary Sanctions and Action

1. Disciplinary Sanctions – Student Respondents

In keeping with the university's commitment to foster and maintain an environment that is safe, inclusive, and free from Title IX Sexual Misconduct, the Director, SCCS, or their designee, will assign sanctions that are proportionate to the facts and circumstances of each Title IX Complaint, the impact of the conduct on the complainant, the impact on the campus or surrounding community. The imposition of sanctions is designed to eliminate Title IX Sexual Misconduct, prevent its recurrence, and remedy its effects, while supporting the university's educational mission, and state and federal obligations. Sanctions may include educational, restorative, and rehabilitative components. Some conduct, however, is so egregious in nature, harmful to the individuals involved, and/or so detrimental to the educational process that it requires severe sanctions, including suspension or expulsion.

As set forth in more detail in Section 6 of the Code, potential sanctions for student respondents may include, but are not limited to: warnings, educational activities, behavioral expectations, restrictions, restrictions/exclusions, no contact directives, suspension, and expulsion. Sanctions may be imposed individually or in combination. See Section 6 of Code of Student Conduct for the entire list of possible university sanctions.

The Director, SCCS, or designee, has final decision-making authority with regard to sanctions, subject to available appeals. Any sanctions will be determined in accordance with the Code or other applicable university policy. Where the respondent is assigned sanctions, SCCS will monitor compliance with the sanctions imposed. Where no violation is found, the investigation will be closed unless the complainant files an appeal.

Title IX Investigation and Resolution Process (Cont.)

M. Disciplinary Sanctions and Action (Cont.)

2. Disciplinary Action - Employee Respondents

When the decision-maker determines that available information establishes that the respondent engaged in conduct that violated the Policy, disciplinary action may be imposed. The decision-maker will confer with the respondent's supervisory chain in determining what disciplinary action is appropriate, consistent with university policy and any applicable collective bargaining agreement.

Disciplinary action is designed to eliminate prohibited Title IX Sexual Misconduct, prevent its recurrence, and remedy its effects, while supporting the university's educational mission, and state and federal obligations. Disciplinary action may include, but is not limited to: written reprimand, suspension with or without pay, or dismissal. More information about possible disciplinary sanctions is available from ELR, other university policies, and in applicable collective bargaining agreements.

N. Additional Provisions.

1. Advisors.

The parties may each elect to be accompanied by one advisor to any meeting or interview conducted under the Title IX Process. Both parties must have an advisor during the administrative hearing process, as referenced in Section M, Disciplinary Sanctions and Action, above.

An advisor can be a friend, family member, union representative, attorney, advocate, or any individual of the party's choosing. The role of the advisor is to support the party and/or give advice regarding the process. An advisor may observe, take notes, request breaks to consult with the party, and ask for clarification about the process.

Except during the administrative hearing, an advisor may not directly participate in the process, answer questions for the party, interject comments that disrupt the meeting, or interrupt the process to such an extent that the purpose of the meeting is impaired. If an advisor violates these restrictions, as determined by the Equity Associate or decision-maker, or designee, they will be given one warning. If the disruptive conduct continues, they will be requested and expected to leave the meeting or interview. The party can then elect to be accompanied by a new advisor.

For employee parties, an attorney may serve as the advisor and attend meetings up through and including the appeal process, if any, but not extending to the disciplinary action process, if any.

2. Participation.

Parties, whether employees or students, are strongly encouraged to directly participate in all stages of the Title IX Process. If a respondent chooses to not participate in the Title IX Process, the matter may proceed without them and a decision may be made in the absence of any input from the respondent.

3. Accessibility.

It is the policy of the university to comply with Sections 503 and 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 ("ADA"), as amended by the ADA Amendments Act of 2008, and other applicable federal and state law that prohibits discrimination on the basis of a disability.

Title IX Investigation and Resolution Process (Cont.)

N. Additional Provisions (Cont.).

The university is committed to making the Title IX Process as accessible as is reasonable and practicable for all students, employees and other involved parties. Students, employees, or other involved parties who are off-campus or otherwise unable to participate in-person may request arrangements to participate in other ways (including by providing written statements, through telephonic or online means, etc.). EOA will offer reasonable accommodations to employees and students whose ability to participate in the process is limited or constrained because of a qualifying disability. Employees or students who require a disability accommodation, language support, or who may have other factors that could impact their ability to participate should contact EOA as early as possible in the process to make a request for assistance, which will then be reviewed by EOA. EOA's ability to accommodate requests may be limited without enough advance notice.

4. Safeguarding Privacy.

Complainants and respondents are not restricted from discussing or sharing information with others who may support or assist them during the process, nor are they prohibited from seeking resolution in court or an applicable state or federal agency.

All parties are encouraged to exercise discretion in sharing information in order to safeguard the integrity of the process and to avoid retaliation or the appearance of retaliation.

While discretion is encouraged, this Title IX Process should not be understood to limit the legal rights of the parties during or after resolution. The university may not, by federal law, prohibit either party from disclosing the final outcome (after any appeal is concluded). All other conditions for disclosure are governed by the Faculty Records policy or the Family Educational Rights and Privacy Act ("FERPA"), as applicable, and any other applicable laws.

All records of completed informal resolutions and investigations are considered faculty/employee records of the involved employees and education records of the involved students, and retained by the relevant office in compliance with the university's policies. These records are available for review only by the parties as provided by and during this process. Access to records of informal resolutions or investigations is substantially limited after the completion of the matter. Redacted records may be available to a party, as determined by the university, in compliance with the Faculty Records policy and FERPA, as applicable, and other applicable law.

5. Coordination with Law Enforcement.

If there is a concurrent criminal investigation, the university will seek to work in a collaborative manner in order to respect the integrity of both the external criminal investigation and the university investigation. This may include (where consistent with other federal or state privacy laws): contacting the law enforcement agency that is conducting an investigation to inform that agency that a university investigation is also in progress; attempting to ascertain the status of the criminal investigation; and seeking to determine the extent to which any evidence collected by law enforcement may be available to the university in its investigation.

6. Training for University Staff.

All university staff tasked with implementing the Title IX Process, including investigators, decision-makers, and appellate decision-makers, will participate in annual continuing education on related topics as required by applicable law. All Equity Associates who serve as investigators, and all decision-makers receive relevant training

Title IX Investigation and Resolution Process (Cont.)

N. Additional Provisions (Cont.).

on how to conduct fair and impartial investigations and adjudications that provide parties with notice and a meaningful opportunity to be heard, and that foster the safety of the parties and all participants while promoting accountability.

7. Conflicts of Interest.

The university is committed to ensuring that this Title IX Process is free from bias or conflicts of interest that would affect the outcome or resolution. Any concerns regarding conflict of interest or bias in this process should be submitted promptly to the Title IX Coordinator.

8. Recordkeeping.

All offices involved in this Title IX Process will retain, in accordance with the university's records retention schedule, records of all reported concerns, Title IX Complaints, investigations, and resolutions involving alleged violations of the Policy.

Effective: August 14, 2020.

Housekeeping edits: September 17, 2021.

https://eoa.oregonstate.edu/sexual-misconduct-and-discrimination

Investigation and Resolution Process For Students (for non-Title IX matters¹)

A. Overview.

Oregon State University ("university") is committed to creating an equitable and inclusive campus free of violence, harassment, and discrimination. All individuals who are participating in university programs and activities have the right to do so fully, free from sexual misconduct, discrimination, and retaliation. The university prohibits sexual misconduct, including sexual harassment, non-consensual sexual intercourse or other sexual contact or activity, intimate partner violence, sexual exploitation, and stalking, as set forth in University Policy 05-001 Sexual Misconduct and Discrimination ("Policy²") and Section 4.4, Discrimination and Sexual/Gender-Based Misconduct ("Discriminatory Misconduct"), of the Code of Student Conduct ("Code").

This Sexual Misconduct and Discrimination Investigation and Resolution Process for Complaints against Students ("Student Process") applies in instances in which an Oregon State University student³ is alleged to have violated non-Title IX provisions of the Policy and/or Discriminatory Misconduct provisions of the Code, regardless of the status of the complainant. However, the rights of complainants articulated in this Student Process, particularly as to Interim Supportive and Protective Measures (Section I) and engagement in the Administrative Conference process (Section L.8) and Appeals (Section L.11) are available only to complainants who are Oregon State University students.⁴

This Student Process sets forth the procedures that will be used to investigate and resolve complaints that allege non-Title IX violations by students of the Policy and/or Discriminatory Misconduct provisions of the Code. Additionally, EOA may investigate alleged violations of other university policies and rules associated with the Policy and Code when the alleged violations arise out of the same incident or pattern of behavior.

This document also includes information about resources and supports available to students (both complainants and respondents).

For the purposes of this Student Process, a student is: an admitted person demonstrating acceptance of admission through participation in orientation programs or early start programs; a person who is enrolled or dually enrolled; a person enrolled online; a person between academic terms; a graduate awaiting a degree; a person on an approved educational leave; a person currently serving a suspension, including administrative suspension; a person who is not currently enrolled but can register without re-applying; a person who withdraws while a disciplinary matter, including an investigation, is pending; and, a person who is eligible to receive any of the rights and privileges afforded a person who is enrolled.

B. Accessibility.

It is the policy of the university to comply with Sections 503 and 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 ("ADA"), as amended by the ADA Amendments Act of 2008, and other applicable federal and state regulations that prohibit discrimination on the basis of a disability.

¹This process is for university sexual misconduct and discrimination allegations against students that do not fall within Title IX prohibited conduct. See the Title IX Investigation and Resolution Process for allegations falling within the definitions of Title IX prohibited conduct.

² References to University Policy 05-001 throughout this document are only for the non-Title IX provisions of the policy. The process for allegations suggesting possible violation of Title IX provisions of University Policy 05-001 are addressed within the Title IX Investigation and Resolution Process.

³ Throughout this Student Process, the term "student" also includes "student organization," as defined by the Code of Student Conduct, when complaints allege violations by student organizations.

⁴ Complaints alleging a violation of University Policy 05-001 by parties who are not Oregon State University students will be addressed under the Sexual Misconduct and Discrimination Investigation and Resolution Process for Complaints against Employees.

Investigation and Resolution Process For Students (for non-Title IX matters)

B. Accessibility (Cont.).

EOA is committed to making the Student Process as accessible as possible for all students. Students off campus or otherwise unable to participate in-person may request arrangements to participate in other ways (including by providing written statements, through telephonic or online means, etc.). Students with disabilities have the right to reasonable accommodations. EOA will offer reasonable accommodations to students whose ability to participate in the process is limited or constrained because of a qualifying disability. Students who require a disability accommodation, language support, or who may have other factors that could impact their ability to participate should contact EOA as early as possible in the process to make a request for assistance, which will then be reviewed by EOA. EOA's ability to meet requests may be limited without enough advance notice.

C. Scope of Policy.

EOA is the university office charged with investigating all reported violations of University Policy 05-001 Sexual Misconduct and Discrimination, and Section 4.4, Discriminatory Misconduct, of the Code of Student Conduct. EOA is responsible for responding to all complaints by students, employees, or third parties, or anyone prevented from participating in a university program, that are brought against students, employees, or third parties.

University staff tasked with implementing the Student Process will participate in continuing education on related topics as required by applicable law. All Equity Associates, who serve as investigators for all allegations of a Policy and/or Discriminatory Misconduct violations, receive training on issues related to sexual and gender-based harassment, sexual assault, dating violence, domestic violence, and stalking, and on how to conduct an investigation that is fair and impartial, that provides parties with notice and a meaningful opportunity to be heard, and that protects the safety of the parties and all participants while promoting accountability. EOA may consult with other university administrators as part of this Student Process.

D. Reporting.

EOA will respond to all verbal, written, and electronic complaints of conduct that may violate the Policy and/or Discriminatory Misconduct provisions under the Code. In some instances, EOA may initiate an investigation in the absence of a formal complaint. The university encourages individuals to bring forward complaints and information as soon as possible after the alleged violation occurs in order to maximize the university's ability to respond promptly and effectively. While there is no timeframe for making a complaint, prompt reporting will better enable EOA to respond to the complaint, determine the relevant issues, and provide an appropriate response and/or action. Even if a significant amount of time has passed, the university encourages individuals to still report incidents that may violate the Policy and/or Code. Delay in making a complaint may impede EOA's ability to conduct an investigation or take appropriate responsive actions. In addition, depending on the relationship of the respondent to the university, the university may no longer have the authority to impose disciplinary action due to the passage of time. Where the university may not have disciplinary authority, the university will still seek to evaluate the reported conduct, provide reasonably available Supportive Measures⁵, assist the complainant in identifying external reporting options, and take reasonably available steps to end the misconduct, prevent its recurrence and address its effects. While EOA will respond to all verbal, written or electronic complaints providing notice regarding a concern, submission of a complaint does not always result in either an investigation or a informal resolution, as addressed more fully in the section G, Initial Assessment.

⁵ See Section I, Interim Measures.

Investigation and Resolution Process For Students (for non-Title IX matters)

D. Reporting (Cont.).

Amnesty: Oregon State University encourages all campus community members to report behavior associated with sexual misconduct and discrimination. To support such reporting, the university will not pursue student conduct proceedings against a complainant, a respondent, or witness for their personal use of alcohol, marijuana or other drugs at or near the time of the incident provided their use did not place the health or safety of any other person at risk. Oregon State University may, however, initiate an educational discussion with any student regarding their personal use of alcohol, marijuana or other drugs.

Anonymous Complaints: With the exception of a "Responsible Employee" (which includes most university employees, including faculty), an individual can choose to make a complaint anonymously, but EOA's ability to investigate complaints or take responsive action may be limited based on the amount of information available to EOA. For example, the possible response may be limited if information contained in the complaint is insufficient to verify violation(s) of the Policy and/or Code or to identify the parties involved. The Title IX Coordinator or their designee has the discretion to determine how EOA will respond to an anonymous complaint. In general, however, providing information may help the university maintain accurate records regarding the number of incidents involving students, employees, and third parties; determine if there is a pattern of conduct with regard to a particular location or respondent; and alert the campus community to potential dangers when appropriate.

