



2020 Pacific University  
Annual Security and Fire Safety Report  
Crime and Fire Statistics for 2017, 2018, 2019

as Required by the Jeanne Clery Disclosure of  
Campus Security Policy and Campus Crime Statistics Act

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## Introduction

Developed in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), the Annual Security Report informs current students

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and employees as well as prospective students and employees of the reported crimes occurring within Pacific University's geography in the three most recent calendar years. This report reflects data from calendar years 2017, 2018 and 2019. Statistics are collected from a variety of sources including local law enforcement agencies, and university departments, such as Campus Public Safety, the Dean of Student's Office, Residence Life, Housing, and the Student Counseling Center. The Annual Security Report provides the campus community with information and resources so they can make informed and reasoned decisions about their personal safety. Included are campus crime statistics, current safety related policies, helpful resources and educational programs for students and employees at Pacific University. The Annual Fire Safety Report, also included in this report, contains information about fire safety practices and fire statistics in On-Campus Student Housing Facilities from calendar years 2017, 2018 and 2019. The policies in the Annual Security Report and the Annual Fire Safety Report apply to all Pacific University campuses unless otherwise specified.

### **Collecting and Preparing Crime Statistics**

The Clery Compliance Team collects reports of crimes and law violations from Campus Public Safety, Forest Grove Police Department, Hillsboro Police Department, Eugene Police Department and Woodburn Police Department. Data is also gathered from designated Campus Security Authorities, such as resident assistants, coaches and recognized student group advisors. In order to increase accuracy of data, de-identified, aggregate reports are also gathered from the Student Counseling Center and the Campus Wellness Office, offices which hold privilege and thus cannot provide data where individuals can be identified. This information is then compiled into the crime statistics you see in this report.

Each year, an email notice is sent to all university faculty, staff, and enrolled students informing them of the report's availability and location. This email also points to the Clery Compliance webpage:

<https://www.pacificu.edu/about-us/offices/campus-public-safety/clery-act-crime-statistics> and indicates how to obtain a printed copy of the Annual Security and Fire Safety Report.

A printed copy of the Annual Security and Fire Safety Report can be picked up at Campus Public Safety, 2128 College Way, Forest Grove OR 97116 or a digital copy is available at <https://www.pacificu.edu/about-us/offices/campus-public-safety/clery-act-crime-statistics> A copy may also be requested by sending an email to Campus Public Safety at [cps@pacificu.edu](mailto:cps@pacificu.edu) Copies of the Annual Security and Fire Safety Report are provided at no cost.

Each Pacific University campus with a Campus Public Safety office keeps a daily crime log to record all criminal incidents and alleged criminal incidents that are reported to Campus Public Safety. The purpose of the daily crime log is to provide crime information on a timelier basis than the annual statistical disclosure. Daily crime logs reflect the most recent 60-day period and are available for public inspection, free of charge, upon request, during normal business hours. A daily crime log for the Forest Grove campus is available during normal business hours at Campus Public Safety, 2128 College Way, Forest Grove OR 97116. A daily crime log for the Hillsboro campus is available during normal business hours at Campus Public Safety, Pacific

University, 190 SE 8<sup>th</sup> Avenue, Hillsboro, OR 97123. The daily crime log may also be requested for either campus by emailing [cps@pacificu.edu](mailto:cps@pacificu.edu) . A printed copy of the log will be sent to you free of charge. The Eugene and Woodburn campuses of Pacific University do not have a Campus Public Safety office, and as a result, they do not maintain a daily crime log.

## Reporting Considerations

For an incident to be Clery countable, it must be:

**Reported** – The incident must be reported to law enforcement or to a person who, according to the Clery Act, is defined as a Campus Security Authority (CSA) . Crimes can be reported by the victim, the accused, a witness, or a third party. When the incident is reported through a law enforcement agency, it is assumed the report was determined to have been made in good faith. The Clery Act designates four groups of individuals and organizations associated with an institution as Campus Security Authorities, these four groups include the following :

- A campus police department or a campus security department.
- Any individual or individuals who have responsibility for campus security, but who do not constitute a campus police department or a campus security department.
- Any individual or organization specified in an institution’s statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings.

At Pacific University, CSAs include the staff employed at the following offices and these specific positions:

- President, Vice Presidents, Deans, Assistant and Associate Deans, Directors of Academic Programs, Directors of departments, Assistant and Associate Vice Presidents
- Office of Campus Public Safety
- Staff in Student Life, Residence Life (including Resident Assistants), Student Conduct, Housing, Student Activities, Office of Accessibility and Accommodations, Hawaii Outreach and Programming, Orientation, Outdoor Pursuits, Center for Gender Equity
- Department of Athletics (including coaches)
- Students whose jobs include responsibilities to monitor access into campus facilities
- Staff and faculty who serve as Club Advisors

The following may have significant responsibility for student and campus activities, but are exempted from reporting because they are considered confidential reporting resources:

- Chaplain/pastoral counselor: Defined as “a person who is recognized by a religious order or denomination, or as Chaplain, and is someone who provides confidential

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counseling, and is functioning within the authorized scope of that recognition, by their responsibilities, job description, and title.” At Pacific University, this definition includes the university Chaplain.

- Professional counselor: Defined as “a person whose official responsibilities are to provide mental health counseling to members of the university community, affirmed and authorized through their job description, and functioning within the scope of their license or certification.” This definition applies to all trained psychologists, social workers, and counselors in the Student Counseling Center on the Forest Grove and Hillsboro campuses, and their supervisees, as well as to professional counselors who are not employees of the university, but are under contract to provide counseling to Pacific University students. The exception also applies to licensed psychologists and their supervisees/trainees at the Pacific Psychology Clinics in Hillsboro and Portland who receive a disclosure in the context of a privileged communication.
- Medical staff at the Pacific University Health Center on the Forest Grove and Hillsboro campuses.
- Certified Advocates who hold privilege under ORS 40.264 Rule 507-1, when acting in the capacity of confidential advocate.

**Reportable Crimes** – The crime reported must be one of those defined in the Clery Act as a reportable crime. See the reportable crimes table.

**Reportable Area** – The crime must have occurred in one of the Clery Act reportable geographic areas. These areas include On-Campus, On-Campus Student Housing Facilities, Non-campus and Public Property. Clery Act geography includes all properties owned or controlled by the university and the public property immediately adjacent to the core campuses. Crime statistics are reported by these distinct Clery geographic areas:

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

Any building or property that is within or reasonably contiguous to the core campus that is owned by Pacific University, but controlled by another person, is frequently used by students and supports institutional purposes, such as a food or other retail vendor. Before these locations are included, their function and relationship to the university are evaluated.

- **On-Campus Student Housing Facilities** – Any On-Campus building or structure that is owned or controlled by the university and used by students as a dwelling on campus.

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- **Non-campus** – Any building or property owned or controlled by a student organization that is officially recognized by Pacific University; or

Any building or property owned or controlled by Pacific University that is used in direct support of, or in relation to, the university's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Note: Pacific University does not have any student organizations owning or controlling non-campus locations at this time.

- **Public Property** – All public property, including thoroughfares, streets, sidewalks, and parking facilities, which are within the campus, or immediately adjacent to and accessible from the campus. This property is owned by a public entity, such as a city or state government.

Perimeter streets are described in the following way: "Sidewalk – Street – Sidewalk". This means that a reportable crime occurring on the sidewalk on either side of a perimeter street is reportable, as well as incidents occurring in the street. But an incident occurring in a building (a privately owned property) on the distant side of a perimeter street would not be included.

### Geography

The following campuses are reported as "On-Campus" locations:

- Woodburn Campus: 124 W Lincoln St, Woodburn, OR 97071
- Forest Grove Campus: 2043 College Way, Forest Grove, OR 97116
  - Includes On-Campus Student Housing Facilities
- Eugene Campus: 4000 E. 30th Ave., Eugene, OR 97405
- Hillsboro Campus: 222 SE 8th Ave, Hillsboro, OR 97123

In addition to these campuses Pacific University has the additional controlled properties that are reported as Non-Campus locations:

- Pacific Arboretum on Hwy 6
- Pacific EyeClinic Beaverton
- Pacific EyeClinic Cornelius
- Pacific EyeClinic Portland
- Pacific EyeClinic Washington School for the Blind
- Pacific Psychology Clinic Portland

### Reportable Crimes

The Clery Act specifies a standard set of crimes each institution must disclose. Although the local jurisdiction's law enforcement agency or the district attorney may choose not to charge an



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individual for one of these offenses because there is insufficient evidence to reach a conviction, the crime will still be counted in our crime statistics because it was reported. If sworn law enforcement personnel determine an incident could not have occurred or did not occur, i.e. a false report, the crime would be “Unfounded” and reported in the annual report’s “Unfounded” statistics.

<b>Primary Criminal Offenses</b>	
<b>Crime</b>	<b>Count by Number of:</b>
Criminal Homicide – Murder and Non-negligent Manslaughter	Victims
Criminal Homicide – Manslaughter by Negligence	Victims
Sexual Assault – Rape	Victims
Sexual Assault – Incest	Victims
Sexual Assault – Statutory Rape	Victims
Robbery	Incidents
Burglary	Incidents
Motor Vehicle Theft	Vehicles
Arson	Point of origin

<b>Hate Crimes</b>	
<b>Crime/Offense</b>	<b>Count by number of:</b>
Hate Crimes (any of the primary criminal offenses)	Victims
Hate Crime – Larceny	Victims
Hate Crime – Simple Assault	Victims
Hate Crime – Intimidation	Victims
Hate Crime – Vandalism	Victims

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

<b>Arrests and Referrals for Disciplinary Action</b>	
<b>Offense</b>	<b>Count by Number of:</b>
Liquor, Drug, and Weapon Law Offenses	Arrests
Liquor, Drug, and Weapon Law Offenses	Referrals

For liquor, drug, and weapon offenses, the statistics are divided into two categories. The first set of numbers is for individuals who were arrested and the second is for individuals who were referred to Pacific University for disciplinary action. The numbers in both groups are the result of a law violation.

## Hierarchy Rule

The Hierarchy Rule states when more than one Primary Criminal Offense was committed during a single incident, institutions should only count the most serious offense. For example, if a person committed a Burglary and a Murder in the course of a single act, then only the Murder would be counted. However, it is possible that one incident could have elements that require it to be counted as a Primary Criminal Offense, a Hate Crime, a VAWA Offense and an Arrest or Referral for Liquor, Drug, and Weapon Law Offenses. Exceptions apply to Arson, Sexual Assaults, Hate Crimes, VAWA offenses, and Liquor, Drug, and Weapons Offenses.

- If Arson is committed during the same incident as one or more offenses, it is always counted with the most serious offense.
- Sexual Assaults will always be counted when occurring in the same incident as Murder.
- All offenses committed in a multiple offense incident that are bias-motivated must be counted for Hate Crimes. No hierarchy is applied. For example, for a single incident involving both a Rape and an Aggravated Assault that were both Hate Crimes, only Rape is included in the Primary Criminal Offenses category, but both the Rape and the Aggravated Assault are included in the Hate Crimes category.
- If a VAWA offense is committed during the same incident as another crime, both will be counted.
- If multiple Liquor, Drug, and Weapons Offenses occur in the same incident, only the most serious offense will be counted. Liquor, Drug, and Weapons Offenses are counted in addition to the most serious Criminal Offense when occurring in a single incident. If offenses are equal in severity and both are violations, such as Minor in Possession of Alcohol and Minor in Possession of Marijuana, Pacific University will count the Liquor Law Violation since the institution has determined there are more adverse effects to its community based on alcohol-related behaviors.

## Crime Definitions

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

**Manslaughter by Negligence:** The killing of another person by gross negligence.

**Rape:** Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This definition includes any gender of victim(s) or perpetrator(s). This definition also includes instances in which the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity (including due to the influence of drugs or alcohol) or because of age. Physical resistance is not required on the part of the victim to demonstrate lack of consent.

**Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or temporary or permanent mental or physical incapacity.

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**Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.

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

**Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. The type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

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

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

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

**Hate Crime**—A committed criminal offense that is motivated, in whole or in part, by the offender's bias(es) against a race, religion, disability, sexual orientation, ethnicity, gender, or gender identity. This includes criminal offenses of Criminal Homicide, including Murder and Non-negligent Manslaughter, and Manslaughter by Negligence; Sexual Assault, including Rape, Fondling, Incest and Statutory Rape; Robbery; Aggravated Assault; Burglary; Motor Vehicle Theft; and Arson, as well as Larceny / Theft, Simple Assault, Intimidation, Destruction / Damage/Vandalism of property.

**Note:** Even if the offender was mistaken in his or her perception that the victim was a member of the group he or she was acting against, the offense is still a bias crime because the offender was motivated by bias against the group.

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

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

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

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

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- A current or former spouse or intimate partner of the victim;
- A person with whom the victim shares a child;
- A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
- A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred
- By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

### **Dating Violence:** 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 a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the parties involved in the relationship. For the purposes of this definition -
  - Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
  - Dating Violence does not include acts covered under the definition of Domestic Violence.

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

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

## Clery Reportable Crimes

### Forest Grove Campus Crime Data

Offense	Year	On Campus: Residence Hall	On Campus: Other	Total On Campus	Non-campus	Public Property
Arson	2019	0	0	0	0	0
	2018	1	0	1	0	0
	2017	0	0	0	0	0
Motor Vehicle Theft	2019	0	1	1	0	0
	2018	0	2	2	0	0
	2017	0	0	0	0	0
Drug Referral	2019	13	4	17	0	0
	2018	46	1	47	0	0
	2017	43	2	45	0	0
Alcohol Referral	2019	59	2	61	0	0
	2018	95	3	98	0	0
	2017	63	0	63	0	0
Stalking	2019	1	2	3	0	0
	2018	1	0	1	0	0
	2017	0	3	3	0	0
Dating Violence	2019	1	0	1	0	0
	2018	8	0	8	0	0
	2017	5	0	5	0	0
Rape	2019	4	1	5	0	0
	2018	2	0	2	0	0
	2017	3	0	3	0	0
Fondling	2019	3	0	3	0	0
	2018	2	0	2	0	0
	2017	1	1	2	0	0
Incest	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
Hate Crimes	2019	0	1: intimidation based on race	1: intimidation based on race	0	1: intimidation based on race
	2018	0	0	0	0	0
	2017	0	0	0	0	0

In 2017-2019 for the Forest Grove campus, there were zero reported crimes in the other categories (Manslaughter, Manslaughter by Negligence, Robbery, Aggravated Assault, Burglary, Weapons Arrest, Drug Arrest, Alcohol Arrest, Weapons Referral, Domestic Violence, Statutory Rape.)

### Hillsboro Campus Crime Data

Clery-reportable crimes:

- Motor vehicle theft
  - On campus, 2017: 1
  - Public property, 2017: 1
- Stalking
  - Non-campus, 2018: 1

- Non-campus, 2019: 1
- No other Clery-reportable crimes for Hillsboro campus, 2017-2019

### **Eugene Campus Crime Data**

There were no Clery-reportable crimes for Eugene campus, 2017-2019

### **Woodburn Campus Crime Data**

There were no Clery-reportable crimes for Woodburn Campus, 2017-2019

## **Reporting Crimes or Emergencies**

### **Pacific University encourages accurate and prompt reporting of crimes**

Pacific University has a responsibility to inform the campus community about crimes or incidents that pose a serious or continuing threat to safety. Students and employees at every Pacific University campus are encouraged to promptly report crimes to Campus Public Safety and the nearest local law enforcement agency in an accurate and timely manner. If the campus does not have a Campus Public Safety office, students and employees are to contact the nearest local law enforcement agency and then report the incident to Campus Public Safety at (503) 352-2230.

Prompt reporting to Campus Public Safety allows the university to do a threat assessment which may result in the sending of a Timely Warning or an Emergency Notification to help the campus community protect themselves from a similar crime. Delaying the reporting of such incidents may prevent the university from sending a Timely Warning or Emergency Notification to the campus community as required by the Clery Act.

### **How can a report of a crime or an emergency be made?**

Reports may be made in person, by phone to Campus Public Safety, or by using the Blue Light phones found in many locations around the Pacific University Forest Grove Campus. All suspicious activity seen in the parking lots or loitering around vehicles, inside buildings or around the student housing facilities should be immediately reported to Campus Public Safety or to local law enforcement. The chart below contains contact information for law enforcement and security offices at each of the university's campuses.

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<b>All Emergencies On and Off Campus - 911</b>	
On-Campus Forest Grove	Campus Public Safety 2128 College Way, Forest Grove OR 97116 (503) 352-2230
Off campus Forest Grove Non-Emergencies	Forest Grove Police Dept. (503) 629-0111 Forest Grove Fire Dept. (503) 629-0111 Washington Co. Sheriff's Dept. (503) 629-0111
On-Campus Hillsboro	Campus Public Safety 190 SE 8 <sup>th</sup> Avenue, Hillsboro OR 97123 (503) 352-7207
Off-Campus Hillsboro Non-Emergencies	Hillsboro Police Dept. (503) 681-6190 Hillsboro Fire Dept. (503) 681-6166 Washington County Sheriff's Dept. . (503) 629-0111
On-Campus Eugene	Eugene Police Dept. (541) 682-5111 Eugene Fire Dept. (541) 682-7100 Lane County Sheriff's Dept. (541) 682-4150
Off-Campus Eugene Non-Emergencies	Eugene Police Dept. (541) 682-5111 Eugene Fire Dept. (541) 682-7100 Lane County Sheriff's Dept. (541) 682-4150
On-Campus Woodburn	Woodburn Police Dept. (503) 982-2345 Woodburn Fire Dept. (503) 982-2360 Marion County Sheriff's Dept. (503) 588-5094
Off-Campus Woodburn Non-Emergencies	Woodburn Police Dept. (503) 982-2345 Woodburn Fire Dept. (503) 982-2360 Marion County Sheriff's Dept. (503) 588-5094
<b>For non-campus locations, please call local law enforcement and Campus Public Safety</b>	

### **Voluntary Confidential Reporting**

In Oregon, police reports are public records and information contained in those records may not be kept confidential. Additionally, reports made to Campus Public Safety are considered “law enforcement unit records” under the Family Educational Rights and Privacy Act (FERPA) and do not have the same level of confidentiality as student educational records. As a result, Campus Public Safety records may be shared with law enforcement under certain circumstances, without specific permission from persons named in the records.

Victims and witnesses who wish to make confidential reports of crimes involving relationship violence and/or unwanted sexual experiences may report these to the Confidential Advocacy Network or to the Student Counseling Center. Student Counseling Center staff hold privilege and the confidentiality of their records are covered under Oregon Law (ORS 40.230, Rule 504). The advocates who are part of the Confidential Advocacy Network also have privilege and the confidentiality of these records are covered under Oregon Law (ORS 40.264, Rule 507-1). The Student Counseling Center and confidential advocates provide de-identified aggregate information to the university for Clery reporting purposes.

## **Confidential Advocacy Network**

Students who have had an unwanted, confusing, coerced, or forced sexual experience, or have concerns about a relationship, can meet with confidential advocates to help process their experience, connect them to resources and explain options for reporting. More information, including how to contact an advocate is available here:

<https://www.pacificu.edu/academics/centers-institutes/center-gender-equity/sexual-assault-relationship-violence/confidential-advocacy-network>

## **Bias Report Form**

Although the University encourages survivors of sexual misconduct and other bias incidents to talk to someone, the University provides an anonymous reporting option through the [Bias Report Form](#), available online. Entering personally identifying information into the report form may serve as notice to the University for the purpose of triggering an investigation. An anonymous report may limit the University's ability to investigate and address misconduct.

## **Law Enforcement Authority**

### **Forest Grove Campus - Police Authority**

Pacific University employs Campus Public Safety officers to patrol the Forest Grove Campus. These officers are licensed security professionals trained through the State of Oregon Department of Public Safety Standards and Training. Officers of Campus Public Safety have the authority to ask persons for identification and to determine whether individuals have lawful business on the Pacific University campus. They also have the authority to enforce Pacific University Policies and Standards, issue Exclusion Orders and possess citizen's arrest powers (though they do not typically exercise their citizen's arrest powers). Campus Public Safety works in partnership with the Forest Grove Police Department, who are the primary law enforcement agency in the City of Forest Grove, in which the Forest Grove Campus of Pacific University resides. Forest Grove Police Officers have complete police authority and may enforce state and federal statutes on campus and throughout Oregon. If offenses involving university policy are committed by a student, Campus Public Safety Officers may also refer the individual to the Office of Student Conduct.

Forest Grove Police respond and have full authority and jurisdiction on all criminal matters on the Forest Grove campus. The prosecution of criminal offenses, both felony and misdemeanor, are conducted at the Washington County Circuit Court.

Pacific University has an active Memorandum of Understanding with the Forest Grove Police Department. In addition, administrators from Pacific University meet with officials from the Forest Grove Police Department on a regular basis to share information, discuss concerns, and to strategize ways to reduce criminal activity related to Pacific University and students.

Pacific University owned or controlled property in the outlying areas of Washington County are patrolled by the Forest Grove Police Department or the Washington County Sheriff's Office.



### **Hillsboro Campus – Police Authority**

As with the Forest Grove Campus, Pacific University employs Campus Public Safety officers to patrol the Hillsboro Campus. These officers are licensed security professionals trained through the State of Oregon Department of Public Safety Standards and Training. Officers of Campus Public Safety have the authority to ask persons for identification and to determine whether individuals have lawful business on the Pacific University campus. They also have the authority to enforce Pacific University Policies and Standards, issue Exclusion Orders and possess citizen's arrest powers, though do not typically exercise these powers.

Through a mutual agreement, Security officers from nearby Tuality Hospital assist in patrolling the Hillsboro campus. Like the Pacific University Campus Public Safety Officers, the Tuality Public Safety Officers are licensed security professionals trained through the State of Oregon Department of Public Safety Standards and Training.

Campus Public Safety works in partnership with the Hillsboro Police Department, which is the primary law enforcement agency in the City of Hillsboro, in which the Hillsboro Campus of Pacific University resides. Hillsboro police officers have complete police authority and may enforce state and federal statutes on campus and throughout Oregon. If offenses involving university policy are committed by a student, Campus Public Safety Officers may also refer the individual to the Office of Student Conduct.

Hillsboro Police Officers respond and have full authority and jurisdiction on all criminal matters on the Hillsboro campus. The prosecution of criminal offenses, both felony and misdemeanor, are conducted at the Washington County Circuit Court.

### **Eugene Campus – Police Authority**

Pacific University does not have Campus Public Safety Officers who are located at, or patrol, the Eugene campus. Lane Community College employs Public Safety officers to patrol the LCC campus. The police authority for the Eugene campus is the Eugene Police Department. Eugene police officers have complete police authority and may enforce state and federal statutes on campus and throughout Oregon.

Eugene Police Officers respond and have full authority and jurisdiction on all criminal matters on the Eugene campus. The prosecution of criminal offenses, both felony and misdemeanor, are conducted at the Lane County Circuit Court.

### **Woodburn Campus – Police Authority**

Pacific University does not have Campus Public Safety Officers who are located at, or patrol, the Woodburn campus. The police authority for the Woodburn campus is the Woodburn Police Department. Woodburn police officers have complete police authority and may enforce state and federal statutes on campus and throughout Oregon.

Woodburn Police Officers respond and have full authority and jurisdiction on all criminal matters on the Woodburn campus. The prosecution of criminal offenses, both felony and misdemeanor, are conducted at the Marion County Circuit Court.

### **Missing Students: On-Campus Resident Policy**

As an institution providing on-campus student housing, Pacific University is required to comply with the Department of Education's Missing Student Notification Regulations. While the policy statement in this document specifically addresses missing residential students, the university follows similar procedures for any student determined to be missing.

Students, staff, faculty, parents, legal guardians, Campus Security Authorities or any other persons who are aware that a student may be missing should report that information immediately to Campus Public Safety at (503) 352-2230.

Students are encouraged to provide a specific emergency contact who will be notified if the University has determined that the student is missing. This contact will be notified within 24 hours from the time the student has been determined missing by Campus Public Safety, the Dean of Students Office, or a partner law enforcement agency who has notified the university of the situation. The university does not have to wait 24 hours before officially determining a student is missing.

If the student is under 18 years of age and not emancipated, the institution 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 specific contact person, is above the age of 18, or is an emancipated minor, Pacific University will inform the local law enforcement agency who has jurisdiction in the area within 24 hours of determining that the student is missing. The only exception is when it was the local law enforcement agency who determined the student to be missing. The university's missing student policy addresses any missing student who lives in an On-Campus Student Housing Facility, regardless of age or status, and regardless of whether they registered an emergency contact person.

### **Emergency Notifications and Response**

Pacific University will immediately notify the campus community, or the appropriate segment of the community, if a significant or dangerous situation involving an immediate threat to health or safety is occurring on the campus. These situations are evaluated on a case-by-case basis. Officers with Campus Public Safety, or local authorities, will determine if the threat is valid by responding to the scene, if there is time, or through the reports of a credible witness.