E. Privacy.

All complaints made to EOA are treated as private information, and will generally be shared only in the most limited manner possible. Information regarding the complaint may be shared on a "need to know" basis with other university employees, for instance, to facilitate requests for interim measures.

Student medical and counseling records are considered privileged and confidential documents. Students may, but are not required to, disclose those types of documents to EOA as part of this process. To the extent medical and counseling records shared by a party are determined relevant to and are relied upon by EOA in connection with an investigation, they will be made available for review by the other party.

F. Timeframe for Resolution.

The process for resolution begins when EOA is notified of a complaint. EOA will attempt to resolve all complaints as promptly as possible, consistent with the need to conduct sensitive and informed fact-gathering to ensure an equitable resolution. The Student Process designates reasonably prompt timeframes for the major stages of the investigation and resolution process, but the university may extend any timeframe in this Process for good cause. An extension may be required: to ensure the integrity and thoroughness of the investigation; to comply with a request by law enforcement; in response to the unavailability of the parties or witnesses; or for other legitimate reasons, such as intervening breaks in the academic calendar, university finals periods, the complexity of the investigation, the volume of information, number of witnesses, length of the written record, and/or the severity and extent of the alleged misconduct. Investigations will proceed according to the timeframes in this Student Process to the extent possible during the summer and at other times when classes at the university are not in session. EOA will work with the parties to balance the need for promptness and the preference for in-person meetings regarding the investigation.

Investigation and Resolution Process For Students (for non-Title IX matters)

F. Timeframe for Resolution (Cont.).

Timeframes for all phases of the investigation process, including disciplinary proceedings, and any related appeal process, apply equally to both the complainants and respondents. While requests for delays in the investigative process by the parties may be considered, the university cannot unduly or unreasonably delay the prompt resolution of a complaint under this Student Process. Reasonable requests for delays by the parties will serve to extend the time for resolution of the reported incident. The university has the authority to determine whether an extension is required or warranted by the circumstances. The university will keep the parties advised of the progress of the process.

Although cooperation with law enforcement may require the university to suspend the fact-finding portion of a sexual misconduct and discrimination investigation temporarily, the university will generally resume its investigation as soon as it is notified by the law enforcement agency that the agency has completed its evidence gathering process. The university generally will not wait for the conclusion of a criminal proceeding to begin its own investigation and, if needed, will take immediate steps to provide appropriate Supportive Measures for the parties.

G. Initial Assessment.

Upon receipt of a complaint, EOA will take immediate and appropriate steps to review and resolve the matter promptly and equitably. The first step in this process is called an Initial Assessment.

As part of the Initial Assessment, EOA will gather information about the reported conduct, respond to any immediate health or safety concerns raised by the complaint, and evaluate if the reported conduct is within the scope of EOA's authority. If the complaint is determined to be within the EOA's jurisdiction and to assert information that, if true, would constitute a violation of the Policy and/or the Code, EOA will refer the complaint to an EOA Equity Associate to determine, with input from the complainant, the appropriate manner of resolution under the Student Process.

As part of the Initial Assessment, EOA will seek to meet with the complainant and will provide the complainant with written information on available campus and community resources and support, including law enforcement contact information, and process options, including the informal resolution process and the investigation process.

During the Initial Assessment, EOA will typically:

- assess the nature and circumstances of the complaint, including whether it provides the names and/or any other information that identifies the complainant, the respondent, any witness, and/or any other individual with knowledge of the reported incident;
- address immediate physical safety and emotional well-being of the complainant and/or the campus community;
- notify the complainant of their right to contact (or decline to contact) law enforcement or seek a civil protection order, and that EOA will coordinate with law enforcement, appropriately, to minimize delay in its action on the matter;
- notify the complainant of the right to seek medical and/or counseling treatment to address physical or mental health issues;
- notify the complainant of the importance of preservation of evidence, including a forensic sexual assault examination and any relevant documentary evidence;

Investigation and Resolution Process For Students (for non-Title IX matters) G. Initial Assessment (Cont.).

- provide the complainant with a written copy of EOA's Campus/Community Resources and Rights document, which contains information about their rights to report, civil and legal options, campus-based services and disciplinary processes, privacy policy information and state and community resources and services, including on and off campus advocacy, support, healthcare and confidential resources;
- notify the complainant of the range of Interim Measures available, including the right to reasonable Supportive Measures regardless of whether they choose to participate in a university or law enforcement investigation;
- notify the complainant of the range of available Interim Protective Measures;
- provide the complainant with a copy of the Policy, the Code and this Student Process and an explanation of the procedural options, including the informal resolution process and the investigation process;
- notify the complainant of the right to be accompanied at any step of the process by an advisor of their choice;
- discuss the complainant's expressed preference for manner of resolution and any barriers to proceeding (e.g., privacy or retaliation concerns); and
- explain the university's policy prohibiting retaliation and how to report acts of retaliation.

EOA will seek to complete the Initial Assessment within ten (10) business days of when EOA is notified of a complaint and if the complainant chooses to engage in the process. However, there may be circumstances where the Initial Assessment takes longer based on the availability or participation of the complainant, the availability of other necessary information, a complainant's request to maintain privacy or not seek disciplinary action, or other factors outside of the university's control. EOA understands that a complainant may engage in delayed decision-making, which may impact the timing of the conclusion of the Initial Assessment.

If EOA determines the complainant has submitted a complaint that is not within the scope of the Policy and/or Discriminatory Misconduct provisions or should be processed through another campus office or university procedure available to the complainant, EOA will provide the complainant with written notice of this determination in a timely manner, including if appropriate, directing the complainant to that procedure or office as soon as possible. EOA will maintain a record of the complaint and the reasons the complaint was deemed not within the scope of the Policy and/or Discriminatory Misconduct provisions.

In matters where the complainant does not wish to pursue an investigation, EOA will inform the complainant that the ability to take corrective action may be limited. EOA may independently determine that an investigation should proceed separate from the intent or wishes of the complainant. (See Section H. Requests for EOA Not to Investigate an Allegation)

If an alleged violation is reported by a witness, bystander, or other person, EOA will treat the person impacted by the reported violation ("impacted party") as the complainant for purposes of this Student Process. EOA will attempt to contact the impacted party three times. If the impacted party does not respond to EOA contact after the third attempt, EOA will conclude the impacted party does not wish to pursue an investigation or resolution process, and generally, close the matter. In cases with certain fact patterns, the Title IX Coordinator or their designee, may decide that EOA will conduct an investigation without the participation of the impacted party. (See Section H. Requests for EOA Not to Investigate an Allegation). The impacted party can later make EOA aware that they want to participate and EOA will generally allow them to participate if EOA is still in the investigation/evidence gathering phase of its investigation.

Investigation and Resolution Process For Students (for non-Title IX matters) G. Initial Assessment (Cont.).

At the conclusion of the Initial Assessment, EOA will proceed with one of the following options:

- 1. Proceed with an investigation. This will occur when a complaint is determined to be within the scope of the Policy and/or Discriminatory Misconduct provisions, and the complainant requests an investigation, when EOA makes a determination to proceed with an investigation even when a complainant requests that no investigation be pursued, or when informal resolution is requested but not appropriate or available.
- 2. Proceed with informal resolution. This will always require the consent of the complainant. The consent of the respondent is also required when the proposed resolution requires action by or imposes restrictions on the respondent. Informal resolution includes situations where a complainant requests Supportive Measures only.
- 3. If outside the scope of the Policy and/or Discriminatory Misconduct provisions, refer the matter to another appropriate office or department for resolution.

When EOA decides to initiate an investigation, impose Interim Protective Measures, or take any other action that impacts a respondent, the assigned Equity Associate will ensure that the respondent is notified and receives written information on available resources and procedural options, as provided in this Student Process.

H. Requests for EOA Not to Investigate an Allegation.

In order to protect the safety of the campus community, EOA may need to proceed with an investigation even if a complainant specifically requests that the matter not be pursued. EOA may also initiate an investigation of potential violations of this Policy and/or Code even absent a formal complaint or identified complainant or respondent and even if a complaint has been withdrawn. In such a circumstance, EOA will take into account the complainant's concerns, the safety of the campus community, fairness to all individuals involved, and the university's obligations under applicable state and federal law.

A complainant may request that their name or other personally-identifiable information not be shared with a respondent, that no investigation be pursued, or that no disciplinary action be taken. In these instances, before taking any further investigative steps that would involve notifying the respondent, EOA will discuss any concerns with the complainant and seek to address and remedy barriers to reporting based upon concerns about retaliation or questions about procedural options and potential outcomes.

The Title IX Coordinator or their designee will balance the complainant's request against the following factors in reaching a determination on whether the request can be honored:

- 1. The totality of the known circumstances;
- 2. The nature and scope of the alleged conduct, including whether the reported conduct involves the use of a weapon;
- 3. The risk that the respondent will commit additional acts of sexual or other violence, as informed by previous or multiple sexual misconduct complaints involving the respondent; a history of violence by the respondent; or, threatened further sexual violence or other violence against the complainant or others by the respondent;
- 4. Allegations that the sexual misconduct was committed by multiple perpetrators;
- 5. The risk posed to any individual or to the campus community by not proceeding, including the risk of additional violence;

Investigation and Resolution Process For Students (for non-Title IX matters)

H. Requests for EOA Not to Investigate an Allegation (Cont.).

- 6. Whether the complaint reveals a pattern of misconduct related to Prohibited Conduct (e.g., via illicit use of drugs or alcohol) at a given location or by a particular respondent;
- 7. The respective ages and roles of the complainant and respondent, including whether the conduct involves a complaint of sexual misconduct perpetrated against a minor;
- 8. The complainant's interest in the university not pursuing an investigation or disciplinary action and the impact of such actions on the complainant;
- 9. The availability of other means to obtain relevant evidence of the sexual misconduct without the participation of the complainant (e.g., security cameras or personnel, physical evidence, criminal process, etc.);
- 10. Fairness considerations for both the complainant and respondent;
- 11. The university's commitment to provide a safe and non-discriminatory environment; and
- 12. Any other available and relevant information.

EOA will consider what steps may be possible or appropriate when a respondent is unknown or the complainant requests anonymity, and what other measures or remedies might be considered to address any effects of the reported behavior on the campus community. The Title IX Coordinator or their designee will make a determination regarding the appropriate manner of resolution under the Policy and Student Process. EOA will seek resolution consistent with the complainant's request, if it is reasonably possible to do so, based upon the facts and circumstances, while also protecting the health and safety of the parties and the campus community.

Where EOA determines that a complainant's request(s) can be honored, the university may nevertheless take other appropriate steps to stop the reported conduct, prevent its recurrence, and address its effects on the complainant and the campus community. Those steps may include offering appropriate support measures to the complainant, providing targeted training and prevention programs, and/or providing or imposing other remedies. The Title IX Coordinator or their designee may also re-open a complaint under the Student Process if any new or additional information becomes available, and/or if the complainant later decides that they would like to pursue an investigation.

The university's ability to investigate and respond fully to a complaint may be limited if the complainant requests anonymity or declines to participate in an investigation. The university will, however, pursue other steps to limit the effects of the reported conduct and prevent its recurrence. In all cases, the final decision on whether, how, and to what extent EOA will conduct an investigation and whether Interim Supportive or Protective Measures will be taken in connection with a complaint of sexual misconduct will be made in a manner consistent with the Policy, the Code and the Student Process.

In those instances when EOA determines that it must proceed with an investigation despite the complainant's request, EOA will notify the complainant that it intends to initiate an investigation. The complainant is not required to participate in the investigation or in any of the actions taken by the university.

I. Interim Measures.

When a complaint is made to EOA, the university will provide reasonable interim measures designed to preserve access to educational opportunities; address safety concerns of the complainant, the respondent or the broader university community; maintain the integrity of the investigative and/or resolution process; and deter retaliation.

Investigation and Resolution Process For Students (for non-Title IX matters)

I. Interim Measures (Cont.).

These actions may be supportive or protective measures. Interim Supportive Measures and Interim Protective Measures are both intended to reduce and/or eliminate any negative impact, stop any wrong-doing, and prevent further harm to the individual or the campus community. The availability of Supportive and Protective Measures will be determined by the specific circumstances of each complaint and where possible, will be tailored to avoid depriving any party of their education. The university will consider a number of factors in determining which measures to take, including the needs of the student seeking Supportive and/or Protective Measures; the severity or pervasiveness of the alleged conduct; whether the student has been credibly negatively impacted; any continuing effects on the student; whether the complainant and the respondent share the same residence hall, academic course(s), or on-campus work location(s); and whether either party has received court protection from the other (e.g., protective orders). The university will work in good faith to implement the requirements of judicially-issued protective orders and similar orders, to the extent that doing so is within its authority.

EOA is responsible for ensuring the implementation of Interim Measures and coordinating the university's response with the appropriate offices on campus. EOA has the discretion to impose and/or modify any Interim Measure based on all available information and is available to meet with a complainant or respondent to address any concerns about the provision of interim measures. The university will maintain the privacy of any Supportive and Protective Measures provided under the Student Process to the extent practicable and will promptly address any violation of an Interim Measure.

1. Supportive Measures

Supportive Measures are available to the complainant regardless of whether the complainant pursues an investigation. Supportive Measures are also available to respondents to alleviate any negative impact of participating in the process. The university will provide the parties with reasonable Supportive Measures throughout the reporting, investigation, adjudication, appeal processes, and thereafter as determined to be necessary and reasonable. EOA will coordinate the implementation of Supportive Measures with other university offices as needed.