In the event of an emergency, the Pacific University Emergency Operations Plan provides the guidelines to minimize the threat to life, health and property due to natural disasters, medical emergencies, fires and utility failures. If, in the view of the University President (or his/her designee), a condition occurs that might endanger the health and welfare of students, faculty, staff or property of Pacific University, the Emergency Operations Plan (EOP) will be activated.

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The following personnel will proceed immediately to open the Emergency Operations Center and follow established priority objectives and oversee response and recovery activities.

- President
- Provost and Vice President for Academic Affairs
- Vice President for Finance and Administration
- Vice President for University Advancement
- Vice President for Enrollment Management & Student Affairs
- Dean of Students
- Director of Facilities Management

Through the Boxer Alert system, the university has the ability to send emergency notifications to the entire Pacific University community or only to the impacted campus depending on the emergency. When issuing a Boxer Alert, the University will communicate the threat to the campus community with details about which campus is affected, a description of the incident, protective measures to take, and where to get updated information about the incident.

All university students and employees, regardless of campus affiliation, are automatically signed up to receive emergency notifications through their university issued email accounts. Students and employees are also automatically signed up to receive emergency notifications via text messaging if they have provided a cellular phone number to the University. Students, faculty, and staff can manage their Boxer Alert account through the MyAccount system that all employees and students have as soon as they are employed or matriculate.

Examples of emergencies that would result in an emergency notification:

- Outbreak of meningitis or other serious communicable illness
- Earthquake
- Gas leak
- Terrorist attack
- Armed intruder
- Bomb threat
- Explosion
- Chemical or hazardous waste spill
- Building Fire

More information about the University's Emergency Response Plan can be found here:

<https://www.pacificu.edu/about-us/offices/campus-public-safety/emergency-response-operations>

### **Timely Warnings: Alerting the Campus about Threats**

The safety of our students and employees is Pacific University's highest priority. Timely Warnings will quickly be sent when a Clery Act crime is reported to Campus Public Safety and occurs on the university's Clery Act geography that also presents a serious or continuing threat to the campus community. Pacific University will keep the names of victims confidential. In narrow circumstances, such as when a suspect is targeting a particular group or a specific location,

personally identifiable information may be included in a Timely Warning notification. Like Emergency Notifications, Timely Warnings will be evaluated on a case-by-case basis and will include steps our campus community can take to protect themselves from a similar occurrence of the reported crime.

There are times when crimes are reported long after they occurred or do not pose a serious or continuing threat to the campus community. In these instances, it would not be effective to distribute a Timely Warning notice to the community. For example, if an Aggravated Assault occurs between two roommates who have a disagreement in an On-Campus Student Housing Facility, there may be no ongoing threat to other Pacific University community members and a Timely Warning would not be distributed. When there is an ongoing or serious threat to the campus community, members of Campus Public Safety, Human Resources, Marketing & Communications, the Dean of Students Office, and other university leadership will collaborate to determine the content of the Timely Warning. This team initiates the notification process and will communicate the threat to the campus community with information about which campus is affected, a description of the incident, protective measures to take, and where to get more information about the incident. When developing a Timely Warning, the university will consider the potential impact on various law enforcement operations and will not compromise law enforcement efforts. University Advancement and Campus Public Safety have the authority to distribute a Timely Warning to the Pacific University community.

## **Emergency Procedures**

The following procedures are a brief overview of protocols for staff, faculty, and students.

### Fire Evacuation Procedures

- Activate Fire Alarm
- Call 911
- Call or have someone call Campus Public Safety (503) 352-2230
- Notify occupants as you evacuate
- Feel doors-DO NOT open hot doors
- DO NOT use elevators
- Only attempt to extinguish a fire if trained

### Injury or Illness Procedures

- Call Campus Public Safety at (503) 352-2230 if it is non-life threatening
- Call 911 if it is life threatening or if you are not sure. Have someone else (if available) call Campus Public Safety at (503) 352-2230
- Keep victim still and comfortable
- Render first aid if trained
- Send someone to meet the ambulance
- If the injured person is an employee, report the injury to the department head or supervisor Poison Control: 1-800-222-1222

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### General Evacuation Procedures

- Follow your department's evacuation plan
- During an earthquake, move away from windows and shelves; drop, cover, and hold on until the shaking stops
- Assist persons with disabilities
- Move well away from the building if possible
- Never re-enter a building after evacuating unless cleared by emergency personnel

### Suspicious Person Procedures

- Do not confront
- Notice details (gender, age, face, hair, clothing, direction of travel, possible weapon)
- If you feel unsafe, go to a secure location
- Call Campus Public Safety at (503) 352-2230

### Suspicious Object Procedures

- DO NOT touch or move anything
- Call Campus Public Safety (503) 352-2230 and evacuate
- Hazardous Substance Release Procedures
- Contain spill if trained and if safe to do so
- For immediate service, contact Campus Public Safety at (503) 352-2230 or Facilities Management (503) 352-2213
- Move away or evacuate if there is a health risk
- Notify others and close doors as you leave
- **Notify incident responders if you have details about the hazardous substance**

### Bomb Threat Procedures

- Look at telephone display and write down the number
- Keep caller on the phone and listen for details (speech patterns, background noises, etc.)
- Call Campus Public Safety at (503) 352-2230
- If necessary, evacuate

### Power Outage Procedures

- Remain calm and stay where you are; refer to your department's evacuation plan
- If directed, evacuate
- Secure experiments; close chemical containers and fume hood sashes as you leave
- Turn off equipment as appropriate
- Assist persons with disabilities
- Do not re-enter a building without clearance to do so
- If there is an emergency, call Campus Public Safety at (503) 352-2230
- Call Facilities Management at (503) 352-2213 for information
- Notify others in your department according to your department's emergency action plan

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### Crime Procedures

- Do not attempt to apprehend or interfere
- Call Campus Public Safety at (503) 352-2230 for an emergency in Forest Grove
- Call Campus Public Safety at (503) 352-7207 for an emergency in Hillsboro
- Give your name, location, department, and as many details as possible

### **Emergency Evacuation Procedures**

#### **Pacific University-Forest Grove Campus**

Emergency response and evacuation/fire drills are coordinated by Residence Life and Campus Public Safety 1-2 times per year for all of the On-Campus Student Housing Facilities. Evacuation/fire drills for other university buildings are also conducted once per year.

Evacuation/fire drills prepare building occupants for an organized evacuation in case of fire or other emergency. At Pacific University, evacuation/fire drills are used to educate and train occupants on fire safety issues specific to their building. Emergency procedures are listed in the Residence Hall Handbook and Campus Public Safety webpages. The university tests the operation of fire alarm system components during the drills. Evacuation/fire drills are monitored by Campus Public Safety and other staff to evaluate egress and behavioral patterns. Reports are prepared by the participating departments which identify deficient equipment so that repairs can be made as soon as possible. Recommendations for improvements are also submitted to the appropriate departments for consideration.

Students receive information about evacuation procedures via email and the Residence Hall Handbook. Paraprofessional Residence Life staff members are trained in these procedures as well and act as an ongoing resource for the students living in student housing.

Students are informed that shelter-in-place instructions will be sent through Boxer Alerts. Pacific University staff on-scene communicate information to students regarding the developing situation and any evacuation status changes.

#### **Pacific University-Hillsboro Campus**

One evacuation/fire drill is conducted each calendar year on the Hillsboro campus. The drills are monitored by university administration. There are no university operated student housing facilities on the Hillsboro campus.

#### **Pacific University-Eugene Campus**

Eugene campus will follow the guidelines in place at the Lane Community College Campus, where this campus is located.

#### **Pacific University-Woodburn Campus**

One evacuation/fire drill is conducted each calendar year on the Woodburn campus. The drills are monitored by university administration. There are no university operated student housing facilities on the Woodburn campus.

## **Security and Access Policy**

### **Security and access to campus facilities**

Campus buildings and facility access is controlled by a standard lock and unlock schedule which is overseen by Campus Public Safety. Access outside of the schedule is granted by key, by electronic access, or by contacting Campus Public Safety. Appropriate building access will be extended to all university staff and employees when positive identification (card or recognition) can be made by the officer or when the request can be verified.

On-campus student housing facilities are secured 24 hours a day with access by an electronic card reader system. Non-residential buildings have individual schedules which are determined by staff and administrators who oversee the programs located in those buildings. Buildings are increasingly being moved to electronic card reader systems, unless these systems do not fit the needs of the space in an effective manner.

Residence hall safety is monitored through several routine procedures. Residence Life Paraprofessionals conduct walk-throughs of the residential buildings multiple times each evening to identify and remedy safety hazards, and Campus Public Safety conducts similar walk-throughs throughout the day and night.

### **Security considerations used in the maintenance of campus facilities**

Pacific University requires the successful completion of a criminal history check for all university employees who perform maintenance or repairs in student housing facilities.

Doors, windows, locks, and other elements of the security system for an individual building receive maintenance on a priority basis. For example, a student 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.

Residence Life and Facilities staff conduct thorough regular checks of each residence hall, identifying and remedying maintenance. Additionally, staff perform health and safety inspections of each residential room at least twice per year, identifying any fire safety hazards, egress issues, cleanliness problems, and any other health or safety concern. Staff then work with residents to ensure any problems are addressed.

## **Security Awareness Programs**

During new student orientations, students learn about services offered by Campus Public Safety, Residence Life and other campus services. Presentations outline ways to maintain personal safety and student housing facility security policies, if applicable. Programs on topics of sexual assault, dating violence, domestic violence, and stalking prevention are integrated into both orientation and ongoing programming plans. These programs are designed to encourage participants to be active and helpful bystanders, and how to take steps to prioritize the safety of themselves and others.

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New Employee Orientation also includes the general information on the services Campus Public Safety provides as well as general safety and security information.

Campus Public Safety provides the following services in support of the university's safe campus objectives:

**Building Security Assessments** – Campus Public Safety Officers conduct security assessments of buildings and facilities to make recommendations for security enhancements such as alarm systems, video surveillance, improved door and window security measures, et cetera.

**Security Upgrades and Additions** - During this past year, new video surveillance systems were installed at the Taylor-Meade Building and Berglund Building on the Forest Grove Campus. Card reader systems and video surveillance systems were installed during the build-out of the new space at HC4 on the Hillsboro Campus.

### **Alcohol and Drug Use: Drug Free Schools and Communities Act**

Pacific University's Alcohol and Other Drug Task Force, under direction from the Dean of Students office, provides the overall coordination of the Drug Free Schools and Communities Act.

The illegal possession, sale, or furnishing of alcohol and drugs on the university campus is governed by Pacific University [Student Code of Conduct](#), Human Resources Policies, Oregon Revised Statutes, and applicable municipal codes. Laws regarding the illegal possession, sale, use, consumption, or furnishing of alcohol and drugs are enforced by university staff, including Campus Public Safety Officers. Violators are subject to the Pacific University student conduct actions, discipline through Human Resources, criminal prosecution, fine, and/or imprisonment. Students are also referred to the Office of Student Conduct whenever they violate laws or policy involving illegal alcohol possession, sale, furnishing and consumption. As stated in the Student Code of Conduct's [Alcohol Policy](#), alcoholic beverages may not, in any circumstance, be used by, possessed by or distributed to any person under twenty-one (21) years of age, in accordance with state law.

Pacific University campuses are considered drug-free. The illegal possession, sale, use, manufacturing, or distribution of any controlled substance is illegal under both state and federal laws, as well as university policy. In 2015 the possession and use of recreational marijuana/cannabis by persons over the age of 21 became legal in the State of Oregon. Despite this legal change, the possession and use of marijuana/cannabis by students, employees, and visitors continues to be against policy on all Pacific University campuses.

In addition, three of Pacific University's campuses are tobacco free campuses, one is a smoke free campus. In compliance with Oregon Senate Bill 754 (effective January 1, 2018), one must be 21 years of age to possess any tobacco products on campus.



## **Substance Use: Individual Interventions**

The following are descriptions of drug and alcohol abuse education programs the university offers that meet the requirements of §120(a) – (d) of the HEA and the Department's regulations at 34 CFR Part 86.

### **Online prevention and intervention modules**

The University provides online prevention and intervention programs that use evidence-based approaches to change student perceptions of alcohol use, and reduce risks for incoming students. Information about the physiological effects of alcohol, how alcohol is metabolized, and the correlation between BAC and level of intoxication are also provided. These programs had a 100% completion rate with the undergraduate students for the 2017-2018 and 2018-2019 Academic Years.