Supportive Measures may include, but are not limited to the following actions:

- a. Provide information on available campus and community-based advocacy support;
- b. Provide information on available psychological counseling and health services, including guidance in obtaining a sexual assault forensic examination;
- c. Facilitate changes to academic classes, such as adjustments to academic deadlines, course schedules, withdrawal from a class without penalty, and completing a course on-line, if appropriate and available;
- d. Facilitate changes to on-campus living situations, if appropriate;
- e. Facilitate changes to on-campus work arrangements, if appropriate;
- f. Coordinate temporary transportation/parking assistance or escort, if appropriate;
- g. Issue a mutual no-contact directive to the parties or others involved in the matter, if appropriate and as determined on a case-by-case basis, prohibiting the parties or other involved individuals from having contact or communications with each other;

Investigation and Resolution Process For Students (for non-Title IX matters)

1. Supportive Measures (Cont.)

- h. Refer a party to resources to assist in obtaining a protective order;
- i. Refer a party to resources to assist with any financial aid, visa, or immigration concerns; and,
- j. At the discretion of EOA, any other reasonable Supportive Measure that does not interfere with either party's access to education.

2. Interim Protective Measures

In addition to Supportive Measures, the university will consider whether Interim Protective Measures are necessary to protect the safety of the complainant or respondent or campus community, to preserve the parties' ongoing access to educational opportunities, to maintain the integrity of the investigative and/or resolution process, or to deter retaliation. Interim Protective Measures are only available when the university is conducting an investigation.

Interim Protective Measures may include:

- a. If appropriate and as determined on a case-by-case basis, issue a unilateral no contact directive prohibiting the respondent or other individuals from having contact or communications with the complainant or other individuals and requiring the party to whom the unilateral no contact directive has been issued to avoid contact with the party on whose behalf the unilateral no contact directive has been issued, including leaving a space if necessary to avoid contact:
- b. Change in the respondent's class schedule;
- c. Change in the respondent's on-campus work schedule or job assignment;
- d. Change in the respondent's on-campus housing;
- e. Exclusion from all or part of on-campus housing;
- f. Exclusion from specified activities or areas of campus;
- g. Prohibition from participating in student activities or representing the university in any capacity such as playing on an official team; serving in student government; performing in an official band, ensemble, or production; participating in a recognized student organization and its activities; or participating in academic honor ceremonies;
- h. Administrative suspension, as addressed more specifically below;
- i. Any other Interim Protective Measure that is appropriate.

All individuals are encouraged to report to EOA any concerns about the failure of another to abide by any restrictions imposed through an Interim Protective Measure. In the event of an immediate health or safety concern, individuals should contact 911 or Department of Public Safety (on campus) immediately. The university will take action to enforce a previously implemented measure, which may include additional interim restrictions and/or disciplinary sanctions for failing to abide by a university-imposed Interim Protective Measure.

J. Administrative Suspension.

To promote the safety and well-being of members of the campus community; secure university property; and/or

Investigation and Resolution Process For Students (for non-Title IX matters)

J. Administrative Suspension (Cont.).

take action with a student/student organization who poses an ongoing threat of disruption to the normal operations of the university, the Title IX Coordinator or their designee may request that the university initiate an administrative suspension against a student or student organization. To obtain an administrative suspension, the Title IX Coordinator or their designee must make a request to the Director, Student Conduct and Community Standards ("SCCS"). The Director, SCCS, or designee, has the sole authority to initiate an administrative suspension. The process for administrative suspension is outlined in Section 9, Administrative Suspension, of the Code.

K. Informal resolution Process.

The informal resolution process is a voluntary and remedies-based approach to resolution that does not involve taking disciplinary action against a respondent. Complainants who report sexual misconduct or discrimination under the Policy and/or Discriminatory Misconduct provisions may request the informal resolution process prior to, instead of, or during an investigation, although a decision to honor a request made during an investigation will be at the discretion of the Equity Associate in consultation with the Title IX Coordinator. In some forms of informal resolution, the remedies implemented will focus on supporting the complainant with no participation or involvement by the respondent. In other forms of informal resolution that involve or impact the respondent, the respondent must agree to participate. Depending on the form of informal resolution, it may be possible for a complainant to maintain anonymity. Where the informal resolution process involves the participation of the respondent, once the informal resolution process is concluded with a mutually agreeable outcome, the university shall consider the informal resolution to be the final outcome and the matter is then considered closed and the university will conduct no further investigation of the reported incident. There is no appeal process for a informal resolution outcome. If an agreement is not reached, and EOA determines that further action is necessary, or if a party fails to comply with the terms of the informal resolution, the matter may be referred for an investigation or other appropriate action.

EOA may determine the matter is appropriate for an investigation based on the complaint and the information gathered in the informal resolution process, even if neither party requests an investigation. If EOA determines an investigation is warranted, EOA will notify the parties in writing through a Notice of Allegations (See Section L. Investigation Process).

Any form of informal resolution and any combination of interventions and remedies may be utilized. Where an initial assessment concludes that informal resolution may be appropriate, the university will take prompt action, through the implementation of individual remedies, to maintain the parties' access to the programs and activities of the university and to remedy the impacts of conduct on members of the campus community. In some instances, EOA may determine, in consultation with the complainant, that the implementation of Supportive Measures is an appropriate form of informal resolution.

Other forms of informal resolution include discussions with the parties, a resolution facilitated by the Equity Associate, implementing a mutual no contact order and/or separating the parties, targeted or broad-based educational programming or training, facilitated conversation or interaction with the respondent and/or indirect action by the Equity Associate. As part of the informal resolution process, EOA will not compel a complainant and respondent to engage in facilitated conversation with each other, to confront each other directly, or to participate in any particular form of informal resolution.

Investigation and Resolution Process For Students (for non-Title IX matters)

K. Informal resolution Process (Cont.).

Where a facilitated conversation is requested, no meeting between the complainant and the respondent should occur without involvement by appropriate university staff. The informal resolution process is typically not used to resolve complaints of non-consensual sexual intercourse or when a student has reported sexual harassment against an employee in a position of authority over the student. In appropriate circumstances, however, the Title IX Coordinator or their designee may determine that informal resolution is appropriate.

Where the complainant or respondent withdraws from the informal resolution process or the process is otherwise terminated for any reason, any statements or disclosures made by the parties during the course of the informal resolution may be considered in a subsequent investigation.

- 1. To begin the informal resolution process, the complainant should inform the Equity Associate or any other appropriate EOA staff member that they want to engage in the informal resolution process. The Equity Associate will inform the complainant of the range of possible outcomes, including Interim Measures, and provide information about the procedures leading to those outcomes.
- 2. The informal resolution process may include an inquiry into the facts, but does not include an investigation.
- 3. EOA will attempt to resolve the complainant's concern(s) quickly and effectively. The assigned Equity Associate or other EOA staff member will meet with the complainant, the respondent, if applicable, and any other persons the Equity Associate or other EOA staff member may determine to be necessary.
- 4. If a mutually agreed resolution is reached, a written record of the resolution shall be documented by the Equity Associate and maintained in accordance with applicable EOA recordkeeping policies. The university shall consider the informal resolution to be the final outcome and the matter is then considered closed. No appeals of a informal resolution outcome are possible.
- 5. Either the complainant or respondent may at any time elect to withdraw from the informal resolution process. Additionally, if the Equity Associate determines that a mutually agreeable resolution is not possible, or if the Equity Associate learns of information that requires an investigation, the Equity Associate may terminate the informal resolution process. In that event, the Equity Associate will promptly notify the parties, in writing, that the informal resolution process has terminated, and inform the parties of the right to request an investigation. If an investigation is requested, EOA will consider that request based on EOA's review of the complaint and the information gathered in the informal resolution process, taking into consideration whether complainant has asserted information that, if true, would constitute a violation of the Policy and/or the Code.

The informal resolution process will typically be completed within sixty (60) calendar days of the initial complaint.

L. Investigation Process.

Once EOA has determined that a complaint raises a potential violation of the Policy and/or Discriminatory Misconduct provisions, EOA will initiate an investigation at the request of the complainant or when the Title IX Coordinator or their designee independently determines an investigation is warranted. EOA may initiate an investigation even without a complaint or participation by a complainant. Additionally, an investigation may be initiated when a informal resolution process has been terminated.

1. Overview. EOA will conduct a prompt and equitable investigation to gather information relevant to the determination of whether there is sufficient information, by a preponderance of the evidence, to determine that a

Investigation and Resolution Process For Students (for non-Title IX matters)

L. Investigation Process (Cont.).

Policy and/or Code violation occurred. The investigation will be impartial and will be conducted by trained individuals who have no actual bias or conflict of interest for or against the complainant or respondent.

During the investigation and adjudication, both the complainant and respondent have equitable opportunities, including the opportunity to receive a written notice of allegations; to participate in the investigation; to review and present information and evidence; to be accompanied by an advisor of their choice at any stage of the process; to timely and equal access to information that will be used in making a decision about responsibility; to timely notice of meetings at which their presence will be requested or required; to simultaneous written notice of the outcome, sanction, and rationale; and to receive information about available appeals.

The university, not the parties, is responsible for gathering relevant evidence. The complainant and respondent will be asked to identify witnesses and provide other relevant information, such as documents, communications, and other evidence, if available. The parties are encouraged to provide all relevant information as promptly as possible to facilitate prompt resolution. In the event that a party declines to voluntarily provide material information, the university's ability to conduct a prompt, thorough, and equitable investigation may be impacted.

- **2. Investigator**. When the decision is made to initiate an investigation, EOA will designate an investigator to conduct a prompt, thorough, fair, and impartial investigation. The investigator is typically an Equity Associate, but may also be an experienced external professional investigator. All EOA investigators have received training on issues related to sexual and gender-based harassment, sexual assault, dating violence, domestic violence, and stalking and on how to conduct an investigation that is fair and impartial, that provides parties with notice and a meaningful opportunity to be heard, and that promotes the safety of the parties and all participants while promoting accountability.
- **3. Notice of Allegations**. EOA, in consultation with the Director of SCCS or their designee, will issue a notice of allegations to the parties via OSU email or U.S. mail.
- a. The notice will provide a summary of the allegations, including: the names of the parties; the date, time, and location of the alleged violation, if known; a brief summary of the nature of the reported conduct; the specific sections of university Policy and/or Code that are alleged to have been violated; the rights of each party, and oncampus resources available to each party; the prohibition against retaliation; the importance of preserving any potentially relevant evidence; the name of the EOA investigator; how to challenge the participation of the investigator on the basis of a conflict of interest or bias; and, a copy of the Policy, the Code, and the Student Process. If the investigation reveals the existence of additional or different potential violations of the Policy and/or Code, EOA will issue a supplemental notice of allegations.
- b. Upon receiving the notice of allegations, the respondent is expected to contact EOA within three (3) business days to schedule a meeting with the Equity Associate or to notify EOA that they do not wish to meet. The investigation will continue even if the respondent does not choose to participate. Respondents can choose to participate at any point in the investigation, but may not be permitted to offer evidence to EOA once the Final Investigation Report is provided to the Director, SCCS.
- **4. Evidentiary Standard**. The applicable evidentiary standard for all violations of the Policy and Code is a preponderance of the evidence. This standard is met when the evidence shows that it is "more likely than not" that the alleged misconduct occurred.

Investigation and Resolution Process For Students (for non-Title IX matters)

L. Investigation Process (Cont.).

A respondent is presumed to be not responsible unless and until the investigation has concluded and there is a preponderance of the evidence that a Policy and/or Code violation has occurred.

- **5. Consolidation of Investigation**. EOA has the discretion to consolidate multiple complaints into a single investigation if evidence relevant to one incident is relevant to the others. Consolidation might involve multiple complainants and a single respondent, multiple respondents, or conduct that is logically connected. Where the conduct is related or part of the same incident or series of incidents, EOA may investigate alleged violations of other university policies, rules, and/or Code provisions.
- **6. Investigation/Evidence Gathering.** After the notice of allegations is sent, the Equity Associate will conduct a thorough and impartial investigation, gathering relevant and necessary information about the alleged misconduct. During the investigation, the complainant and the respondent will have equitable opportunities to provide the Equity Associate with the names and contact information of fact witnesses, documentation, and any other relevant evidence related to the alleged misconduct.

The Equity Associate will invite both the complainant and the respondent to meet separately with them.

Before or during the initial meeting with the complainant, the Equity Associate will ensure that the complainant has information regarding rights and options generally addressed during the Intake Meeting, as set forth in section G, Initial Assessment. In addition, the Equity Associate will address the following:

- Explain the investigation process and timelines and answer any related questions.
- Provide a document explaining the complainant's rights and options under this Student Process, including the right to be accompanied at any step of the process by an advisor of their choice.
- Provide the complainant a full opportunity to provide information regarding the allegations, including providing the Equity Associate with relevant documentary evidence and the identity of potential witnesses;
- Provide the complainant the opportunity to complete and sign a complaint form;
- Discuss the complainant's expressed preference for manner of resolution and any barriers to proceeding, including explanation of the informal resolution process versus an investigation process;
- Explain the university's policy prohibiting retaliation;
- Confirm with the complainant the process for requesting any Interim Supportive or Protective Measures; and
- Schedule other meetings, if necessary.

The **initial meeting with the respondent** is typically for the purpose of informing the respondent about the allegations and investigation process, including the right to submit a written response to the allegations, and about available support and resource options. Before or during the initial meeting with the respondent, the Equity Associate will address the following:

- Advise the respondent of available on-campus and off-campus advocacy, support and healthcare resources, including confidential resources;
- Provide the respondent with a copy of the Policy, the Code, and this Student Process;
- Explain the investigation process and timelines, and answer any related questions.

Investigation and Resolution Process For Students (for non-Title IX matters)

L. Investigation Process (Cont.).

- Provide a document explaining the respondent's rights and options under the Student Process, including the right to be accompanied at any step of the process by an advisor of their choice;
- Provide the respondent with a written summary of the complaint against respondent, if not already provided. If the summary complaint is not available at the time of the initial meeting with the respondent, the Equity Associate will provide it as soon as it is available;
- Provide the respondent full opportunity to respond to the allegations, at their election, and to provide information regarding the allegations, including providing the Equity Associate with relevant documentary evidence and the identity of potential witnesses;
- Explain the university's policy prohibiting retaliation;
- Confirm with the respondent the process for requesting any Interim Supportive or Protective Measures;
- Inform the respondent that although they are not required to do so, they have the option to provide a written response to the allegations, and have 10 business days to provide that written response; and
- Schedule other meetings, if necessary.