### **Brief Assessment and Screening for College Students (BASICS)**

BASICS is a preventive intervention program for college students 18 to 24 years old. It is aimed at students who drink alcohol heavily and have either experienced, or are at risk for, alcohol-related problems such as poor class attendance, missed assignments, accidents, and violence. BASICS is appropriate for any student who uses alcohol, especially those curious about their drinking. BASICS provides an opportunity to assess individual use patterns, identify potential changes, and discuss ideas to help reduce the risk of future problems.

The brief intervention relies primarily on a motivational interview to provide students with the skills, knowledge, and insight into the consequences of drinking. Studies have evaluated various applications of BASICS and found promising results. One such evaluation found that the BASICS intervention had an impact on various drinking behaviors, such as drinking quantity and perception of drinking consequences, as much as four years after program completion. Follow-up assessments over a two-year period showed significant reductions in both drinking rates and harmful consequences for students who received the intervention. Program impacts did not vary by gender, parental history of alcoholism, conduct disorder history, or student residence type. Students often conform to patterns of heavy drinking they see as acceptable while holding false beliefs about actual alcohol-use norms or alcohol's effects. BASICS is designed to help students make better alcohol-use decisions. The program's style is not confrontational or judgmental, and it aims to:

- Reduce the adverse effects of alcohol consumption
- Promote reduced drinking
- Promote healthier choices among young adults
- Provide important information and coping skills for risk reduction.

The Pacific University Student Counseling Center offers the BASICS Program for students mandated to participate by the Office of Student Conduct. BASICS is available to schedule on a voluntary basis for any enrolled student at Pacific University.

Completion of the BASICS program includes an initial self-assessment questionnaire, 2 one-hour individual sessions with a trained counselor (2 weeks between sessions), and completion of two additional brief measures to evaluate drinking patterns and personal readiness to change (completed between sessions 1 and 2).

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Number of students who completed BASICS in compliance with Conduct sanctions:

2016-2017	2017-2018	2018-2019	2019-2020
13	4	10	4

### **Individual Alcohol or Other Substance Misuse/Abuse Screenings, Consultations and Treatment**

The Student Counseling Center can treat mild alcohol and substance use concerns, as well as relapse prevention within a short-term treatment model. Students with significant or chronic substance use related concerns (i.e., whose symptoms pose medical danger or require intensive outpatient, residential treatment, detox, or hospitalization) are referred to appropriate off-campus resources and treatment programs.

### **Sanctioned Online Education Courses**

Pacific University utilizes 3rd Millennium's alcohol and drugs online educational courses as educational sanctions for violations of University substances policies.

### **Employee Assistance Program (EAP)**

Provides employees personal consultations for concerns including drug and alcohol abuse.

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

Pacific University prohibits Domestic Violence, Dating Violence, Sexual Assault and Stalking and reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all people. Pacific University does not discriminate on the basis of gender in its educational programs and sexual harassment and sexual violence are considered types of sex discrimination. These acts can be sexually based or not, and include Dating Violence, Domestic Violence, and Stalking.

If a report of sexual violence is received by Pacific University, the university will take prompt and effective steps to end the sexual violence, prevent its recurrence, and address its effects. This section identifies the policies, procedures, and resources for offenses of sexual violence. For Federal Clery Act definitions of VAWA offenses, please refer to the section above entitled "Crime Definitions".

#### **Jurisdictional definitions of VAWA offenses**

1. Domestic Violence as defined by ORS 135.230 ([oregonlaws.org/ors/135.230](http://oregonlaws.org/ors/135.230))
  - a. Domestic Violence means abuse between family or household members.
  - b. Family or household members means any of the following:

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

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

2. Dating Violence: Under Oregon state law, there is no specific definition of “Dating Violence.” Oregon state law defines Teen Dating Violence and requires public school district boards to adopt policies addressing it (ORS 339.366).

For Pacific University Clery Purposes, we use the definition of “Dating Violence” as written in the “Crime Definitions” section earlier in this document.

For the purposes of complying with the requirements of this section and section 668.41 of the Federal Register 34 CFR, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

3. Sexual Assault as defined by ORS 163.305 ([oregonlaws.org/ors/163.305](http://oregonlaws.org/ors/163.305))
- a. Sexual assault means any unwanted sexual contact as defined in ORS 163.305 – ORS 147.450. Deviate sexual intercourse means sexual conduct between persons

consisting of contact between the sex organs of one person and the mouth or anus of another.

- b. Forcible compulsion means to compel by:
  - i. Physical force; or
  - ii. A threat, express or implied, that places a person in fear of immediate or future death or physical injury to self or another person, or in fear that the person or another person will immediately or in the future be kidnapped.
- c. Mentally defective means that a person suffers from a qualifying mental disorder that renders the person incapable of appraising the nature of the conduct of the person.
- d. 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.
- e. Physically helpless means that a person is unconscious or for any other reason is physically unable to communicate unwillingness to an act.
- f. 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.
- g. Sexual intercourse has its ordinary meaning and occurs upon any penetration, however slight; emission is not required. [1971 c.743 §104; 1975 c.461 §1; 1977 c.844 §1; 1979 c.744 §7; 1983 c.500 §1; 1999 c.949 §1; 2009 c.770 §1]

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

- 4. Stalking as defined by ORS 163.732 ([oregonlaws.org/ors/163.732](http://oregonlaws.org/ors/163.732))
  - a. A person commits the crime of Stalking if:
    - i. The person knowingly alarms or coerces another person or a member of that person's immediate family or household by engaging in repeated and unwanted contact with the other person;
    - ii. It is objectively reasonable for a person in the victim's situation to have been alarmed or coerced by the contact; and
    - iii. The repeated and unwanted contact causes the victim reasonable apprehension regarding the personal safety of the victim or a member of the victim's immediate family or household.
  - b. Stalking is a Class A misdemeanor.
    - i. Notwithstanding paragraph (a) of this subsection, Stalking is a Class C felony if the person has a prior conviction for:
    - ii. Stalking; or
    - iii. Violating a court's Stalking protective order.
  - c. When Stalking is a Class C felony pursuant to paragraph (i) of this subsection, Stalking shall be classified as a person felony and as crime category 8 of the

sentencing guidelines grid of the Oregon Criminal Justice Commission. [1993 c.626 §2; 1995 c.353 §2] Note. See second note under 163.730 (Definitions for ORS 30.866 and 163.730 to 163.750).

### **Definitions used Pacific University for VAWA offenses**

There are numerous terms used by Pacific University in our policy and procedures. In this section, you will find a list of terms and their definitions for the purposes of this report.

Consent is not defined in Oregon State Criminal Code. Consent is defined by Pacific University as follows:

**Consent** is an informed, knowing, voluntary, and mutual decision and can be withdrawn at any time. Consent is active, not passive. Consent can be given by words or actions as long as those words or actions create mutually unmistakable permission regarding the conditions of sexual activity. Consent must be obtained by the person initiating the behavior at every stage of sexual interaction.

It is important to remember:

- Silence, by itself, cannot constitute consent
- The absence of resistance does not imply consent.
- Consent to one sexual act does not constitute or imply consent to a different sexual act. Consent can be withdrawn at any time.
- Past consent cannot imply consent to future sexual acts. Consent is required regardless of the parties' relationship status or sexual history together.
- A verbal “no” or its equivalent meaning, even if it may sound tentative, indecisive, or insincere, indicates a lack of consent.

Consent can never be given by:

- **Someone who is incapacitated.** A person can be incapacitated through the use of drugs, alcohol or any other intoxicating substance, or when they are unconscious or asleep. It is a violation of the Sexual Misconduct Policy to engage in sexual activity with someone you know or should know is incapacitated. See the definition of incapacity below for more information.
- **Someone who is intellectually disabled.** Certain intellectual disabilities can cause a person to be unable to knowingly consent to sexual activity. It is a violation of the Sexual Misconduct Policy to engage in sexual activity with a person whose intellectual disability renders them incapable of giving consent and the disability is known or should have been known to the non-disabled sexual partner. Under these circumstances, the conduct is non-consensual regardless of whether the person appeared to be a willing participant.
- **Someone who is under the legal age of consent.** In Oregon, the legal age of consent is eighteen (18). It is a violation of this policy to engage in sexual activity with a person who is under the age of consent, regardless of whether the person willingly participated in the conduct, unless otherwise provided by law. The University will take into

consideration Oregon law, including the close-in-age exemption (ORS 163.345). Note: Employees of Oregon public and private higher education institutions are considered by law to be mandatory reporters of child abuse for minors.

**The use of alcohol, drugs, or any other intoxicating substance:** A person who has consumed alcohol and/or drugs still has a responsibility to obtain ongoing consent for any sexual activity with another person. The use of alcohol or other drugs by the person initiating sexual activity will never be accepted as an excuse for failing to obtain consent.

**Incapacity** is the lack of physical or intellectual capabilities to consent. It is important to remember the following:

- A person who is incapacitated cannot understand the fact, nature, or extent of sexual activity.
- Incapacity may be a result of consuming alcohol, drugs or other intoxicating substances, being unconscious or asleep, and/or other factors that could alter one's faculties.
- It is a violation of the Sexual Misconduct Policy to engage in sexual activity with a person who is incapacitated, regardless of whether the person appeared to be a willing participant.
- If there is any question regarding whether a person may be incapacitated, it is best not to engage in sexual activity with that person.

**Force** is never to be used to make someone submit or to complete sexual activity. The use of force to cause someone to engage in sexual activity is, by definition, non-consensual contact. The term "force" includes the use of any of the following:

- Physical force, violence, the presence or use of a weapon
- Threats or harassment
- Intimidation, abuse of real or perceived power or authority, implied threats
- Coercion or duress; this includes pressuring another person to perform or engage in sexual activity.

## **VAWA Education and Prevention Programs**

The university engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end Dating Violence, Domestic Violence, Sexual Assault, and Stalking. Educational programming consists of primary prevention and awareness programs for incoming students. Additionally, employees receive access to online harassment training.

### **Programs to Prevent Dating Violence, Domestic Violence, Sexual Assault, and Stalking**

Pacific incorporates multiple forms of interventions including primary prevention, risk reduction and awareness raising.

**Primary Prevention:** Approaches that take place *before* sexual violence has occurred to prevent initial perpetration or victimization.

**Secondary Prevention:** Immediate responses *after* sexual violence has occurred to deal with the short-term consequences of violence.

**Tertiary Prevention:** Long-term responses *after* sexual violence has occurred to deal with the lasting consequences of violence and sex offender treatment interventions.

**Risk Reduction:** Efforts that give potential victims tools that could minimize risk of sexual violence

**Awareness Education:** Efforts that build awareness of the sexual violence among the target population (These can often fall into the categories of secondary or tertiary prevention, but it is important to remember that on its own, awareness is not preventative.)

**Online Course:** All first year undergraduates or transfer students are required to complete an online education 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; challenges harmful and demeaning language and attitudes; and provides guidance for supporting a friend who may have experienced sexual violence.

**Orientation:** All incoming undergraduate students are instructed to attend “Got Consent” during orientation. This 60 minute presentation raises awareness about interpersonal violence by providing definitions of sexual violence, domestic violence, stalking and consent. The presentation also addresses the root causes and attitudes that perpetuate sexual violence, and looks at safe and positive bystander intervention strategies to prevent harm or intervene in risky situations. Reporting options and on and off-campus resources are provided.

**“Red Zone” Programming:** The first six weeks of fall terms on college campuses have an increased prevalence rate of sexual violence commonly referred to as the “Red Zone.” Center for Gender Equity combines awareness raising with primary prevention. Awareness raising efforts include tabling about consent, as well as social media campaigns through social media.

**“Let’s Talk about Sex and Pizza” Workshops:** These workshops are offered to all first year and incoming students in the Residence Halls during the first few months of school. Students explore their personal boundaries around sex and relationships, define consent, practice bystander intervention techniques, as well as how to respond to a survivor of sexual violence and the available resources on and off campus. These workshops are led by Peer Educators who have completed a semester long training course.

**Athletic Bystander Intervention Workshops:** Peer Educators facilitate workshops with all of the Athletic Teams on bystander intervention. There are three 90 minute workshops that cycle through a three year rotation. The first uses the Step Up curriculum to identify ways student athletes can intervene as brave bystanders in various scenarios. The second workshop in the series explores root causes of interpersonal violence such as rigid gender norms and oppression, and practices interrupting harmful attitudes and beliefs through bystander intervention. The third workshop in the cycle shows a video modeled after Cornell’s Intervene program, where students watch a video made by Pacific students on ways to intervene in situations including potential sexual assault, alcohol poisoning, mental health and microaggressions. Students then discuss how they would step in and intervene in similar situations.

**Ongoing Efforts:** We offer continued workshops on interpersonal violence prevention, healthy relationships and bystander intervention to various student groups throughout the year. Partnerships include Athletics, Greek Life and various student clubs and organizations.

### **Peer Education and Student Leadership**

Many of these efforts are facilitated through our Peer Education and Student Leadership development program through courses offered through the College of Arts and Sciences.

## **Reporting Sexual Assault, Domestic Violence, Dating Violence, and Stalking**

The university is sensitive to those who report Sexual Assault, Domestic Violence, Dating Violence, and Stalking and provides information about their right to notify campus authorities, file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services on and off campus.

The university informs survivors of remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation, and working accommodations, if reasonably available. The university will make such supportive measures regardless of whether the survivor chooses to report the crime to the university or local law enforcement agencies.

Victims of Domestic Violence, Dating Violence, Sexual Assault, or Stalking should report the incident promptly to Title IX Coordinator, Jennifer Yruegas at 503-352-2236 or [titleix@pacificu.edu](mailto:titleix@pacificu.edu) or to Campus Public Safety.

Title IX Deputies, as designated by the Title IX Coordinator, are staff and faculty trained to understand University policies and protocols regarding Title IX, to receive complaints of sex discrimination, including sexual harassment and sexual violence, and to help the University respond to such complaints. Names of all Title IX Deputies can be found on the [Title IX webpage](#).

Reports of all Domestic Violence, Dating Violence, Sexual Assault and Stalking made to Campus Public Safety will automatically be referred to the Title IX Coordinator regardless of whether the complainant chooses to pursue criminal charges.

For the purposes of this section and those following, the terms “survivor” or “victim” refer to the person who experienced an incident of Sexual Misconduct.

### **Involvement of law enforcement and campus authorities**

Although the university strongly encourages all members of its community to report crimes to law enforcement, it is the survivor's choice whether or not to make such a report. Survivors have the right to decline involvement with the police. The university will assist any survivor with notifying local police if they so desire. Students and employees should contact Campus Public Safety (503) 352-2230 or their local law enforcement agency to make a report.



### **Important considerations after an incident of sexual assault, domestic violence, dating violence, and stalking**

After an incident of Sexual Assault, Domestic Violence, or Dating Violence, the survivor should consider seeking medical attention as soon as possible.

Survivors in need of the services of a Sexual Assault Nurse Examiners (SANE nurses) should seek services at Providence St. Vincent's Hospital.

In Oregon, a survivor may choose to have evidence collected anonymously so that even if they do not wish to make a report to law enforcement at that time, they can preserve the evidence in case they want to make a report to law enforcement at a later time.. Under the Violence Against Women and Department of Justice Reauthorization Act of 2005, starting in 2009, states must certify that they do not “require a victim of Sexual Assault to participate in the criminal justice system or cooperate with law enforcement in order to be provided with a forensic medical exam, reimbursement for charges incurred on account of such an exam, or both.”

If evidence is collected anonymously and a report is not made to law enforcement at that time, the ER SANE provider will have law enforcement dispatched to pick up the kit for safe storage and to maintain the chain of custody in the event that the survivor decides to make a report in the future. In this case, the survivor's name will not be shared with police and it is the choice of the survivor as to whether they want to disclose their name to law enforcement at a later time.

It is important that a survivor of Sexual Assault not bathe, douche, smoke, change clothing, or clean the bed/linen/area where they were assaulted if they wish to have forensic evidence collection. This is to ensure that evidence may be preserved that it may assist in proving that the alleged criminal offense occurred or is occurring or may be helpful in obtaining a protection order. In circumstances of Sexual Assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease. Survivors of Sexual Assault, Domestic Violence, Stalking, and Dating Violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to university hearing boards, investigators or police.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, student conduct proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a survivor chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with Campus Public Safety or law enforcement to preserve evidence in the event he or she decides to press charges at a later date. This could assist in proving the alleged criminal offense occurred or it may be helpful in obtaining a protection order.

When an incident of Domestic Violence, Dating Violence, Sexual Assault, or Stalking is reported to the campus law enforcement authority or a Campus Security Authority, an Emergency Notification or Timely Warning may be issued. This will be determined on a case-by-case basis.

The purpose of distributing an Emergency Notification or Timely Warning is to prevent someone else from becoming a victim of the reported crime.

If Domestic Violence, Dating Violence, Sexual Assault, or Stalking is reported to the university, below are the procedures the university will follow. The standard of evidence that will be used during any judicial hearing on campus arising from such a report will be preponderance of the evidence standard, which means for a finding of responsibility that is more likely than not based on the evidence that the behavior occurred.

### Victim’s rights overview

University	Civil	Criminal
<p><b>A report of sexual assault to Title IX Coordinator, Student Conduct or CPS will trigger a report to the University Title IX Coordinator, and may require an investigation.</b> Confidentiality cannot be guaranteed, but will be respected when possible.</p> <p><b>Disclosure to a confidential advocate, licensed medical/ mental health professional, clergy or lawyer will not trigger a report.</b></p> <p><b>Supportive Measures:</b></p> <ul style="list-style-type: none"> <li>• Housing changes</li> <li>• No contact orders</li> <li>• Academic and on campus employment accommodations</li> <li>• Financial aid accommodations</li> </ul> <p><b>Prompt and Equitable</b></p> <ul style="list-style-type: none"> <li>• Treatment of both complainant and accused must be equitable</li> <li>• Both have the same opportunity to meet with an advisor during a conduct hearing</li> <li>• Both informed of the outcome of the hearing.</li> </ul>	<p>Survivors may be able to pursue these options without involvement in the criminal process.</p> <p><b>Restraining Order</b> Petition courts for a protective/ restraining order ( FAPA, SAPO, Stalking, EPPDAPA)</p> <p><b>Civil Lawsuits</b> Sue perpetrator or other responsible parties, including companies, landlords, institutions, etc, for personal injury or other civil claims.</p> <p><b>Employment</b> Can receive unemployment insurance if you quit due to domestic violence, stalking, sexual assault or safety reasons. Employer cannot refuse to make safety accommodations. Employer cannot discriminate or retaliate against survivors.</p> <p><b>Housing</b> Survivors can break a lease and request locks changed by the landlord. Landlords cannot discriminate or retaliate.</p> <p><b>Immigration</b> Immigration relief available to crime victims in the US. <b>**Some relief may require participation in the criminal process.</b></p>	<p>Criminal process starts with a police report.</p> <p><b>Following an Arrest:</b></p> <ul style="list-style-type: none"> <li>• Judge will consider your safety at a pre-release trial hearing.</li> <li>• You can refuse to speak to an attorney for the defendant.</li> </ul> <p><b>If Case Goes to Trial &amp; Sentencing:</b></p> <ul style="list-style-type: none"> <li>• You have the right to express your views at sentencing, in person or in writing.</li> <li>• Rape shield laws may apply in your case ( <i>defendant can't ask about past sexual history and publication of survivor's identity is prohibited</i>)</li> <li>• If a pre-sentence investigation report is ordered, you can include a statement in it.</li> </ul> <p><b>Generally:</b> You have constitutional and statutory rights that can be asserted by you, your attorney, or the prosecution upon request.</p>

\*This document is only meant to highlight some rights found within each of these systems not to be a comprehensive document or provide legal advice. To learn more consider talking with an attorney. Adapted from Portland State University and Oregon Department of Justice January 2016.

## **Assistance for Victims: Rights and Options**

The university will assist victims of Sexual Assault, Domestic Violence, Dating Violence, and Stalking and will provide each victim with a written explanation of their rights and options. The notification will include options for available assistance with requesting changes to academic, living, transportation and working situations as well as available protective measures. The university will make such accommodations or provide such protective measures if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report or pursue a criminal complaint, or whether the offense is alleged to have occurred on or off campus.

In Oregon, a victim of Domestic Violence, Dating Violence, Sexual Assault, or Stalking has rights under state law. These rights include financial assistance for a variety of things, like counseling, medical expenses, loss of earnings, and more. For more information on victims' rights in the State of Oregon, visit [doj.state.or.us/victims/pages/compensation.aspx](http://doj.state.or.us/victims/pages/compensation.aspx) . Information from the State of Oregon regarding the types of orders available to victims of Domestic Violence, Sexual Assault or Stalking and the accompanying forms associated with the orders may be accessed at:

<https://www.courts.oregon.gov/programs/family/forms/Pages/protective-orders.aspx>.

The university complies with Oregon law in recognizing orders of protection and restraining orders and will assist university students and employees who obtain an order of protection from any U.S. state with information and safety planning. Individuals with protection or restraining orders should provide a copy to Campus Public Safety. They may then work to develop a safety plan, which is a plan for Campus Public Safety and the victim to reduce their risk of harm while on campus or in coming and going from campus.

The university cannot apply for a legal order of protection, no contact order, or restraining order for a survivor from the applicable jurisdiction(s). The survivor is required to apply directly for these services. Help may be available through the Domestic Violence Resources Center (DVRC), orders may be available through your local Circuit Court.

The university may issue an institutional “no contact” expectation or directive, if deemed appropriate, or at the request of the victim or accused. To the extent of the victim’s cooperation and consent, university offices will work cooperatively to ensure that the complainant's health, physical safety, work and academic status are protected, pending the outcome of a formal university investigation of the complaint. For more information, please contact the [Confidential Advocacy Network](#) or the Dean of Student’s Office at (503) 352-2120.

This plan may include, but is not limited to: escorts, special parking arrangements, changing classroom location, or allowing a student to complete assignments from home. Employees who are victims of Domestic Violence may be eligible to take advantage of intermittent or continuous leave in order to secure restraining orders, attend court, or the like.

Personally identifiable information about the victim will be shared only with persons who have a specific need to know because they are investigating, adjudicating the complaint or delivering resources or support services to the complainant (for example, publicly available record-keeping

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for purposes of Clery Act reporting and disclosures will be made without inclusion of identifying information about the victim, as defined in 42 USC 1395 (a) (20)). The university will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

The university does not publish the name of crime victims or identifiable information regarding victims in the Campus Public Safety Daily Crime Log. Victims, who are students, may request their directory information on file be removed from public sources at the Office of the Registrar (503) 352-2793. Victims who are employees should contact the Office of Human Resources (503) 352-2210 for the same service.

### Confidential campus and community resources

Talking with the people in your support system (trusted friends or relatives) or with a counselor can be very helpful if you are having feelings that upset or confuse you. You can call the following numbers if you would like confidential information on how to find someone to talk to or to learn more about your options:

#### Confidential On-Campus Resources for Students

- Pacific University [Confidential Advocacy Network](#)
- Pacific University Student Counseling Center 503-352-2191

#### Confidential Off-Campus for Students and Employees

- Sexual Assault Resource Center 24 hour crisis line: 503-640-5311 Toll free number: 1-888-640-5311
- Domestic Violence Resource Center [www.dvrc-or.org](http://www.dvrc-or.org) 503-469-8620 or toll free 1-866-469- 8600
- Men's Resource Center 503-235-3433
- Eugene: Oregon Sexual Assault Support Services 541-343-7277 24-hour crisis line
- Eugene: Women's Space [womenspaceinc.org](http://womenspaceinc.org) 541-485-6513 24 crisis line
- Salem: Oregon Mid-Valley Women's Crisis Service [mwcs.com](http://mwcs.com) 1-866-399-7722 24 hour crisis line
- Staff and Faculty Counseling Services (Cascade Center EAP) 1-800-433-2320 [www.cascadecenter.com](http://www.cascadecenter.com)
- Not Alone (Sexual Violence Resources) [www.notalone.gov](http://www.notalone.gov)
- Help for Survivors Oregon Sexual Assault Task Force [oregonsatf.org/help-for-survivors/](http://oregonsatf.org/help-for-survivors/)
- Hawaii 24 hour hotline: <http://satchawaii.com/get-help-24-hour-hotline.asp>

### Sex Offender Registration Information

The federal Campus Sex Crimes Prevention Act of 2000 (CSCPA), which became law October 28, 2000, but which delayed certain provisions until October 28, 2002, amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act.

CSCPA provides special requirements relating to registration and community notification for sex offenders who are enrolled in or work at institutions of higher education. In addition to the Wetterling Act, CSCPA also amended the Clery Act, an annual crime reporting law, and the

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Family Educational Rights and Privacy Act of 1974 to allow the disclosure of this information regarding students.