The Equity Associate will also arrange to meet with relevant witnesses. Witnesses are individuals who may have information relevant to the incident, including individuals who may have observed the acts in question, may be able to provide contextual information, or may have other information related to the incident, the disclosure, the parties, or related matters. Witnesses may not participate solely to speak about an individual's character. Where witnesses are interviewed as part of the investigation, the name of the witness and the information gathered in the interviews will be included in or attached to the written investigation record, which the parties will have the opportunity to review at the conclusion of the investigation.

The Equity Associate will also gather and consider other relevant information or evidence, including documents, photographs, communications between the parties, medical records (subject to the consent of the individual who is the subject of the records), and other electronic records as appropriate.

The following apply to the Investigation/Evidence Gathering process conducted by Equity Associates:

- a. All statements made to the Equity Associate during the investigation will be documented in writing and offered for review for accuracy by the individual who provides the information. Individuals who review the accuracy of their statements may provide clarifications or additions, or submit alternative language that they believe more accurately reflects what was said during the investigation interview; this information will supplement, not replace, the individual's earlier statement. Individuals who elect to review their statements must provide a response to the Equity Associate within five (5) business days of receiving the written record.
- b. The Equity Associate may consider information publicly available from online sources that is brought to the attention of EOA. The university does not actively monitor online sources, however, and as with all potentially relevant information, the complainant, respondent, or witness should bring online/publicly available information to the attention of the Equity Associate if they believe it is relevant. The Equity Associate may also consider communications involving or relating to one or both parties that either party brings to the attention of the Equity Associate or that is provided by the parties in response to a request by the Equity Associate. The Equity Associate may also seek review of information available on university devices or servers, to the extent permissible and consistent with the university's information technology policies.

Investigation and Resolution Process For Students (for non-Title IX matters)

L. Investigation Process (Cont.).

- c. The Equity Associate may visit relevant sites or locations, as appropriate, and record observations through written, photographic, or other means. In some cases, the Equity Associate may consult medical, forensic, technological, or other experts when expertise on a topic is relevant in order to achieve a fuller understanding of the issues under investigation. The university generally will not consider polygraph results.
- d. In general, a person's medical and counseling records are confidential and not accessible to EOA unless the person voluntarily chooses to share those records with the Equity Associate. As noted above, to the extent medical or counseling records shared by a party are determined relevant to and relied on in the investigation, relevant information from the records will be made available for review by the other party.
- e. The Equity Associate will review all information identified or provided by the parties and will determine the appropriateness, relevance, and probative value of the information developed or received during the investigation. In general, the Equity Associate will not consider statements of personal opinion or statements as to any party's general reputation for any character trait. All information considered relevant by the Equity Associate will be provided to the parties for their review and comment, as described in the Student Process.
- f. Prior or subsequent conduct may be considered in determining pattern, knowledge, intent or motive. For example, evidence of a pattern of misconduct by the respondent, either before or after the incident in question, regardless of whether there has been a prior finding of a Policy and/or Code violation, may be deemed relevant to the determination of responsibility for the conduct under investigation. The determination of relevance of pattern evidence will be based on an assessment of whether the previous or subsequent conduct was substantially similar to the conduct under investigation or indicates a pattern of similar prohibited conduct. The Equity Associate will determine the relevance of this information, which may involve additional investigative steps, and both parties will be informed if evidence of prior or subsequent conduct is deemed relevant.
- g. The sexual history of the complainant or respondent will never be used to prove character or reputation. Evidence related to the prior sexual history of the parties is generally not used in determining whether a violation of the Policy and/or Code has occurred and will only be considered when a determination is made that the evidence is directly relevant to the investigation. For example, if consent is at issue, the sexual history between the parties may be relevant to determine the nature and manner of communications between the parties, which may inform the determination whether consent was sought and reasonably appeared to have been given during the incident in question. As set forth in the consent definition, even in the context of a relationship, consent on one occasion does not constitute consent on a subsequent occasion. In addition, prior sexual history may be relevant to explain injury, to provide proof of a pattern, or to address another specific issue raised in the investigation. The Equity Associate will determine the relevance of this information and both parties will be informed if evidence of prior sexual history is deemed relevant.
- h. If evidence of additional possible Policy and/or Code violations is found during the investigation, the party accused of that violation will be notified of those allegations in writing through a new or an amended notice of allegations. An amnesty provision applies in some circumstances. (See D. Amnesty)
- i. If a respondent appears to be within a year of degree completion at the time EOA commences an investigation of sexual misconduct and/or discrimination under the Policy and/or Discriminatory Misconduct provisions, EOA will request that the Registrar place a hold restricting conferral of the party's degree in order to preserve the university's ability to appropriately address the alleged conduct.

Investigation and Resolution Process For Students (for non-Title IX matters)

L. Investigation Process (Cont.).

j. If either party leaves or graduates from the university during the investigation, EOA may proceed with the investigation or further action as necessary to eliminate, prevent or address any impacts of the reported conduct. The Student Process will continue to the extent necessary to ensure that the university has taken appropriate action in response to the complaint. In some instances, the imposition of Interim Measures may be sufficient to resolve the reported concerns. EOA will continue to offer a party who has left or graduated the opportunity to participate in the process.

k. Failure to offer evidence known during the process does not constitute grounds for appeal on the basis of new evidence.

- **7. Investigation Record and Final Investigation Report**. At the completion of the fact-gathering and before findings are reached, the Equity Associate will prepare an investigation record that provides the complainant and the respondent equal and timely access to information that will be used in making factual findings relevant to the allegations and Policy and/or Code violations with which the respondent has been charged. The investigation record will summarize the information gathered in the investigation, and will contain all relevant information relied upon in the course of the investigation, including statements by the parties and witnesses, relevant evidence submitted by the parties and witnesses, and any other evidence determined to be relevant by the Equity Associate. The Equity Associate will prepare a draft investigation report, without any findings, summarizing all relevant information gathered in the fact-gathering phase of the investigation.
- a. EOA will offer the complainant and the respondent equal opportunity to review the draft investigation report and investigation record in-person in the EOA office or through a secure online platform. No copies, photographs, saving, or sharing of the investigation record or draft investigation report will be permitted.
- b. The parties will have the opportunity to respond to the draft investigation report and investigation record within ten (10) business days of the date they became available for review. Either party may request an extension of the ten (10) day timeline in writing for good cause. The party's response may: (1) provide written comments or feedback to information within the draft investigation report or investigation record, (2) submit additional information or follow up questions to be asked of the other party or any witness, (3) identify additional witnesses, and/or (4) request the Equity Associate collect other relevant information. The Equity Associate will determine the appropriateness of additional investigative steps and the relevance of additional information. If either party provides a written response or makes a request for additional investigation, the written response and any additional substantive information gathered by the Equity Associate will be incorporated as appropriate in the final investigation report.
- c. The parties will be offered the opportunity to submit written questions for the other party involved in the matter. At the discretion of the Equity Associate, the questions submitted may be asked as provided, asked as modified by the Equity Associate, or not asked at all, based on the Equity Associate's determination of whether or not the questions are relevant or may provide clarity to the investigation. A written record of the questions asked by the Equity Associate and the answers to those questions will be provided to each party.
- d. Unless there are significant additional investigative steps requested by the parties, the Equity Associate will prepare a final investigation report, normally within ten (10) business days after receipt and consideration of additional comments, questions, and/or information from the parties.

Investigation and Resolution Process For Students (for non-Title IX matters)

L. Investigation Process (Cont.).

The final investigation report will include the relevant information contained in the investigation record, the parties' responses to the investigation record, an overview of areas of contested or uncontested information, the Equity Associate's findings as to contested information, including the Equity Associate's assessment of credibility, if relevant, in reaching those findings, and findings of fact.

e. The final investigation report and all relevant evidence, including the investigation record, will be made available to the Director of SCCS. The Director of SCCS, or their designee, will review all information contained within the final investigation report and investigation record developed by the Equity Associate. The Director of SCCS, in consultation with the Title IX Coordinator, may request that the Equity Associate provide additional information or investigation.

8. Administrative Conference.

The administrative conference is the administrative process intended to provide an opportunity for each party to respond to information in the final investigation report. The university uses the administrative conference to determine whether the Policy and/or Code have been violated and, if applicable, impose sanctions. The administrative conference provides an opportunity for the parties to discuss with the Director of SCCS, or designee, either in-person or in writing, information provided in the final investigation report as well as issues relevant to the finding of responsibility, if any.

- a. The administrative conference process will be conducted by the Director, SCCS or their designee. The Director, SCCS and any individual designated by the Director, SCCS must be free from actual bias or conflict of interest.
- b. The Director, SCCS, or designee, will issue a Notice of Administrative Conference to the parties, generally within two (2) business days of receipt of the final investigation report. In that notice, the Director, SCCS, or designee, will provide each party with electronic access to the final investigation report. The investigation report will be anonymized and will be watermarked in a manner that identifies which party is receiving the report copy. The investigation report will be made available through completion of the Administrative Conference process, unless the process is placed on hold by SCCS.
- c. All parties will be given the opportunity to submit written statements that address the charges and investigation report. The written statement must be submitted within ten (10) business days of the Notice of Administrative Conference. The statements of each party will be provided to the other. Each party will then be provided ten (10) business days to provide a written response to the other party's statement. The parties may also submit rebuttal evidence and witnesses for the Director, SCCS's, or designee's review.
- d. Either party may choose not to submit a written statement and/or response. If a party chooses not to submit a written statement and/or response, the Director, SCCS, or designee, will make a determination based upon the available information.
- e. At their election, either party may meet with the Director, SCCS, or designee, to discuss the information provided in their written statement. The request for an in-person meeting must be made within five (5) business days of submission of the written statement.
- f. The timelines the administrative conference process sets for the parties are firm. However, if a party wishes to modify a timeline, the party should submit a written request to the Director, SCCS, or designee, for the requested

Investigation and Resolution Process For Students (for non-Title IX matters)

L. Investigation Process (Cont.).

modification. The written request must show good cause for modifying the timeline and must be submitted before the deadline. While the Director, SCCS, or designee, has sole authority to grant or deny a request to modify a timeline, the Director, SCCS, or designee, may consult with the Title IX Coordinator or their designee, if necessary. The Director, SCCS, or designee, will send simultaneous notices of timeline modifications to the parties. The parties may request periodic updates from the Director, SCCS, or designee, as to the status of the administrative conference process.

g. Once the deadline for both parties to submit a written response to the other party's statement has passed, or the deadline for requesting an in-person meeting has passed, the administrative conference process will be considered concluded.

9. Sanctions.

In keeping with the university's commitment to foster and maintain an environment that is safe, inclusive, and free from sexual misconduct and discrimination, the Director, SCCS, or their designee, has great latitude in the imposition of sanctions tailored to the facts and circumstances of each complaint of sexual misconduct and discrimination, the impact of the conduct on the complainant, the impact on the campus or surrounding community, and whether or not the respondent has acknowledged any responsibility. The imposition of sanctions is designed to eliminate sexual misconduct and discrimination, prevent its recurrence, and remedy its effects, while supporting the university's educational mission, and state and federal obligations. Sanctions may include educational, restorative, and rehabilitative components. Some conduct, however, is so egregious in nature, harmful to the individuals involved, or so detrimental to the educational process that it requires severe sanctions, including suspension or expulsion.

The Director SCCS, or their designee, may solicit information from the complainant, the respondent, or any university administrator who can provide information relevant to a determination regarding potential sanctions. The Director SCCS, or their designee may also review any written impact or mitigation statement submitted by the parties.

In imposing sanctions in cases where a respondent has been found responsible for violating the Policy or Code, the Director SCCS, or their designee, shall consider the following factors in order to reach a sanction proportionate to the violation committed in each reported incident:

- the nature and violence of the conduct at issue;
- the impact of the conduct on the complainant;
- the impact or implications of the conduct on the community or the university;
- prior misconduct by the respondent, including the respondent's relevant prior discipline history, both at the university or elsewhere (if available), including criminal convictions that are relevant to the alleged Policy and/or Code violations with which the respondent has been charged;
- whether the respondent has accepted responsibility for the conduct;
- fostering a safe and respectful environment conducive to learning;
- protection of the campus community; and
- any other mitigating, aggravating, or compelling circumstances.

Investigation and Resolution Process For Students (for non-Title IX matters)

L. Investigation Process (Cont.).

As set forth in more detail in Section 6 of the Code, potential sanctions for student respondents may include, but are not limited to: warnings, educational activities, behavioral expectations, restrictions/exclusions, no contact directives, suspension, and expulsion. Sanctions may be imposed individually or in combination. See Section 6 of Code of Student Conduct for the entire list of possible university sanctions.

The Director, SCCS, or designee, has final decision-making authority with regard to sanctions, subject to available appeals. Any sanctions will be determined in accordance with the Code or other applicable university policy. Where the respondent is assigned sanctions, SCCS will monitor compliance with the sanctions imposed. Where no violation is found, the investigation will be closed unless the complainant files an appeal.

10. Notice of Decision.

After the conclusion of the administrative conference process, the Director, SCCS, or designee, will make a decision as to whether there has been a policy and/or Code violation based on the investigation record, the final investigation report, the written statements and responses of the parties and any other relevant documents submitted during the administrative conference.

The Director, SCCS, or designee, will prepare the written notice of decision summarizing the administrative conference process, the Director's or designee's decision regarding the alleged violations of Policy and/or the Code including the rationale that shaped that decision, and appropriate sanctions, if any, and the rationale for each. This document will serve as the determination of the university on the matter. The notice of decision will also include information on the availability of appeals. The Director, SCCS, or designee, generally will issue a notice of decision, to be delivered to both parties simultaneously, within ten (10) business days from conclusion of the Administrative Conference process.

11. Appeal.

The complainant and respondent may appeal the determination and any outcome imposed by the Director, SCCS or their designee, on one of three grounds outlined in 8.2 of the Code, Grounds for Appeal.