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

Under current state law, computerized sex offender information can be obtained through local law enforcement agencies and the Oregon State Police through their sex offender registration information website at <http://sexoffenders.oregon.gov/or> or at (503) 378-3720 extension 4429. This computerized database can access sex offender information by name, address, zip code or county.

For additional information about sex offender registration:

### **Oregon State Police**

Sex Offender Registration Unit  
3565 Trelstad Ave SE  
Salem, OR 97317  
(503) 934-1258,  
Email: [sexoffender.questions@state.or.us](mailto:sexoffender.questions@state.or.us)

### **Washington County Community Corrections**

Community Corrections - Adult Probation and Parole  
150 North First Ave.  
Suite 200  
Hillsboro, OR 97124  
(503) 846-3400

## **University Disciplinary Procedures for Students and Employees in Cases of alleged VAWA Offenses**

The following provides a general overview of the processes used to investigate and resolve alleged violations of the [Sexual Misconduct Policy](#), 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 these four processes. The full Investigation and resolution process policies may be found in [Title IX Sexual Misconduct Process](#), [Non-Title IX Student Sexual Misconduct Process](#), the [Faculty and Governance Handbook](#) and [Staff Handbook](#).

### **Overview of Processes**

#### **Title IX Sexual Misconduct Process Overview**

Title IX applies to conduct on the basis of sex that meets one or more of the following:

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- (1) A University employee conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;
- (2) Unwelcome conduct by any student, employee, or individual third party that is determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity; or
- (3) "Sexual assault," "dating violence," "domestic violence" and "stalking" as those terms are defined in the Title IX Sexual Misconduct Process.

The University will have jurisdiction under Title IX, if, at the time of filing a formal complaint, the Complainant is participating in or attempting to participate in an education program or activity of the University, including locations, events, or circumstances over which the University exercised substantial control over both the Respondent and the context in which the sexual harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by the University. Title IX does not apply to conduct that occurred against a person outside of the United States.

Procedures for the Appeal of Dismissal of Formal Complaint for Purposes of Title IX can be found in the Sexual Misconduct Policy.

### **Non-Title IX Student Sexual Misconduct Process Overview**

This process will apply to student-Respondents when the Title IX Sexual Misconduct Process does not apply, if the reported conduct constitutes "sexual harassment" under Oregon law or prohibited conduct under the University's sexual harassment and misconduct policies.

For the purposes of Non-Title IX processes, sexual harassment is unwelcome conduct of a sexual nature and can include unwelcome sexual advances, requests for sexual favors, or other verbal, nonverbal or physical conduct of a sexual nature where such conduct is sufficiently severe or pervasive that it has the effect, intended or unintended, of unreasonably interfering with an individual's work or academic performance or it has created an intimidating, hostile or offensive environment and would have such an effect on a reasonable person. Sexual harassment in this context can include actions by a student organization. This policy also covers sexual assault, domestic violence, dating violence and stalking as those terms are defined in the Definitions Section in the Sexual Misconduct Policy.

The University will assess and may have an obligation to respond to any report or complaint it receives, regardless of whether the incident occurred on Pacific University's campus or elsewhere, including incidents that occurred outside of the United States.

The full Non-Title IX Student Sexual Misconduct Process can be found online:  
<https://www.pacificu.edu/node/18293>

### **Non-Title IX Employee Sexual Misconduct Process Overview**

This process will apply to employee-Respondents when the Title IX Sexual Misconduct process does not apply. In that case, Sexual Misconduct complaints will be addressed according to Human Resources policies and procedures, including those described in the Faculty and Governance Handbook and Staff Handbook.

## **Sexual Misconduct Process Summary for Title IX Complaints against Students and Employees**

The full Title IX Sexual Misconduct Process can be found here:

<https://www.pacificu.edu/node/18293>

### **Definitions**

Terms such as student, employee, University and others are defined in the Student Code of Conduct and in the Sexual Misconduct Policy.

**Business Days:** The days between and including Monday to Friday and do not include University holidays, closures, and weekends.

**Days:** Calendar days, including weekends and holidays.

**Complainant:** An individual who is alleged to be the victim of conduct that could constitute Sexual Harassment.

**Respondent:** An individual who has been reported to be the perpetrator of conduct that could constitute Sexual Harassment.

**Party:** An individual Complainant or Respondent, not including that person's Advisor and/or Support Person.

**Advisor:** A Party's chosen representative (who may be, but is not required to be, an attorney) or the person appointed by the University to: accompany a Party to any meeting or hearing described in this Process; receive copies of notices, relevant evidence, the investigative report, and determination regarding responsibility and appeals; to ask the other Party and any witnesses all relevant questions and follow-up questions during the Live Hearing, including those challenging credibility. Other than in the Live Hearing, the Advisor does not participate, but is available to assist and advise the Party that the Advisor represents.

**Formal Complaint:** A document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Harassment against a Respondent and requesting that the recipient investigate the allegation of Sexual Harassment.

**Conduct Board:** Any person or persons authorized by the University to determine whether, by a preponderance of evidence, a Respondent has engaged in Sexual Harassment for purposes of Title IX. For hearings evaluating allegations of Sexual Harassment, individuals who have received Title IX Training will serve as Conduct Board members. When serving as a Conduct Board member in a particular matter, a person will not serve as Investigator, Title IX

Coordinator, or any person who facilitates an informal resolution process, and will not hear and decide appeals.

**Live Hearing:** A hearing, conducted either in-person or by video feed, by a three-person, trained Conduct Board, the Complainant and Respondent, the Parties' Advisors, calling in Witnesses as necessary, with all sanctions available as potential outcomes.

**Sexual Misconduct Appellate Board:** Any person or persons authorized by the Title IX Coordinator to review Title IX appeals as described in this the Title IX Sexual Misconduct Process. Each Appellate Board is composed of at least one faculty and/or staff who has been specifically trained in Title IX, University protocols, Oregon law, and related matters. The Appellate Board first reviews each appeal to determine if it meets the basic appeal criteria; only if it does, will the Appellate Board consider the appeal further. If the Appellate Board determines that the appeal is valid, it will also determine any changes that will be made to the original outcome. When serving as an Appellate Board member in a particular matter, a person will not serve as Investigator, Title IX Coordinator, Conduct Board member, or any person who facilitates an informal resolution process.

**Witness:** An individual called to participate in the Fact-Finding Investigation and/or Live Hearing.

**Sanction:** A sanction is any action, status or status change, or requirement resulting from being found in violation of a University policy or the proscribed conduct outlined in the Student Code of Conduct. If a Respondent has been found to have committed Sexual Harassment pursuant to Title IX, the Conduct Board, in consultation with the Director of Student Conduct, or designee, or the Director of Human Resources, or designee, will determine the appropriate sanctions. These individuals have received Title IX Training. A Respondent may receive more than one sanction for any policy violation.

**Relevant Evidence:** Relevant evidence is evidence having the tendency to make a fact more or less probable than it would be without the evidence and the fact is of consequence in determining the matter.

**Title IX Training:** Title IX Training is provided to all University officials or employees who participate in the Title IX Sexual Misconduct Process, the Non-Title IX Student Sexual Misconduct Processes, and processes applicable to employees subject to complaints of sex misconduct that are not subject to the Title IX Sexual Misconduct Process. Title IX Training includes training specific to the person's role.

## Overview

These procedures accompany the University's Sexual Misconduct Policy and are to be used when responding to, investigating, and adjudicating complaints of Sexual Misconduct against Pacific University students and employees, as well as third party individuals, when such conduct constitutes Sexual Harassment for purposes of Title IX. As outlined in the aforementioned policy, Sexual Harassment is a broad term used to encompass unwelcome conduct of a sexual nature that is prohibited by Title IX. The term Sexual Misconduct includes (but is not limited to) behaviors often described as Sexual Harassment, sex/gender discrimination, sexual assault, sexual violence, rape, stalking, and relationship violence (including domestic and dating



violence). It is a violation of the Sexual Misconduct Policy to commit these acts or to attempt to commit them, as well as a violation of applicable law.

The University will conduct an investigation into an incident of Sexual Misconduct under the Title IX Sexual Misconduct Process when the jurisdictional requirements of Title IX are met and a Formal Complaint is filed either by a Complainant or the Title IX Coordinator.

- The University will have jurisdiction under Title IX, if, at the time of filing a Formal Complaint, the Complainant is participating in or attempting to participate in an education program or activity of the University, including locations, events, or circumstances over which the University exercised substantial control over both the Respondent and the context in which Sexual Harassment meeting the definition of Title IX occurs, and also includes any building owned or controlled by a student organization that is officially recognized by the University. Title IX does not apply to conduct that occurred against a person outside of the United States.
- A Complainant files a Formal Complaint. A Complainant may file a Formal Complaint by submitting a Formal Complaint Form to the Title IX Coordinator as described in the Formal Complaint Form Section below.
- The Title IX Coordinator files a Formal Complaint. Note that the Title IX Coordinator will never be considered the Complainant for purposes of the Title IX Sexual Misconduct Process, but the Title IX Coordinator may file a Formal Complaint when there is an increased risk that the alleged perpetrator will commit additional acts of sexual or other violence.

The University will contact a Complainant when it has actual knowledge of allegations of Sexual Harassment. The Complainant will be offered supportive measures and given information regarding the Formal Complaint and Title IX Sexual Misconduct Process, including the Options for Assistance Following an Incident of Sexual Misconduct detailed in the [Sexual Misconduct Policy](#). If the Complainant chooses to pursue a Formal Complaint and the jurisdictional requirements for the Title IX Sexual Misconduct Process are met, the timeline will proceed as follows.

**Timing of Formal Complaints:** There is no time limit for the submission of a Formal Complaint alleging Sexual Harassment. A Formal Complaint may be filed at any time. The University reserves the right to initiate investigation of a Formal Complaint immediately when necessary to protect the interests and safety of the Pacific community, no matter the timing of the year. A Formal Complaint received after the semester has ended or during a University break may result in a delay in the adjudication of the complaint until the beginning of the subsequent semester in which a student-Respondent is enrolled or an employee-Respondent returns to work. The University may be limited in the actions it can take when an individual is no longer enrolled in or employed by the institution, however an individual wanting to make a report against a former student or employee, or a third-Party, is encouraged to do so.

### **Advisor**

- The Complainant or Respondent, may choose an Advisor to assist in the proceedings. The Advisor may be an attorney or not an attorney. Finally, a Party may request that the

University assign an Advisor at any point in the process. The University will assign an Advisor to any Party who appears without one at the Live Hearing.

- The Advisor may accompany the Party to any investigative, administrative, or adjudicative proceeding under this Policy. (See also “Scheduling” above).
- Except during the Live Hearing, the role of the Advisor is limited to providing advice and consultation directly to the Party they are accompanying and is not to provide representation of behalf of the Party, as an attorney would do in a formal legal proceeding. In this way, the Advisor is a participant who is present solely to advise and consult with the Party throughout any proceeding. The Complainant and/or the Respondent are responsible for presenting their own information, and therefore, Advisors are not permitted to participate directly in any meeting or hearing other than the Live Hearing.
- The University reserves the right to have Counsel present if a student has an Advisor present during any investigative, administrative, or adjudicative proceeding.

## **Supportive Measures**

The University may offer non-disciplinary, non-punitive individualized services, to the Complainant or Respondent before or after a Formal Complaint is filed, or where no Formal Complaint has been filed. Such measures are designed to restore or preserve equal access to the University's education program or activity without unreasonably burdening the other Party, including measures designed to protect the safety of all Parties or the recipient's educational environment, or deter Sexual Harassment. Supportive measures may include, but are not limited to, restrictions regarding movement on campus, mutual restrictions on contact between the Parties, changes in work or housing locations, modifications of class or work schedules, so long as the requested measure does not unreasonably burden the other Party.

Notwithstanding the foregoing, non-student employees may be placed on administrative leave during the pendency of the complaint process at the discretion of the Human Resources Director, or designee.

## **Criminal Conduct**

When a disciplinary complaint involves allegations which may also constitute criminal conduct, participants are advised to seek legal counsel before making any written or oral statements. Participants should seek legal advice about how this disciplinary process could impact any criminal case in which they are or may become involved.

The University will conduct its own investigation and adjudication of a Formal Complaint, regardless of whether the alleged Sexual Harassment is also being pursued through the criminal justice system. The University will comply with law enforcement requests for cooperation. At times, that cooperation may require the University to temporarily suspend its Fact-Finding Investigation while law enforcement gathers evidence. The University will promptly resume its Fact-Finding Investigation as soon as it is notified that doing so would not impede any law enforcement activities.