- a. An action or omission that occurred that was not in accordance with the procedures outlined in or referenced by the Code, or was fundamentally unfair, which substantially impacted the outcome;
- b. New evidence exists that was unavailable at the time of the original hearing that could substantially impact the original finding or sanction (a summary of this new evidence and its potential impact must be included); failure to participate or otherwise present available information in the original hearing does not constitute new evidence; or
- c. The sanctions imposed are disproportionate given the context of the violation.

If an appeal is filed by either party, the Director of SCCS, or designee, will notify the opposite party of the appeal and will provide information on how to submit information in response to the appeal. All appeals follow the appeals process contained within the Code (See Code of Student Conduct, Section 8: Appeals), and shall be submitted according to the Code. Following Section 8 of the Code, the appeal will be considered in a neutral and impartial manner by either appellate authority (the Vice Provost for Student Affairs or the Associate Vice Provost and Dean of Students), both impartial decision-makers trained in issues related to sexual misconduct and state and federal law.

Investigation and Resolution Process For Students (for non-Title IX matters)

L. Investigation Process (Cont.).

The appellate authority has the authority to sustain, alter, or reverse the findings and/or sanctions in part or entirely. The appellate authority may also remand the matter to the appropriate review level, either Director, SCCS, or EOA, for further consideration. The decision of the appellate authority serves as the final decision of the university on the matter; no additional appeals are available. Following the conclusion of any appeal process, the matter will be closed.

M. Additional Provisions.

1. Advisors.

The parties and witnesses may each elect to be accompanied by one advisor to any meeting or interview conducted under the Student Process. An advisor can be a friend, family member, union representative, attorney, advocate, or any individual of the party's choosing. However, a witness to the alleged misconduct is not eligible to be an advisor for either party.

The role of the advisor is to support the party and/or give advice regarding the process. An advisor may observe, take notes, request breaks to consult with the party, and ask for clarification about the process.

An advisor may not directly participate in the process, answer questions for the party or witness, interject comments that disrupt the meeting, or interrupt the process to such an extent that the educational purpose of the meeting is impaired, as determined in the sole discretion of the Equity Associate or Director of SCCS, or designee. If an advisor violates these restrictions, they will be given one warning, then, if the disruptive conduct continues, they will be requested and expected to leave the meeting. The party or witness can then elect and be accompanied by a new advisor.

2. Participation.

Students are strongly encouraged to directly participate in all stages of the Student Process. Because the process is educational in nature, and because information related to mitigating and aggravating circumstances is considered, students are best positioned to provide the information and enhance their own learning through direct participation. If students choose to not participate in the Student Process, the matter may proceed without them and a decision may be made in the absence of any input from the student.

3. Safeguarding Privacy.

All parties involved in this process are expected to keep all detailed information relevant to the proceedings private during the process. Reproduction of documents and disclosure of information contained in documents made available by EOA for review in the process are prohibited, and any breach of this restriction is subject to disciplinary action by SCCS. All parties are encouraged to exercise discretion in sharing information in order to safeguard the integrity of the process and to avoid the appearance of retaliation. While discretion regarding the process is important, complainants and respondents are not restricted from discussing or sharing information with others who may support or assist them during the process.

The expectation of privacy during the investigation and resolution process should not be understood to limit the legal rights of the parties during or after resolution. The university may not, by federal law, prohibit either party from disclosing the final outcome (after any appeal is concluded). All other conditions for disclosure of administrative conference records and outcomes are governed by the Family Educational Rights and Privacy Act ("FERPA") and any other applicable laws.

Appendix E: Non-Title IX Student Process

Investigation and Resolution Process For Students (for non-Title IX matters)

M. Additional Provisions (Cont.).

All records of completed informal resolutions and investigations are considered education records of the involved students and retained by EOA in compliance with its records retention policy. These records are only available for review by the parties as provided by and during this process. Access to records of informal resolutions or investigations is substantially limited after the completion of the matter. Redacted records may be available to a party, as determined by the university, in compliance with FERPA and other applicable law.

4. Witness Cooperation in Investigations.

Witnesses are expected to cooperate with and participate in the investigation. Any witness who declines to participate in, or cooperate with, an investigation may, in the sole discretion of the Equity Associate, be permitted to offer evidence or testimony later. Witnesses are encouraged to make themselves available to answer questions by phone, Skype, or similar technology if they cannot be interviewed in person.

Witnesses who refuse to participate or obstruct an investigation conducted by EOA may be referred to SCCS, if a student, and/or the Office of Human Resources, if an employee or student employee.

5. Coordination with Law Enforcement.

If there is a concurrent criminal investigation, the university will seek to work in a collaborative manner in order to respect the integrity of both the external criminal investigation and the university investigation. This may include contacting the law enforcement agency that is conducting any investigation to inform that agency that a university investigation is also in progress, attempting to ascertain the status of the criminal investigation, and seeking to determine the extent to which any evidence collected by law enforcement may be available to the university in its investigation.

Although cooperation with law enforcement may require the university to suspend the fact-finding portion of an EOA investigation temporarily, the university will generally resume its investigation as soon as it is notified by the law enforcement agency that the agency has completed the evidence gathering portion of its investigation. The university will not, however, wait for the conclusion of a criminal proceeding to begin or conclude its own investigation and, if needed, will take immediate steps to provide appropriate Supportive Measures for the parties.

6. Training for University Staff.

University staff tasked with implementing the Student Process will participate in continuing education on related topics as required by applicable law. All Equity Associates receive training on state and federal laws, regulations, and investigatory techniques and practices.

7. Conflicts of Interest.

The university is committed to ensuring that its Student Process is free from actual or perceived bias or conflicts of interest that would materially impact the outcome of the investigation or resolution. Any concerns regarding conflict of interest in an EOA process should be submitted promptly to the Executive Director of EOA.

8. Recordkeeping.

EOA will retain, in accordance with the EOA records retention schedule, records of all complaints, investigations, and resolutions involving alleged violations of the Policy and/or Discriminatory Misconduct provisions of the Code.

Appendix E: Non-Title IX Student Process

Investigation and Resolution Process For Students (for non-Title IX matters)

M. Additional Provisions (Cont.).

Effective: September 15, 2017

Effective: October 22, 2019, revisions Housekeeping edits: August 14, 2020. Housekeeping edits: November 12, 2020.

https://eoa.oregonstate.edu/sexual-misconduct-and-discrimination

Investigation and Resolution Process For Employees (for non-Title IX matters¹)

A. Overview.

Oregon State University ("university") is committed to creating an equitable and inclusive university free of violence, harassment, and discrimination. All individuals who are participating in university programs and activities have the right to do so fully, free from sexual misconduct, discrimination, and retaliation. The university prohibits sexual misconduct, including sexual harassment, non-consensual sexual intercourse or other sexual contact or activity, intimate partner violence, sexual exploitation, and stalking, as set forth in University Policy 05-001 Sexual Misconduct and Discrimination ("Policy²").

This Sexual Misconduct and Discrimination Investigation and Resolution Process for Complaints against Employees ("Employee Process") applies in instances in which an Oregon State University employee is alleged to have violated non-Title IX provisions of the Policy, regardless of the status of the complainant.³ For the purposes of this Employee Process, "employee" is as defined in Section 4.2 of the Policy and "student" is as defined in Section 4.7 of the Policy. The rights of complainants articulated in this Employee Process, particularly as to Supportive Measures and Interim Protective Measures (Section G), are different for complainants who are Oregon State University employees than for complainants who are students, consistent with the expectations of state and federal law that a school take steps to ensure equal access to its educational programs and activities and protect a complainant as necessary before the final outcome of an investigation.

This Employee Process sets forth the procedures that will be used to investigate and resolve complaints that allege non-Title IX violations of the Policy by employees. Additionally, alleged violations of other university policies and rules may also be investigated when the alleged violations arise out of the same incident or pattern of behavior.

This Employee Process is available only to individuals who have a current affiliation with the university. However, the university reserves the right to look into concerns reported to it by and about individuals who do not have a current university affiliation, through whatever process the university determines most appropriate.

This process document includes information about resources and supports available to complainants and respondents, including student complainants.

B. Investigation Office.

The Office of Equal Opportunity & Access ("EOA") is the university office charged with responding to all reported violations of University Policy 05-001 Sexual Misconduct and Discrimination reported by students, employees, third parties, or anyone prevented from participating in a university program. EOA may consult with other university administrators as part of this Employee Process.

C. Reporting.

EOA will respond to all oral, written, and electronic complaints of conduct that may violate the Policy. In some instances, EOA may initiate an investigation in the absence of a formal complaint. The university encourages individuals to bring forward complaints and information as soon as possible after the alleged violation occurs in order to maximize the university's ability to respond promptly and effectively. There is no timeframe for making

¹ This process is for university sexual misconduct and discrimination allegations against employees that do not fall within Title IX prohibited conduct. See the Title IX Investigation and Resolution Process for allegations falling within the definitions of Title IX prohibited conduct.

² References to University Policy 05-001 throughout this document are only for the non-Title IX provisions of the policy. The process for allegations suggesting possible violation of Title IX provisions of University Policy 05-001 are addressed within the Title IX Investigation and Resolution Process.

³ Complaints alleging a violation of University Policy 05-001 by parties who are Oregon State University students or student organizations will be addressed under the Sexual Misconduct and Discrimination Investigation and Resolution Process for Complaints against Students.

Investigation and Resolution Process For Employees (for non-Title IX matters)

C. Reporting (Cont.).

a complaint. Even if a significant amount of time has passed, the university encourages individuals to report incidents that may violate the Policy. That said, prompt reporting will better enable EOA to respond to the complaint, determine the relevant issues, and provide an appropriate response and/or action. Delay in making a complaint may impede EOA's ability to conduct an investigation or take appropriate responsive actions. Depending on the current relationship of the respondent to the university, if any, the university may no longer have the authority to impose disciplinary action. Where the university may not have disciplinary authority, the university will still seek to evaluate the reported conduct, provide reasonably available support resources, assist the complainant in identifying external reporting options, if any, and take reasonably available steps to end the misconduct, prevent its recurrence and address its effects. While EOA will respond to all oral, written or electronic complaints, submission of a complaint does not always result in either an investigation or a informal resolution, as described in Section F, Initial Assessment.

Amnesty: Oregon State University encourages all campus community members to report behavior associated with sexual misconduct and discrimination. To support such reporting, the university will not pursue student conduct proceedings against a student complainant or student witness for their personal use of alcohol, marijuana or other drugs at or near the time of the incident provided their use did not place the health or safety of any other person at risk. Oregon State University may, however, initiate an educational discussion with any student regarding their personal use of alcohol, marijuana or other drugs.

Anonymous Complaints: With the exception of a "Responsible Employee" (which includes most university employees, including faculty), an individual can choose to make a complaint anonymously. However, EOA's ability to investigate complaints or take responsive action may be limited based on the amount of information available to EOA. For example, the possible response may be limited if information contained in the complaint is insufficient to verify violation(s) of the Policy or to identify the parties involved. The Title IX Coordinator or their designee has the discretion to determine how EOA will respond to an anonymous complaint. In general, providing any information, even anonymously, may help the university maintain accurate records regarding the number of incidents involving students, employees, and third parties; determine if there is a pattern of conduct with regard to a particular location or respondent; and alert the campus community to potential dangers when appropriate.

Third Party Complaints: If an alleged violation is reported by a Responsible Employee⁴, witness, bystander, or other person, EOA will treat the person impacted by the reported violation as the complainant for purposes of this Employee Process.

D. Privacy.

All complaints made to EOA are treated in the most private manner possible. Information regarding the complaint will be shared only on a "need to know" basis with other university offices and employees, for instance, to facilitate requests for support resources. When information is shared with university offices and employees, the amount and type of information will also be limited to only that required for the office or employee to carry out their tasks.

⁴ A Responsible Employee, as defined in University Policy 05-005, includes university employees who have the duty to report incidents of sexual misconduct and discrimination. Most university employees are responsible employees unless otherwise specified in the policy.

Investigation and Resolution Process For Employees (for non-Title IX matters) D. Privacy (Cont.).

Medical and counseling records are considered privileged and confidential documents. Individuals reporting violations of the Policy may, but are not required to, disclose those types of documents to EOA as part of this process. To the extent medical and counseling records shared by a complainant with EOA are determined relevant to and are relied upon by EOA in connection with an investigation, they will be made available for review by the other party as the Process requires.

E. Timeframe for Resolution.

The process for resolution begins when EOA is notified of a complaint. EOA will attempt to resolve all complaints as promptly as possible, consistent with the need to conduct sensitive and informed fact-gathering to ensure an equitable resolution. The Employee Process designates reasonably prompt timeframes for the major stages of the investigation and resolution process, but the university may extend any timeframe in this Employee Process for good cause. An extension may be required: to ensure the integrity and thoroughness of the investigation; to comply with a request by law enforcement; in response to the unavailability of the parties or witnesses; or for other legitimate reasons, such as intervening breaks in the academic calendar, university finals periods, the complexity of the investigation, the volume of information, number of witnesses, length of the written record, and/or the severity and extent of the alleged misconduct. Investigations will proceed according to the timeframes in this Employee Process to the extent possible during the summer and at other times when university classes are not in session. EOA will work with the parties to balance the need for promptness and the preference for in-person meetings regarding the investigation.

Timeframes for all phases of the investigation process, including disciplinary proceedings, and any related appeal process, apply equally to both complainants and respondents. While requests for delays in the investigative process by the parties may be considered, the university cannot unduly or unreasonably delay the prompt resolution of a complaint under this Employee Process. EOA has the sole authority to determine whether an extension is required or warranted by the circumstances. The university will keep the parties advised of the progress of the process.

Although cooperation with law enforcement may require the university to temporarily suspend the fact-finding portion of a sexual misconduct and discrimination investigation, the university will generally resume its investigation as soon as it is notified by the law enforcement agency that the agency has completed its evidence gathering process. However, there may be circumstances where the university cannot wait for the law enforcement agency notification in order to comply with its legal requirements, but the university will strive to coordinate with law enforcement when possible. The university generally will not wait for the conclusion of a criminal proceeding to begin or commence its own investigation and, if needed, will take immediate steps to provide appropriate support resources for the parties.

F. Initial Assessment.

Upon receipt of a complaint, EOA will take immediate and appropriate steps to review and resolve the matter promptly and equitably. The first step in this process is called the Initial Assessment.

As part of the Initial Assessment, EOA will gather information about the reported conduct, respond to any immediate health or safety concerns raised by the complaint and evaluate if the reported conduct is within the scope of EOA's jurisdiction.

Investigation and Resolution Process For Employees (for non-Title IX matters) F. Initial Assessment (Cont.).

Once immediate health or safety concerns have been addressed and EOA has determined that the reported concern is within EOA's jurisdiction, EOA will conduct its initial assessment, taking the following steps:

- assess the nature and circumstances of the complaint, including whether it provides the names and/or any other information that identifies the complainant, the respondent, any witness, and/or any other individual with knowledge of the reported incident;
- address ongoing physical safety and emotional well-being concerns of the complainant and/or the campus community;
- notify the complainant of their right to contact (or decline to contact) law enforcement or seek a civil protection order, and that EOA will coordinate with law enforcement, as appropriate, to minimize delay in its action on the matter;
- notify the complainant of the right to seek medical and/or counseling treatment to address physical or mental health issues;
- notify the complainant of the importance of preservation of evidence, including a sexual assault forensic examination and any relevant documentary evidence;
- provide the complainant with a written copy of EOA's Student or Employee Campus/Community Resources and Rights document, as applicable, which contains information about their rights to report, civil and legal options, campus-based services and disciplinary processes, privacy policy information and state and community resources and services, including on and off campus advocacy, support, healthcare and confidential resources;
- notify the complainant, whether a student or employee, of the range of available Supportive and Interim Protective Measures, including the right to reasonable Supportive Measures regardless of whether they choose to participate in a university or law enforcement investigation;
- provide the complainant with a copy of the Policy and this Employee Process and an explanation of the procedural options, including the informal resolution process and the investigation process;
- notify the complainant of the right to be accompanied at any step of the process by an advisor of their choice;
- discuss the complainant's expressed preference for manner of resolution and any barriers to proceeding (e.g., privacy or retaliation concerns); and
- explain the university's Policy prohibiting retaliation and how to report acts of retaliation.

EOA will seek to complete the Initial Assessment within ten (10) business days after EOA is notified of a complaint, if the complainant chooses to engage in the process. However, there may be circumstances where the Initial Assessment takes longer based on the availability or participation of the complainant, the availability of other necessary information, a complainant's request to maintain privacy or not seek disciplinary action, or other factors outside of the university's control. EOA understands that a complainant may engage in delayed decision-making, which may impact the timing of the conclusion of the Initial Assessment.

In matters where the complainant does not wish to pursue an investigation, EOA will inform the complainant that the ability to take disciplinary action against the respondent may be limited. EOA may independently determine that an investigation should proceed separate from the intent or wishes of the complainant (see Section H. Requests for EOA Not to Investigate an Allegation).

Investigation and Resolution Process For Employees (for non-Title IX matters)

F. Initial Assessment (Cont.).

When an alleged violation is reported by a third party, Responsible Employee, witness, bystander, or other person, EOA will treat the person impacted by the reported violation as the complainant for purposes of this Employee Process and will attempt to contact the complainant three times. If the complainant does not respond to EOA contact after the third attempt, EOA will conclude the complainant does not wish to pursue an investigation or resolution process, and generally, close the matter. In cases with certain fact patterns, the Title IX Coordinator, or their designee, may decide that EOA will conduct an investigation without the participation of the complainant (see Section H, Requests for EOA Not to Investigate an Allegation). The complainant can later make EOA aware that they want to participate and EOA will generally allow them to participate if EOA is still in the information gathering phase of the investigation.

If EOA determines the complainant has submitted a complaint that is not within the scope of the Policy or should be processed through another campus office or university procedure available to the complainant, EOA will provide the complainant written notice of this determination in a timely manner and direct the complainant to other appropriate procedure(s) or office(s) for assistance. EOA will maintain a record of the complaint and the reason(s) the complaint was deemed not within the scope of the Policy.

At the conclusion of the Initial Assessment, EOA will:

- **1.** Proceed with an investigation. This will occur when a complaint is determined to be within the scope of the Policy, alleges facts that, if true, would constitute a Policy violation, and the complainant has requested an investigation; when EOA makes a determination to proceed with an investigation even when a complainant requests that no investigation be pursued; or when informal resolution is requested but determined by EOA to not be appropriate or available;
- **2.** Proceed with informal resolution. This will require the consent of the complainant. The consent of the respondent is also required when the proposed resolution requires action by or imposes restrictions on the respondent. Informal resolution can include a situation where a complainant who is a student or employee requests Supportive Measures only; or
- **3.** Refer the matter elsewhere or close the case. If outside the scope of the Policy, EOA will refer the matter to another appropriate office or department for resolution and close EOA's file on the matter. If there is no other available process or office to which the matter can be referred, EOA will close the file and notify the complainant.

When EOA decides to initiate an investigation, impose Interim Protective Measures, or take any other action that impacts a respondent, EOA will ensure that the respondent is notified and receives written information on available resources and procedural options, as provided in this Employee Process.

G. Interim Measures.

When a complaint is made to EOA alleging a violation of the Policy, the university is committed to taking immediate steps to stop any inappropriate behavior and to remedy the effects of that behavior. In support of that commitment, interim measures, either Supportive or Protective, are sometimes necessary and appropriate to address safety concerns of the complainant, the respondent, or the broader university community; to preserve access to educational, research, and employment opportunities; to maintain the integrity of the investigative and/or resolution process; or to deter retaliation.

Investigation and Resolution Process For Employees (for non-Title IX matters)

G. Interim Measures (Cont.).

Supportive Measures and Interim Protective Measures are both intended to reduce and/or eliminate any negative impact, stop any wrong-doing, and prevent further harm to the complainant or the campus community. The availability of Supportive and Protective Measures will be determined by the specific circumstances of each complaint and, where possible, will be tailored to avoid depriving any party access to their educational opportunity or employment. The university will consider a number of factors in determining which measures to take, including the needs of the complainant seeking Supportive and/or Protective measures; the severity or pervasiveness of the alleged conduct; whether the complainant has been credibly negatively impacted; any continuing effects on the complainant; whether the complainant and the respondent share the same academic course(s), or on-campus work location(s); and whether either party has sought court protection from the other (e.g., protective orders). The university will work in good faith to implement the requirements of judicially-issued protective orders and similar orders, to the extent that doing so is within its authority.

Examples of Supportive Measures include, but are not limited to:

- Providing information about campus and community-based advocacy support and counseling and health services.
- Referring a party to resources to assist in obtaining a judicially-issued protective order.
- In consultation with Employee and Labor Relations ("ELR"), as appropriate, working with the parties to limit unnecessary interactions.
- Assisting student complainants who may feel unable to continue with a course to withdraw or make alternative arrangements for completing the course.
- Other reasonable measures that do not interfere with either party's access to the workplace and/or educational program or activity.

Examples of Interim Protective Measures include, but are not limited to:

- In consultation with ELR, as appropriate, make alternative work arrangements for either or both parties to limit unnecessary interactions.
- Other reasonable measures as are determined necessary to address safety concerns, concerns about significant disruption to university business or concerns about continuing Policy violations; to preserve access to educational, research, and employment opportunities; to maintain the integrity of the investigative and/or resolution process; and to deter retaliation.

EOA is available to discuss additional Supportive and Protective measures that may be available.

To promote the safety and well-being of members of the campus community and/or secure university property, the Title IX Coordinator or their designee may request that the university initiate an interim change in the employment arrangements of a complainant or respondent, including reassignment to work from home or in a location other than the complainant's or respondent's usual workplace, for the duration of an investigation under this Employee Process. To implement a change in employment arrangements, the Title IX Coordinator or their designee must make a request to the Associate Vice Provost and Senior Director ("AVP/SD") of ELR. The AVP/SD of ELR or designee has the authority to initiate an interim change in employment arrangements, consistent with applicable policy and/or any collective bargaining agreements.

Investigation and Resolution Process For Employees (for non-Title IX matters)

G. Interim Measures (Cont.).

EOA is responsible for ensuring the implementation of Interim Measures and coordinating the university's response with the appropriate offices on campus. EOA, in consultation with the AVP/SD of ELR as appropriate, has the discretion to impose and/or modify any Interim Measure based on all available information and is available to meet with a complainant or respondent to address any concerns about the provisions of Interim Measures. The university will maintain the privacy of any Supportive or Protective Measures provided under the Employee Process to the extent practicable and will promptly address any violation of an Interim Measure, with EOA investigating alleged violations and referring its findings to the Office of Student Conduct and Community Standards (for any violations by students) or to ELR (for any violations by employees).

H. Requests for EOA Not to Investigate an Allegation.

A complainant may request that their name or other personally identifiable information not be shared with a respondent, that no investigation be pursued, or that no disciplinary action be taken. In these instances, before taking any further investigative steps that would involve notifying the respondent, EOA will discuss any concerns with the complainant and seek to address and remedy barriers to reporting based upon concerns about retaliation or questions about procedural options and potential outcomes.

In order to protect the safety of the campus community, EOA may need to proceed with an investigation (which would include sharing their name with a respondent) or other appropriate action even if a complainant specifically requests that the matter not be pursued or that their name not be shared. EOA may also initiate an investigation of potential violations of the Policy even absent a formal complaint or identified complainant or respondent and even if a complaint has been withdrawn. In such circumstances, EOA will take into account the following factors:

- **1.** The totality of the known circumstances;
- **2.** The nature and scope of the alleged conduct, including whether the reported conduct involves the use of a weapon;
- **3.** The risk that the respondent will commit additional acts of sexual misconduct, as informed by previous or multiple sexual misconduct complaints involving the respondent; a history of violence by the respondent; or, threatened further sexual misconduct against the complainant or others by the respondent;
- 4. Allegations that the sexual misconduct was committed by multiple perpetrators;
- **5.** Whether the complaint reveals a pattern of misconduct (e.g., via illicit use of drugs or alcohol) at a given location or by a particular respondent;
- **6.** The respective ages and roles of the complainant and respondent, including whether the conduct involves a complaint of sexual misconduct perpetrated against a minor;
- **7.** The complainant's interest in the university not pursuing an investigation or disciplinary action and the impact of such actions on the complainant;
- **8.** The availability of other means to obtain relevant evidence of the sexual misconduct without the participation of the complainant (e.g., security cameras or personnel, physical evidence, criminal process, etc.);
- 9. Fairness considerations for both the complainant and respondent;
- 10. The university's commitment to a safe and non-discriminatory environment; and
- **11.** Any other available and relevant information.

Investigation and Resolution Process For Employees (for non-Title IX matters)

H. Requests for EOA Not to Investigate an Allegation (Cont.).

Where EOA determines that a complainant's request(s) to not investigate an allegation can be honored, the university may nevertheless take other appropriate steps to stop the reported conduct, prevent its recurrence, and address its effects on the complainant and the campus community. Those steps may include offering appropriate support resources to the complainant, providing targeted training and prevention programs, and/or providing or imposing other remedies. The Title IX Coordinator or their designee may also re-open a complaint under the Employee Process if any new or additional information becomes available, and/or if the complainant later decides that they would like to pursue an investigation.

In those instances when EOA determines that it must proceed with an investigation despite the complainant's request, EOA will notify the complainant that it intends to initiate an investigation. The complainant is not required to participate in the investigation or in any of the actions taken by the university.

The university's ability to investigate and respond fully to a complaint may be limited if the complainant requests anonymity or declines to participate in an investigation. The university will, however, pursue other steps to limit the effects of the reported conduct and prevent its recurrence. In all cases, the final decision on whether, how, and to what extent EOA will conduct an investigation and whether Supportive Measures or Interim Protective Measures will be taken in connection with a complaint of sexual misconduct and discrimination will be made in a manner consistent with the Policy, and will be documented.

I. Informal Resolution Process.

The informal resolution process is a voluntary and remedies-based approach to resolution that does not involve taking disciplinary action against a respondent. Complainants who report sexual misconduct or discrimination under the Policy may request the informal resolution process prior to, instead of, or during an investigation, although a decision to honor a request made during an investigation will be at the discretion of the Equity Associate in consultation with the Title IX Coordinator. In some forms of informal resolution, the remedies implemented will focus on supporting the complainant with no participation or involvement by the respondent. In other forms of informal resolution that involve or impact the respondent, the respondent must agree to participate. Depending on the form of informal resolution, it may be possible for a complainant to maintain anonymity. Any form of informal resolution and any combination of interventions and remedies may be utilized. Where an initial assessment concludes that informal resolution may be appropriate, the university will take prompt action, through the implementation of individual remedies, to maintain the parties' access to the programs and activities of the university and to remedy the impacts of inappropriate conduct on members of the campus community. In some instances, EOA may determine, in consultation with a complainant, that the implementation of Supportive Measures is an appropriate form of informal resolution. EOA will consult with ELR, as appropriate, on proposed informal resolutions, particularly any that directly affect a respondent.

In some cases, based on the complaint made to EOA or on information gathered in the informal resolution process, for instance if information suggests a pattern of substantively similar behavior by the respondent or behavior affecting multiple individuals, EOA may determine the matter is most appropriate for an investigation, even if neither party requests an investigation. If EOA determines an investigation is required, EOA will notify the parties in writing through a Notice of Allegations (See Section J. Investigation Process).