## Filing a Formal Complaint

Complaints of Sexual Harassment can be filed with one of these people:

- **Lindsey Blem**, Director of Residence Life and Student Conduct, 503-352-2045, [lindseyb@pacificu.edu](mailto:lindseyb@pacificu.edu)
- **Jennifer Yruegas**, Title IX Coordinator, Director of Human Resources, 503-352-2236, [titleix@pacificu.edu](mailto:titleix@pacificu.edu)

If you would like assistance in the reporting process, the **Confidential Advocacy Network** is available to offer support.

To initiate the disciplinary process, the Complainant will be asked to complete a Formal Complaint Form, as explained below. This form should be submitted to the Title IX Coordinator or Director of Student Conduct in-person, by email, or by mail. The Complainant is welcome to bring a Support Person and/or Advisor with them to any meetings with the Title IX Coordinator (see “Role of the Support Person and Advisor” section above). It is the Complainant’s choice whether to also report Sexual Misconduct to civil authorities, such as the police. A report to the University does not trigger a report to law enforcement authorities, unless as required by law.

### Formal Complaint Form

The Formal Complaint Form contains basic information about the allegations made against the Respondent, such as time, date, location, and a brief description of the incident. The Formal Complaint Form must contain sufficient detail to permit the Respondent to understand the charges being brought and to be able to adequately respond. The Formal Complaint Form will be shared with the Respondent. *For a copy of the Formal Complaint Form, contact [studentconduct@pacificu.edu](mailto:studentconduct@pacificu.edu).*

At the time of filing a Formal Complaint, a Complainant must be participating in or attempting to participate in the education program or activity of the recipient with which the Formal Complaint is filed. A Formal Complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information listed for the Title IX Coordinator above. As used in this paragraph, the phrase “document filed by a Complainant” means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the recipient) that contains the Complainant’s physical or digital signature, or otherwise indicates that the Complainant is the person filing the Formal Complaint. When the Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator is not a Complainant or otherwise a Party.

When a Formal Complaint is filed, the Title IX Coordinator will determine whether the conduct described therein constitutes Sexual Harassment for purposes of Title IX. If the conduct described in the Formal Complaint meets the definition of Sexual Harassment for purposes of Title IX, the University and Parties will proceed pursuant to the Title IX Sexual Misconduct Process. If the conduct described in the Formal Complaint does not meet the definition of Sexual Harassment and all jurisdictional requirements, the University and Parties will proceed pursuant

to either the Non-Title IX Student Sexual Misconduct Policy if the Respondent is a student, or the employment procedures applicable to a non-student employee.

### **Informational Meeting with Complainant**

Upon receipt of a report of Sexual Harassment, the Title IX Coordinator will ensure that the Complainant is provided with a copy of the Sexual Misconduct Policy and relevant Investigation and Adjudication Procedures. Additionally the Complainant will be informed of the following:

- The option to: (1) notify law enforcement for possible criminal investigation and the filing of criminal charges; (2) proceed with the University's investigation and adjudication processes, including information regarding filing a Formal Complaint; (3) proceed with both criminal and University complaints; or (4) pursue neither option;
- That it is the Complainant's choice whether to also report Sexual Harassment to civil authorities, such as the police. A report to the University does not trigger a report to law enforcement authorities, unless as required by law;
- How the internal University investigative and adjudicative processes work;
- Information regarding the preservation of evidence;
- Available community and campus resources and services;
- The right to seek medical assistance, as necessary;
- Available supportive measures, such as academic accommodations, the ability to change housing or dining facilities; change work schedules; alter academic schedules; access academic support such as tutoring; issue no contact orders; and changes to the Parties' living arrangements or course schedule;
- The right to an Advisor and the Advisor's role;
- The right to a Support Person and the Support Person's role;
- The University's prohibition against retaliation and how to report incidents of retaliation;
- The opportunity to submit a Party Statement;
- That the Complainant is required to refrain from all contact with the Respondent (in-person, written, or by third party) until further notice (this restriction will also apply to the Respondent and will be reevaluated at the conclusion of the Investigation and Adjudication processes);
- That the Complainant is required to refrain from any misconduct against the Respondent or any witnesses in the matter;
- That neither Party will be required to abide by a nondisclosure agreement, in writing or otherwise, that would prevent the re-disclosure of information related to the outcome of the proceeding;
- The University's potential obligation to proceed with an investigation and possible adjudication to ensure the safety and well-being of the Complainant and/or others in the campus community in the absence of or withdrawal of a Formal Complaint and/or desire of the Complainant to remain anonymous.

## **Notice to Respondent and Responding to a Formal Complaint**

The person against whom the Formal Complaint is brought is called the Respondent. The Respondent shall be given written notification after a Formal Complaint has been filed against them.

### **Informational Meeting with Respondent**

After receiving notice of the Formal Complaint, the Respondent will meet with the Title IX Coordinator or designee, who will ensure that the Respondent is provided with a copy of the Sexual Misconduct Policy and relevant procedures. At this meeting, the Respondent will be informed of the following:

- The nature of the complaint;
- The issuance of a no contact order to refrain from all contact with the Complainant and/or witnesses (in-person, written, or by third party);
- Available community and campus resources and services;
- The availability of supportive measures, such as academic accommodations, the ability to change housing or dining facilities; change work schedules; alter academic schedules; access academic support such as tutoring; issue no contact orders; and change the alleged perpetrator's living arrangements or course schedule.
- How the internal University investigative and adjudicative processes work;
- Information regarding the preservation of evidence;
- The right to an Advisor and the Advisor's role;
- The right to a Support Person and the Support Person's role;
- The University's prohibition against retaliation and how to report incidents of retaliation;
- The University's potential obligation to proceed with an investigation and possible adjudication to ensure the safety and well-being of the Complainant and/or others in the campus community in the absence of or withdrawal of a Formal Complaint and/or desire of the Complainant to remain anonymous;
- The opportunity to submit a Party Statement;
- That the Complainant is required to refrain from all contact with the Respondent (in-person, written, or by third party) until further notice (this restriction will also apply to the Respondent and will be reevaluated at the conclusion of the Investigation and Adjudication processes);
- That the Complainant is required to refrain from any misconduct against the Respondent or any witnesses in the matter;
- That neither Party will be required to abide by a nondisclosure agreement, in writing or otherwise, that would prevent the re-disclosure of information related to the outcome of the proceeding;
- The Respondent's choice to accept responsibility for the alleged violations.
- The Respondent will be required to sign a Formal Complaint Process Review Form, agreeing to the following:
  - To refrain from all contact with the Respondent (in-person, written, or by third party) until further notice (this restriction will be reevaluated at the conclusion of the Investigation and Adjudication processes),

- To refrain from any retaliatory conduct against the Complainant or any witnesses in the matter, knowing that the Respondent may be responsible for any retaliation by persons affiliated with the Respondent (i.e. a friend or family member),
- The fact that professional reporting requirements may exist and may require further action, should the Respondent be found in violation of policy.

The Respondent has the right to remain silent. Refusal/failure by the Respondent to meet with the Title IX Coordinator or designee regarding this matter or to sign a Formal Complaint Process Review Form, may result in the adjudication of the disciplinary complaint without input of the Respondent.

### **Respondent's Option to Accept Responsibility**

The Respondent may at any point during the Title IX Process accept responsibility for alleged policy violations. If the Respondent intends to accept responsibility for the Sexual Harassment, the Title IX Process will be paused and the Respondent can seek informal resolution of the allegations. The Title IX Coordinator will determine whether the University will allow the informal resolution option to proceed. This option will only be available if:

- There is no allegation that an employee-Respondent sexually harassed a student;
- Both Parties consent in writing to an informal resolution process; and
- The Respondent desires to accept sanctions and end the grievance process.

If this option is available, the Title IX Coordinator, or designee, may work with all Parties to determine whether the Parties and the University can agree on responsibility, sanctions, and any remedies. If the Parties cannot agree to all terms, the TIX Process will continue from the same point where it was paused.

Once all Parties have agreed in writing to a resolution, the matter cannot be appealed. Appropriate sanctions and remedies will be implemented promptly after all Parties agree.

### **Party Statement**

The Complainant and Respondent will each have the option to submit an additional piece of documentation known as the Party's Statement. This document is optional and serves to assist with information gathering during the Fact-Finding Process. If submitted, it will be shared with the other Party during the Fact-Finding Investigation process. If a Party chooses to submit a Party Statement, it should include the Party's full account of the event and its context.

Parties are encouraged to share a draft of the statement with someone who is well-positioned to discuss, among other matters, the statement's style, organization, length, and clarity, while also anticipating questions it may raise for the fact-finder. A Party will be required to sign a statement verifying that the Party Statement is an accurate representation of their recollection of the events. Statements are most helpful if submitted near the beginning of the investigation phase, but must be submitted, at the latest, before the conclusion of the Fact-Finding Investigation.

## **Fact-Finding Investigation**

The Title IX Coordinator or designee will initiate a Fact-Finding Investigation, utilizing neutral Investigators. This phase of the process will result in an Investigative Report.

During the course of the Fact-Finding Investigation, the Investigators may utilize some or all of the following procedures, in whatever order the Investigators deem most appropriate. The scope of the Fact-Finding Investigation will not be limited to information provided by the Parties or to the violations outlined in the Formal Complaint. In all cases, the Investigators will conduct an adequate, reliable, and impartial investigation into the allegations of the disciplinary complaint, reviewing all evidence deemed to be relevant. Parties and Witnesses will make themselves reasonably available to the Investigators.

Parties may present Witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence during the Fact-Finding Investigation.

## **Investigators**

The University's Investigators are individuals who are selected by the Title IX Coordinator or designee to perform Fact-Finding Investigations regarding matters of Sexual Misconduct. When acting as the Investigator in a particular matter, the Investigators will not serve as the Title IX Coordinator and will not preside over the Live Hearing, hearing appeals, or determine sanctions. Investigators are trained to conduct balanced and thorough inquiries into incidents of this nature, all while maintaining a level of privacy as dictated by University protocol. Investigators have received Title IX Training.

## **Topics of Consideration**

Upon being assigned to a case, Investigators will conduct the following:

- **Document Review:** The Investigators will review any statements and all of the supporting materials. The Investigators will then attempt to obtain any documents or other materials deemed relevant to the investigation.
- **Party Interviews:** The Investigators will interview the Complainant and the Respondent separately. This meeting is an opportunity for the participant to discuss his/her recollection of the event in question, supplement any written statements already submitted, voice any concerns, and to work with the Investigators to determine what information may be helpful in the investigation of the allegations. Parties may also discuss the impact that this experience has had on them. The Investigators may interview the Parties more than once, as necessary. It is an expectation that each Party will provide investigators with any documents or evidence they would like to be considered should the matter go to a hearing during this phase. After interviews have concluded, the Investigators will write a summary report of each Party's experiences, and consult with the respective Parties to review, edit, and have sign off on a final copy of the report.
- **Witness Interviews:** The Investigators will attempt to contact and interview any witnesses identified by the Parties that the Investigators deem to be relevant to the resolution of the Formal Complaint. The Investigators may also interview any other

persons which the Investigators find to be potentially relevant to this matter. Witnesses may not bring support persons to their interviews. The Investigator will employ best efforts to interview relevant witnesses who are no longer on campus or in the local area, attempting to contact them by phone or internet. Witnesses will be required to sign a Formal Complaint Process Review Form, agreeing to refrain from any retaliatory conduct against the Complainant, Respondent, or any witnesses in the matter.

- **Expert Witnesses:** The Investigators reserves the right to consult with any experts which they deems necessary to the determination of the facts of this case. An expert witness could be consulted to review or provide a professional opinion regarding evidence discovered in the Fact-Finding Investigation.
- **Other Evidence:** Parties can address issues and present documents to the Investigator without concerns about evidentiary admissibility at the Live Hearing.
  - Written and Photographic Evidence: Text messages, emails, letters, photographs, social media posts, and a log of events, if any should be submitted to the Investigator.
  - Sexual History: In a case of Sexual Harassment questioning about the Complainant's sexual history with anyone other than the Respondent will not be permitted, except to prove that the conduct occurred between the Complainant and another person; sexual behavioral outside the relationship between the Complainant and Respondent will not be considered in the hearing. Additionally, prior consensual sexual activity between the two Parties may be relevant, but will not necessarily be determinative of the issue of consent in the pending disciplinary complaint. Consent to one sexual act does not constitute consent for another sexual act.
  - Medical and Counseling Records: The use of medical and/or counseling records in the Sexual Misconduct Adjudication Process is rare. Medical and counseling records are privileged and confidential documents that students will not be required to disclose in this process. Medical and counseling documents being privileged means that they cannot be shared with anyone other than the treating professional unless the patient agrees to disclosure. Parties should be aware that there are legal implications to agreeing to produce privileged records. Parties are encouraged to seek advice from a knowledgeable source about the possible consequences of releasing this information.