Investigation and Resolution Process For Employees (for non-Title IX matters)

I. Informal Resolution Process (Cont.).

Other forms of informal resolution include discussions with the parties, a resolution facilitated by the Equity Associate implementing an arrangement that provides separation between the parties, targeted or broad-based educational programming or training, facilitated conversation or interaction with the respondent and/or indirect action by the Equity Associate. As part of the informal resolution process, EOA will not compel a complainant and respondent to engage in facilitated conversation with each other, to confront each other directly, or to participate in any particular form of informal resolution. Where a facilitated conversation is requested, no meeting between the complainant and the respondent should occur without involvement by appropriate university staff. The informal resolution process is typically not used to resolve complaints of non-consensual sexual intercourse or when a complainant has reported sexual harassment by an employee in a position of authority over the complainant. In appropriate circumstances, however, the Title IX Coordinator or their designee may determine that informal resolution is appropriate.

Where the complainant or respondent withdraws from the informal resolution process or the process is otherwise terminated for any reason, any statements or disclosures made by the parties during the course of the informal resolution may be considered in a subsequent investigation.

- **1.** To begin the informal resolution process, the complainant should inform the Equity Associate or any other appropriate EOA staff member that they want to engage in the informal resolution process. The Equity Associate will inform the complainant of the range of possible outcomes, including Interim Measures, and provide information about the procedures leading to those outcomes.
- **2.** The informal resolution process may include an inquiry into the facts, but does not include an investigation.
- **3.** EOA will attempt to resolve the complainant's concern(s) quickly and effectively. The assigned Equity Associate or other EOA staff member will meet with the complainant, the respondent, if applicable, and any other persons the Equity Associate determines are necessary.
- **4.** If a mutually agreed resolution is reached, a written record of the resolution will be documented by the Equity Associate or other EOA staff member and maintained in accordance with applicable EOA recordkeeping policies. The university will consider the informal resolution to be the final outcome and the matter is then considered closed. No appeals of a informal resolution outcome are possible.
- **5.** Either the complainant or respondent may at any time elect to withdraw from the informal resolution process. Additionally, if the Equity Associate determines that a mutually agreeable resolution is not possible, or if the Equity Associate learns of information that requires an investigation, the Equity Associate may terminate the informal resolution process. In that event, the Equity Associate will promptly notify the parties, in writing, that the informal resolution process has terminated, and inform the parties of the right to request an investigation. If an investigation is requested, EOA will consider that request based on EOA's review of the complaint and the information gathered in the informal resolution process, taking into consideration whether the complainant has asserted information that, if true, would constitute a violation of the Policy.

The informal resolution process will typically be completed within forty-five (45) calendar days of the initial complaint.

Investigation and Resolution Process For Employees (for non-Title IX matters)

J. Investigation Process.

1. Overview. EOA will conduct a prompt and equitable investigation to gather relevant information necessary for the adjudicator to make a determination as to whether or not a Policy violation occurred. The determination will be made based on a preponderance of the evidence (more likely than not) that the behavior occurred as alleged. The investigation will be impartial and will be conducted by trained investigators who have no actual bias or conflict of interest for or against the complainant or respondent.

During the investigation and adjudication, both the complainant and respondent have equitable opportunities, including the opportunity to receive written notice of the investigation; to participate in the investigation; to present and review information and evidence; to be accompanied by an advisor of their choice at any stage of the process; to timely and equal access to information that will be used in making a decision about responsibility; to timely notice of meetings at which their presence will be requested or required; to simultaneous written notice of the outcome and rationale; and to receive information about available appeals.

The university, not the parties, is responsible for gathering relevant evidence. The complainant and respondent will be asked to identify witnesses and provide other relevant information, such as documents, communications, and other evidence, if available. The parties are encouraged to provide all relevant information as promptly as possible. In the event that a party declines to voluntarily provide relevant information, the university's ability to conduct a prompt, thorough, and equitable investigation may be impacted.

- **2. Investigator.** When the decision is made to initiate an investigation, EOA will designate an investigator to conduct a prompt, thorough, fair, and impartial investigation. The investigator is typically an Equity Associate, but may also be an experienced external professional investigator.⁵
- **3. Evidentiary Standard.** The applicable evidentiary standard for all violations of the Policy is a preponderance of the evidence. This standard is met when the evidence shows that it is "more likely than not" that the alleged misconduct occurred.

A respondent is presumed not to have violated the Policy until the investigation has concluded and a preponderance of the evidence establishes it is more likely than not that a Policy violation has occurred.

4. Consolidation of Investigation. EOA has the discretion to consolidate multiple complaints into a single investigation if evidence relevant to one incident is relevant to the others. Consolidation might involve multiple complainants and a single respondent, multiple respondents, or conduct that is logically connected. Where the conduct is related or part of the same incident or series of incidents, EOA may investigate alleged violations of other university standards, policies, or rules.

Should a complainant elect to file a substantively similar complaint with the Oregon Bureau of Labor and Industry ("BOLI"), the U.S. Equal Employment Opportunity Commission ("EEOC"), or the U.S. Department of Education Office for Civil Rights ("OCR"), or file a civil lawsuit, either simultaneously or while EOA is conducting an investigation, EOA reserves the right to continue its investigation or to terminate its investigation and have the response to BOLI, EEOC or OCR, or to the civil lawsuit, constitute the university's response to the reported complaint.

⁵The term Equity Associate as used throughout this Employee Process includes external professional investigators working for EOA.

Investigation and Resolution Process For Employees (for non-Title IX matters)

- J. Investigation Process (Cont.).
- **5. Notice of Allegations.** EOA will issue a notice of allegations to the respondent and a notice of acknowledgment of investigation to the complainant via their university e-mail accounts or via U.S. mail.
- a. The notice will provide a summary of the allegations, including: the names of the parties; the date, time, and location of the alleged violation, if known; a brief summary of the nature of the reported conduct; the specific sections of university Policy that are alleged to have been violated; the party's rights, and on-campus resources; the prohibition against retaliation; the importance of preserving any potentially relevant evidence; the name of the EOA Equity Associate; how to challenge the participation of the Equity Associate on the basis of a conflict of interest or bias; and, a copy of the Policy and this Employee Process. If the investigation reveals the existence of additional or different potential violations of the Policy, EOA will issue a supplemental or new notice of allegations, as applicable.
- b. The notice of allegations will request that the respondent contact EOA within three (3) business days to schedule a meeting with the Equity Associate. The investigation will continue even if the respondent does not choose to actively participate.
- **6. Evidence Gathering.** After the notice of allegations is sent, the Equity Associate will conduct a thorough and impartial investigation, gathering relevant information about the alleged misconduct. During the investigation, the complainant and the respondent will have equitable opportunities to provide the Equity Associate with the names and contact information of fact (not character) witnesses, documentation, and any other relevant evidence related to the alleged misconduct. Witnesses whose only information is about an individual's character, with no information about the allegations, will not be considered.

Both the complainant and the respondent will be invited by the Equity Associate to meet separately with the Equity Associate.

Initial Meeting with Complainant

Before or during the Equity Associate's initial meeting with the complainant, which typically takes place before the Notice of Allegations is issued, the Equity Associate will ensure that the complainant has information regarding rights and options, as set forth in Section F, Initial Assessment, some of which may already have been provided during the intake meeting. In addition, the Equity Associate will address the following:

- Explain the investigation process and timelines and answer any related questions;
- Provide a document explaining the complainant's rights and options under this Employee Process, including the right to be accompanied at any step of the process by an advisor of their choice;
- Provide the complainant a full opportunity to provide information regarding the allegations, including providing the Equity Associate with relevant documentary evidence and the identity of potential fact witnesses;
- Provide the complainant the opportunity to submit a written and signed document setting forth the substance of their complaint, including the date and location of the reported behavior, the person responsible for the reported behavior, the nature of the reported behavior, any witnesses to the reported behavior, and any supporting documentary evidence;
- Discuss the complainant's expressed preference for manner of resolution and any barriers to proceeding, including explanation of the informal resolution process versus an investigation process;

Investigation and Resolution Process For Employees (for non-Title IX matters)

J. Investigation Process (Cont.).

- Explain the university's policy prohibiting retaliation;
- Confirm with the complainant the process for requesting any Interim Supportive or Protective Measures; and
- Schedule other meetings, if necessary.

Initial Meeting with Respondent

The Equity Associate's initial meeting with a respondent, which takes place after the notice of allegations has been issued, is typically for the purpose of informing the respondent about the allegations and investigation process, including the right to submit a written response to the allegations, and about available support and resource options. Before or during the initial meeting with the respondent, the Equity Associate will address the following:

- Advise the respondent of available on-campus and off-campus advocacy and support resources, including confidential resources;
- Provide the respondent with a copy of the Policy and this Employee Process;
- Explain the investigation process and timelines, and answer any related questions;
- Provide a document explaining the respondent's rights and options under the Employee Process, including the right to be accompanied at any step of the process by an advisor of their choice;
- Provide the respondent with a written summary of the complaint against respondent, if not already provided. If the summary complaint is not available at the time of the initial meeting with the respondent, the Equity Associate will provide it as soon as it is available;
- Provide the respondent full opportunity to respond to the allegations and to provide information regarding the allegations, including providing the Equity Associate with relevant documentary evidence and the identity of potential fact witnesses;
- Explain the university's policy prohibiting retaliation;
- Inform the respondent that although they are not required to do so, they have the option to provide a written response to the allegations, and have ten (10) business days to provide that written response;
- Confirm with the respondent the process for requesting any Interim Supportive or Protective Measures, if applicable; and
- Schedule other meetings, if necessary.

Witnesses

In addition to meeting with the complainant and respondent, the Equity Associate will meet with fact witnesses who may have information relevant to the incident, who may have observed the acts in question, who may be able to provide contextual information, or who may have other information related to the incident or related matters, either directly or based on reports from either of the parties. Witnesses may not participate solely to provide information about an individual's character. Where witnesses are interviewed as part of the investigation, relevant information gathered in the interviews will be included in the Investigation Report, which the parties will have the opportunity to review at the conclusion of the investigation.

Investigation and Resolution Process For Employees (for non-Title IX matters)

J. Investigation Process (Cont.).

Witnesses are expected to cooperate with and participate in the investigation. Any witness who declines to participate in, or cooperate with, an investigation may, at the sole discretion of the Equity Associate, be permitted to offer evidence or testimony later. Witnesses are expected to make themselves available to answer questions by phone, Skype, or similar technology if they cannot be interviewed in person.

Witnesses who refuse to participate or obstruct an investigation conducted by EOA may be referred to SCCS and/ or the Office of Human Resources or Office of Faculty Affairs, as appropriate.

Evidence

The Equity Associate will also gather and consider other relevant information or evidence, including documents, photographs, communications between the parties, medical records (if provided to EOA by the individual who is the subject of the records), and other electronic records as appropriate.

Investigation/Evidence Gathering Process

The following apply to the investigation/evidence gathering process conducted by Equity Associates:

- a. Statements made to the Equity Associate during the investigation will be documented in writing and offered for review for accuracy by the individual who provided the information. Individuals who review the accuracy of their statements may suggest clarifications, additions, or alternative language that they believe more accurately reflects what was said during the investigation interview; this information will supplement, not replace, the individual's earlier statement. Individuals who elect to review their statements must provide a response to the Equity Associate within five (5) business days of receiving the written record.
- b. The Equity Associate may consider information publicly available from online sources that is brought to the attention of EOA. The university does not actively monitor online sources, however, and as with all potentially relevant information, the complainant, respondent, or witness should bring publicly available/online information to the attention of the Equity Associate if they believe it is relevant. The Equity Associate may also consider communications involving or relating to one or both parties that either party brings to the attention of the Equity Associate or that is provided by the parties in response to a request by the Equity Associate. The Equity Associate may also seek review of information available on university devices or servers, to the extent permissible and consistent with the university's information technology policies.
- c. The Equity Associate may visit relevant physical sites or locations, as appropriate, and record observations through written, photographic, or other means. In some cases, the Equity Associate may consult medical, forensic, technological, or other experts when expertise on a topic is relevant in order to achieve a fuller understanding of the issues under investigation. The university generally will not consider polygraph results.
- d. In general, a person's medical and counseling records are confidential and not accessible to EOA unless the person voluntarily chooses to share those records with the Equity Associate. If medical or counseling records are shared by a party and are determined to be relevant to and relied on in the investigation, relevant information from the records will be included in the Investigation Report which will be made available for review by both parties.

Investigation and Resolution Process For Employees (for non-Title IX matters)

J. Investigation Process (Cont.).

- e. The Equity Associate will consider all information identified or provided by the parties and will determine the appropriateness, relevance, and probative value of the information developed or received during the investigation. In general, the Equity Associate will not consider statements of personal opinion or statements as to any party's general reputation for any character trait. All information considered relevant by the Equity Associate will be included in the Investigation Report, which will be made available to both parties, both of whom will have the right to submit a rebuttal statement, as described in section J.7.b. of this Employee Process, below.
- f. Prior or subsequent conduct may be considered in determining pattern, knowledge, intent or motive. For example, evidence of a pattern of misconduct by the respondent, either before or after the incident in question, regardless of whether there has been a prior finding of a Policy violation, may be deemed relevant to the determination of responsibility for the conduct under investigation. The determination of relevance of pattern evidence will be based on an assessment of whether the previous or subsequent conduct was substantially similar to the conduct under investigation or indicates a pattern of similar prohibited conduct. The Equity Associate will determine the relevance of this information, which may involve additional investigative steps, and both parties will be informed, by way of the Investigation Report, if evidence of prior or subsequent conduct is deemed relevant.
- g. The sexual history of the complainant or respondent will never be used to prove character, reputation, or credibility. Evidence related to the prior sexual history of the parties is generally not used in determining whether a violation of the Policy has occurred and will only be considered when a determination is made that the evidence is directly relevant to the investigation. For example, if consent is at issue, the sexual history between the parties may be relevant to determine the nature and manner of communications between the parties, which may inform the determination of whether consent was sought and reasonably appeared to have been given during the incident in question. As set forth in the consent definition in the Policy, even in the context of a relationship, consent on one occasion does not constitute consent on a subsequent occasion. In addition, prior sexual history may be relevant to explain injury, to provide proof of a pattern, or to address another specific issue raised in the investigation. The Equity Associate will determine the relevance of this information and both parties will be informed, by way of the Investigation Report, if evidence of prior sexual history is deemed relevant.
- h. If either party leaves or graduates from the university during the investigation, EOA may proceed with the investigation or take further action as necessary to eliminate, prevent or address any impacts of the reported misconduct. This Employee Process will continue to the extent necessary to ensure that the university has taken appropriate action in response to the complaint. In some instances, the imposition of Interim Measures may be sufficient to resolve the reported concerns. EOA may continue to offer a complainant who was affiliated with the university at the time the complaint was made, but who has since left or graduated, the opportunity to participate in the process.
- **7. Investigation Report.** At the completion of the evidence-gathering phase, the Equity Associate will prepare an Investigation Report summarizing all relevant information gathered in the investigation. Specifically, the Investigation Report will include a statement of the allegations and Policy violations with which the respondent has been charged, an overview of areas of relevant contested or uncontested information, the Equity Associate's findings as to contested information, including the Equity Associate's assessment of credibility, if relevant, in reaching those findings, and findings of fact.

Investigation and Resolution Process For Employees (for non-Title IX matters)

J. Investigation Process (Cont.).

The following apply to the Investigation Report prepared by the Equity Associate:

- a. The Equity Associate will make available via electronic means a draft Investigation Report, with any supporting exhibits, to the complainant and respondent concurrently, cautioning both parties about any further unauthorized dissemination of the draft report. In support of the university's effort to safeguard the privacy of all parties, the draft Investigation Report will be anonymized and will be watermarked in a manner that identifies which party is receiving the report copy. In addition to the draft Investigation Report and supporting exhibits, each party will receive a Witness Key, allowing each to know who provided what information in the draft Investigation Report.
- b. Both complainant and respondent will have the opportunity to provide a rebuttal statement in response to the draft Investigation Report. Any rebuttal statement is to be provided to the Equity Associate, and must be provided within ten (10) business days of the party's receipt of the Investigation Report.
- c. Either party may request an extension of the ten (10) business day timeline to submit a rebuttal statement in writing for good cause. If a party wishes to modify the timeline, the party should submit a written request to the Equity Associate with the requested modification. The written request must provide good cause for modifying the timeline and must be submitted before the deadline. While the Equity Associate has sole authority to grant or deny a request to modify the timeline, the Equity Associate may consult with the Title IX Coordinator, or their designee, if necessary. The Equity Associate will send concurrent notice of their decision regarding the requested modification to both parties.
- d. The party's rebuttal statement may: (1) address the charges, (2) provide written comments or feedback regarding information within the draft Investigation Report, (3) submit additional information, (4) identify additional witnesses, and/or (5) ask that the Equity Associate collect other relevant information, indicating generally what additional relevant information the party believes is available. The Equity Associate will determine whether additional information submitted by a party, additional witnesses identified by a party, or a party's request that the Equity Associate collect further information, are relevant and if additional investigation is required.
- e. Unless additional investigation is required, the Equity Associate will prepare a Final Investigation Report, incorporating any relevant additional substantive information submitted by either party via a rebuttal statement or gathered by the Equity Associate at the request of either party, normally within ten (10) business days after the close of the timeframe for the parties to submit rebuttal statements. That timeframe may be extended by the Equity Associate for good cause, with the Equity Associate providing concurrent notice to both parties of any extension.
- f. If additional investigation is determined relevant, the Equity Associate will conduct that additional investigation, review any new information with the parties, as appropriate. Any relevant substantive information gathered in the additional investigation will be incorporated into the Final Investigation Report, which normally will be issued within ten (10) business days after the completion of the additional investigation.
- g. Either party may choose not to submit a rebuttal statement. If neither party chooses to submit a rebuttal statement, the draft Investigation Report will become the Final Investigation Report. The Final Investigation Report, with supporting exhibits and Witness Key, will be made available concurrently to the parties and to the

Investigation and Resolution Process For Employees (for non-Title IX matters)

J. Investigation Process (Cont.).

AVP/SD of ELR, or designee, to adjudicate and determine whether the facts gathered by the Equity Associate establish a violation of the Policy. Hereafter the term "Adjudicator" will be used to refer to the AVP/SD of ELR.

8. Adjudication and Determination of Policy Violation. The Adjudicator will review the information in the Final Investigation Report and supporting exhibits. To the extent the Adjudicator determines that additional information or clarification is needed in order to make a decision whether, by a preponderance of the evidence, there has been a violation of university Policy as alleged, the Adjudicator, in consultation with the Title IX Coordinator, may request that the Equity Associate gather and provide additional information. If the Adjudicator requests additional information or clarification, the Equity Associate will incorporate any relevant additional information or clarified information into a Revised Final Investigation Report, and make available the Revised Final Investigation Report concurrently to the parties and the Adjudicator.

When the Adjudicator has received and reviewed the Final Investigation Report and supporting exhibits, or the Revised Final Investigation Report, the Adjudicator, or designee, will make a decision as to whether there has been a Policy violation based on the information provided.

9. Notice of Decision. The Adjudicator, or designee, will issue a written Notice of Decision to both parties simultaneously, with a copy sent to the respondent's supervisory chain and to the Title IX Coordinator. The Notice of Decision will summarize the Adjudicator's, or designee's, decision regarding the alleged violations of Policy, including the rationale that shaped their decision. The Notice of Decision generally will be issued within ten (10) business days from the date of the Final Investigation Report. That timeframe may be extended for good cause, with the Adjudicator providing concurrent notice to both parties of any extension. The Notice of Decision will include information on the appeal process, and identify the university administrator to be designated as the appellate authority (see Section J.10).

Where no violation of Policy is found, the investigation will be closed unless the complainant files an appeal.

- **10. Appeal.** The complainant and respondent may appeal the Policy violation determination made by the Adjudicator, or their designee, on one or both of the grounds set forth below. The appeal process is available ONLY for the determination as to whether there has been a violation of Policy. A respondent who wishes to contest any future disciplinary action imposed by the supervisory chain in response to a determination that there was a violation of Policy, must do so through any applicable university grievance process or collective bargaining agreement.
- a. Allowable grounds for appeal are:
- i. An action or omission occurred that was not in accordance with the procedures outlined in or referenced in this Employee Process, or was fundamentally unfair, which substantially impacted the outcome; or
- ii. New evidence exists that was unavailable at the time of the Final Investigation Report, or Revised Final Investigation Report. Failure of a party to participate or otherwise present available information during the investigation process does not constitute new evidence.

Appeals are to be filed electronically with the Title IX Coordinator/Executive Director of EOA at Equal.Opportunity@oregonstate.edu. Appeals must be filed within five (5) business days of the date of the Notice of Decision. Appeals that are not submitted within five (5) business days, that do not list specific grounds, or that do not fall under one of the listed grounds will not be considered.

Investigation and Resolution Process For Employees (for non-Title IX matters)

J. Investigation Process (Cont.).

If an appeal is filed by either party, the Title IX Coordinator, or designee, will notify and share the appeal with the non-appealing party and provide an opportunity for that party to submit a rebuttal to the Title IX Coordinator or designee for consideration by the appellate authority. Any rebuttal by the non-appealing party must be submitted within five (5) business days of the date the non-appealing party was notified of and provided a copy of the appeal. The Title IX Coordinator will refer the appeal to the appellate authority after receipt of a rebuttal by the non-appealing party, or the time for submission of a rebuttal by the non-appealing party has passed.

b. Review by appellate authority.

The appeal and any rebuttal will be considered in a neutral and impartial manner by the designated appellate authority, or their designee.

The appeal process is not a new review of the allegations. The appellate authority will review the matter on the established record, unless new evidence exists that was previously unavailable.

Generally, the appellate authority, or designee, will issue a decision on the appeal within ten (10) business days of the date an appeal is forwarded to the appellate authority, unless an extension is required based on extenuating circumstances. That timeframe may be extended for good cause, with the appellate authority providing concurrent notice to both parties of any extension. The appellate authority, or their designee, has the authority to do any of the following:

- i. Sustain the original Policy decision;
- ii. Remand the matter to the Adjudicator or to the Equity Associate for further consideration or further investigation; or
- iii. Reverse all or part of the Adjudicator's Policy decision.

The decision of the appellate authority serves as the final decision of the university in the matter as to whether there was a violation of Policy. No additional appeals as to whether there was a violation of Policy are available. Following the conclusion of any appeal process, the investigation will be closed.

K. Disciplinary Action.

When the Adjudicator determines that available information establishes that the respondent engaged in conduct that violated Policy, disciplinary action may be imposed. The Adjudicator will confer with the respondent's supervisory chain in determining what disciplinary action is appropriate, consistent with university policy and any applicable collective bargaining agreement.

Disciplinary action is designed to eliminate sexual misconduct and discrimination, prevent its recurrence, and remedy its effects, while supporting the university's educational mission, and state and federal obligations. The disciplinary action process is outside the scope of this Employee Process. More information about the corrective action process and possible sanctions is available from the Adjudicator and in applicable collective bargaining agreements and other university policies.

L. Additional Provisions.

1. Advisors.

The parties and witnesses may each elect to be accompanied by one advisor to any meeting or interview

Investigation and Resolution Process For Employees (for non-Title IX matters)

L. Additional Provisions (Cont.).

conducted under the Employee Process. An advisor can be a friend, family member, union representative, attorney, advocate, or any individual of the party's choosing. However, a witness to the alleged misconduct is not eligible to be an advisor for either party. An attorney may serve as the advisor and attend meetings up through and including the appeal process, if any, but not extending to the disciplinary action process, if any.

The role of the advisor is to support the party and/or give advice regarding the process. An advisor may observe, take notes, request breaks to consult with the party, and ask for clarification about the process.

An advisor may not directly participate in the process, answer questions for the party or witness, interject comments that disrupt the meeting, or interrupt the process to such an extent that the purpose of the meeting is impaired. If an advisor violates these restrictions, as determined by the Equity Associate, they will be given one warning. If the disruptive conduct continues, they will be requested and expected to leave the meeting or interview. The party or witness can then elect to be accompanied by a new advisor.

2. Participation.

Parties, whether employees or students, are strongly encouraged to directly participate in all stages of the Employee Process. If a respondent chooses to not participate in the Employee Process, the matter may proceed without them and a decision may be made in the absence of any input from the respondent.

3. Accessibility.

It is the policy of the university to comply with Sections 503 and 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 ("ADA"), as amended by the ADA Amendments Act of 2008, and other applicable federal and state law that prohibits discrimination on the basis of a disability.

EOA is committed to making the Employee Process as accessible as is reasonable and practicable for all employees and other involved parties, which may include students. Employees or other involved parties who are off-campus or otherwise unable to participate in-person may request arrangements to participate in other ways (including by providing written statements, through telephonic or online means, etc.). EOA will offer reasonable accommodations to employees and students whose ability to participate in the process is limited or constrained because of a qualifying disability. Employees or students who require a disability accommodation, language support, or who may have other factors that could impact their ability to participate should contact EOA as early as possible in the process to make a request for assistance, which will then be reviewed by EOA. EOA's ability to meet requests may be limited without enough advance notice.

4. Safeguarding Privacy.

All parties involved in this process are expected to keep all detailed information relevant to the proceedings private during the process, except that complainant and respondent are not restricted from discussing or sharing information with others who may support or assist them during the process, nor are they prohibited from seeking resolution in court or an applicable state or federal agency.

Reproduction of documents and disclosure of information contained in documents made available for review in the process are prohibited, and any breach of this restriction is subject to disciplinary action by ELR and/or Student Conduct and Community Standards ("SCCS"), as appropriate.

Investigation and Resolution Process For Employees (for non-Title IX matters)

L. Additional Provisions (Cont.).

All parties are encouraged to exercise discretion in sharing information in order to safeguard the integrity of the process and to avoid retaliation or the appearance of retaliation.

The expectation of privacy during the investigation and resolution process should not be understood to limit the legal rights of the parties during or after resolution. The university may not, by federal law, prohibit either party from disclosing the final outcome (after any appeal is concluded). All other conditions for disclosure are governed by the Faculty Records policy or the Family Educational Rights and Privacy Act ("FERPA"), as applicable, and any other applicable laws.

All records of completed informal resolutions and investigations are considered faculty/employee records of the involved employees and education records of the involved students and retained by the relevant office in compliance with the university's policies. These records are available for review only by the parties as provided by and during this process. Access to records of informal resolutions or investigations is substantially limited after the completion of the matter. Redacted records may be available to a party, as determined by the university, in compliance with the Faculty Records policy and FERPA, as applicable, and other applicable law.

5. Coordination with Law Enforcement.

If there is a concurrent criminal investigation, the university will seek to work in a collaborative manner in order to respect the integrity of both the external criminal investigation and the university investigation. This may include (where consistent with other federal or state privacy laws) contacting the law enforcement agency that is conducting an investigation to inform that agency that a university investigation is also in progress, attempting to ascertain the status of the criminal investigation, and seeking to determine the extent to which any evidence collected by law enforcement may be available to the university in its investigation.

6. Training for University Staff.

All university staff tasked with implementing the Employee Process, including investigators, adjudicators, and appellate authorities, will participate in annual continuing education on related topics as required by applicable law. All Equity Associates who serve as investigators for allegations of a Policy violation receive training on issues related to sexual and gender-based harassment, sexual assault, dating violence, domestic violence, and stalking. This training includes how to conduct a fair and impartial investigation that provides parties with notice and a meaningful opportunity to be heard, and that protects the safety of the parties and all participants while promoting accountability.

7. Conflicts of Interest.

The university is committed to ensuring that this Employee Process is free from actual or perceived bias or conflicts of interest that would materially impact the outcome or resolution. Any concerns regarding conflict of interest in an EOA process should be submitted promptly to the Title IX Coordinator/Executive Director of EOA.

8. Recordkeeping.

All offices involved in this Employee Process will retain, in accordance with the university's records retention schedule, records of all complaints, investigations, and resolutions involving alleged violations of the Policy.

Effective: January 17, 2020.

Housekeeping edits: August 14, 2020. Housekeeping edits: November 12, 2020.

https://eoa.oregonstate.edu/sexual-misconduct-and-discrimination