## **Investigative Report**

Once the Fact-Finding Investigation has been completed, the Investigator will evaluate the information obtained during this process. The Investigator will prepare an Investigative Report summarizing the relevant facts received through the Investigation, noting any supporting documentation or statements. As mentioned above, the Complainant and Respondent will be able to review and approve their respective sections before the Investigative Report is finalized. Prior to finalizing the Investigative Report, the Investigators will send to each Party and each Party's Advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the Parties shall have at least 10 days to submit a written response, which the investigator will consider prior to completion of the Investigative Report. Evidence that is not



relevant and probative of whether the alleged conduct occurred will not be relied upon in the Investigative Report.

The finalized Investigative Report will be provided to each Party and each Party's advisor at least 10 days prior to the Live Hearing.

### **Determining Charges and Finalizing the Report**

The Title IX Coordinator (and/or designee(s)) will use the completed Investigative Report to determine if the conduct alleged, if proved, would constitute Sexual Harassment pursuant to Title IX. The Title IX Coordinator will alert Parties of this decision, and either dismiss the Formal Complaint or notify the Parties that a hearing will be scheduled pursuant to the Title IX Process. If the matter will be scheduled for a Live Hearing, the Title IX Coordinator (and/or designee(s)) will determine and notify the Parties of the alleged policy violations pursuant to which the Respondent's responsibility will be determined. This determination could result in charges stemming from the Student Sexual Misconduct Policy, the Student Code of Conduct, and/or any other University policy.

If an incident results in a Respondent being simultaneously charged with violating the Student Code of Conduct in addition to the Sexual Misconduct Policy, and the Title IX Sexual Misconduct Process is applicable to some of the allegations, the University may choose to address all allegations according to the procedures outlined in the Title IX Sexual Misconduct Process.

### **Adjudication Procedures**

Once the Investigative Report is finalized, the Title IX Coordinator will inform both the Complainant and Respondent, in writing, of the alleged policy violations, and the time and location of the Live Hearing.

The Investigative Report will be provided to each Party and each Party's Advisor at least 10 days prior to the date scheduled for the hearing. Each Party may submit a written response to the Investigative Report to Title IX Coordinator to be distributed to the Conduct Board.

### **Live Hearing Scheduling and Preparations**

The hearing will be scheduled no fewer than ten (10) business days after the Investigative Report is finalized by the Investigator. If this time frame cannot be met, both the Respondent and the Complainant will be notified promptly. Only specific conditions may allow for a hearing delay such as academic calendar delays, the temporary withdrawal of any student-Party, or medical emergency of any participant of the scheduled hearing. Both Parties will be informed by the Title IX Coordinator, or designee, of the hearing format and related protocol. Both Parties have the right to review all documentation, including the Investigative Report and any supplemental documents, at least ten (10) business days before the hearing, and given an opportunity to submit a written response.

Any additional pertinent records, exhibits, and written statements that were not brought forth during the investigation may be accepted as evidence for consideration by the Conduct Board if

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the evidence is relevant. All such records must be submitted to the Title IX Coordinator as early as possible so that they may be shared with the other Party and the Conduct Board. As explained in more detail below, the Live Hearing is a live hearing with a three-person, trained Conduct Board and the Complainant and Respondent (either in-person or by video feed), the Parties' Advisors and Support Persons, calling in Witnesses as necessary, with all sanctions available as potential outcomes.

The standard of evidence the University uses for determining responsibility for Sexual Harassment at Live Hearings is "preponderance of the evidence." "All decisions are made based on this standard, meaning the alleged policy violation was more likely than not to have happened.

For Live Hearings the following protocols apply:

- Hearings will be convened in a private room and will not be open to the public. A record of the hearing (digital audio and/or written) will be maintained by the University. No other recordings shall be made at the hearing. Any person disruptive to a hearing or who fails to follow the Rules of Decorum for the Live Hearing, may be excluded from the process by the Director of Student Conduct, or designee, and/or a Conduct Board. If this person is a student, he or she will be subject to disciplinary sanctions including immediate suspension and/or lesser charges appropriate to the disruption.
- The Live Hearing will be presided over by the Chair of the Conduct Board, who will make evidentiary rulings and enforce the rules of decorum.
- At the request of either Party, the Live Hearing will proceed with the Parties located in separate rooms with technology enabling the decision-maker(s) and Parties to simultaneously see and hear the Party or the witness answering questions.
- All Parties have a right to a fair and impartial hearing. However, a Party's failure to attend a scheduled hearing after receiving appropriate, timely notice, or a Party's failure to participate appropriately in the proceeding, are not sufficient reasons to halt the Conduct Board from rendering a decision.
- The Respondent is presumed not responsible for the alleged Sexual Misconduct unless and until the Conduct Board determines after the live hearing that Respondent is responsible by a preponderance of the evidence.
- In Live Hearings involving more than one Respondent or more than one Complainant, the Title IX Coordinator, or designee, in their discretion, may permit the hearings concerning each Respondent or Complainant to be conducted either separately or jointly.
- Neither the Respondent nor Complainant may question one another directly. Both will have the opportunity to suggest questions for the Conduct Board to ask. Each Party's Advisor may ask the other Party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination at the Live Hearing must be conducted directly, orally, and in real time by the Party's Advisor and never by a Party personally. Before a Complainant or Respondent answers a cross-examination or other question, the Chair of the Conduct Board will first determine whether the question is relevant and explain any decision to exclude a question as not relevant.
- The Complainant, the Respondent, and the University may arrange for witnesses to present pertinent information to the Conduct Board. The University will try to arrange the

attendance of potential witnesses who are members of the University community, if reasonably possible, and who are identified by the Complainant and/or Respondent during the Fact-Finding Investigation phase before the Live Hearing. Witnesses will provide information to and answer questions from the Conduct Board. Advisors will have an opportunity to question witnesses as they would Parties. The Conduct Board will determine the relevancy of questions posed to witnesses as it would questions posed to Parties.

- Support Persons may not attend Live Hearings, but the Parties will be provided regular breaks in the Live Hearing to access a Support Person if desired.
- The Complainant and Respondent will be given the opportunity to raise issues related to potential conflicts of interest related to the Conduct Board members. The Respondent and Complainant will be notified of the names of those who will serve on the Conduct Board at the time the hearing is scheduled. If either objects to any member or members of the Conduct Board, he or she must submit the reasons for objection in writing to the Title IX Coordinator, or designee, no less than four (4) business days prior to the hearing. The Title IX Coordinator, or designee, will review the objection and decide whether the Conduct Board members should or should not be replaced. Removal from the Conduct Board will occur if Title IX Coordinator, or designee, determines that bias or conflict of interest could result from allowing the selected member to adjudicate the incident.
- In a case of Sexual Harassment, questioning about the Complainant's sexual history with anyone other than the Respondent will not be permitted; sexual behavioral outside the relationship between the Complainant and Respondent will not be considered in the hearing. Additionally, prior consensual sexual activity between the two Parties, while it may be relevant evidence will not necessarily be determinative of the issue of consent in the pending disciplinary complaint. Consent to one sexual act does not constitute consent for another sexual act.

## **Live Hearing**

In a Live Hearing, both the Complainant and Respondent are invited appear before the Conduct Board to tell their sides of the incident. The Chair of the Conduct Board will ensure procedural consistency.

In the course of the hearing, the Conduct Board will evaluate information and determine whether Respondent has engaged in Sexual Harassment for purposes of Title IX, and may determine whether the Respondent violated another University policy if at issue in the Live Hearing. Either the Complainant or Respondent may request participation via streaming video feed (such as Skype), a room partition, or other reasonable visual or physical separation during the hearing. Both the Complainant and Respondent may be questioned by the Board. Neither the Respondent nor Complainant may question one another directly. Each Party's Advisor will have the opportunity to ask relevant questions and follow up questions of the other Party and any witnesses. Both the Respondent and Complainant will have the opportunity to read any submitted documentation regarding the incident and may respond to the information in the reports.

The Board may also speak with any Witnesses they deem relevant to the incident before rendering a decision.

After both the Complainant and the Respondent have participated in their portions of the hearing, the Board will adjourn the hearing. The Board will discuss privately and will decide by majority vote if the Respondent is responsible for one or more policy violations. Decisions are made based on a “preponderance of evidence,” meaning the incident was more likely than not to have happened. Lack of voluntary consent constitutes the violation.

Only if the Respondent is in violation of a policy would the process move to the sanctioning step, which is explained in more detail below in “Imposition of Sanctions.”

### **Imposition of Sanctions**

A sanction is any status or requirement resulting from being found in violation of a University policy including being found responsible of Sexual Harassment for purposes of Title IX. If the Respondent is found responsible of Sexual Harassment for purposes of Title IX, the Conduct Board, in consultation with either the Director of Student Conduct, or designee, or Director of Human Resources, will deliberate and decide upon which sanction(s) shall be applied.

### **Determining Sanctions**

The Conduct Board and Director of Student Conduct, or designee, or the Director of Human Resources, or designee, will consider the following as aggravating factors in determining sanction(s):

- Type of misconduct
- Frequency of the misconduct
- Severity of the misconduct
- Previous conduct history of the Respondent
- Non-adherence to interim measures (i.e. no contact agreements, etc.)
- Pre-meditated use of drugs or alcohol to facilitate the violation
- Use of force or weapon in committing the violation
- Multiple actors committed the violation
- Ongoing threat to the complainant and/or the University community

When determining an appropriate sanction, consideration will be given to the Complainant’s ability to freely access the benefits of their education or employment and participate in the University community.

A range of sanctions, from permanent implementation of changes to work assignments or class schedules, to suspension, to expulsion, termination, or referral to an employee discipline process may be imposed upon any student or employee found to be responsible for Sexual Harassment. Examples of sanctions for student-Respondents can be found in the Student Code of Conduct, Article IV: Student Conduct Code Procedures, Section B. Sanctions. Examples of sanctions for employee-Respondents can be found in the University’s Human Resources policies.

## **Recommended Sanctions**

Sexual Misconduct is a serious offense and such violations are subject to any combination of sanctions as described in the Student Code of Conduct and the University's Human Resources policies.

Students found responsible for violating the Nonconsensual Sexual Intercourse part of the Sexual Misconduct Policy face a recommended sanction of University suspension or University expulsion. Employees found responsible for violating the Nonconsensual Sexual Intercourse part of the Sexual Misconduct Policy face a recommended sanction of dismissal or referral to an employee-dismissal process. Individuals who are not students or employees found responsible for violating a University Policy face a recommended sanction of permanent removal from campus.

Deviations from this range are rare and only made where there are compelling mitigating circumstances. If a suspension is issued a return to campus or work will be permitted only after the Respondent has satisfied the conditions of the suspension. Predatory or pattern offenders, or repeat offenders face expulsion or termination of employment. Expulsion or termination of employment is also appropriate for any serious offense.

The other forms of Sexual Misconduct defined in the Sexual Misconduct Policy cover a range of behaviors, and therefore a range of sanctions from Warning to Expulsion, Revocation of Admission and/or Degree, and Withholding of Degree may be applied, depending on the nature of the misconduct.

## **Remedies**

Remedies may be provided to the Complainant upon a finding that the Respondent is responsible for Sexual Harassment for purposes of Title IX. Remedies will be designed to restore or preserve equal access to the recipient's education program or activity. Remedies may include the same individualized services described in the Options for Assistance Following an Incident of Sexual Misconduct detailed in the [Sexual Misconduct Policy](#). Remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent.

The range of remedies includes:

- Education to the individual and/or the campus community;
- Permanent alteration of living arrangements;
- Permanent alteration of work schedules or assignments for employees;
- Permanent alteration of course schedules;
- Climate surveys;
- Policy modification or modifications of training;
- Long-term contact limitations between the Parties;
- Adjustments to academic deadlines.

## **Final Written Decision**

The University will issue a Final Written Decision including its determination of responsibility, any sanctions, and whether the University will provide the Complainant with remedies designed to restore or preserve equal access to the University's education program or activity.

Specifically, the Final Written Decision shall include:

(A) Identification of the allegations potentially constituting Sexual Harassment for purposes of Title IX;

(B) A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the Parties, interviews with Parties and witnesses, site visits, methods used to gather other evidence, and hearings held;

(C) Findings of fact supporting the determination;

(D) Conclusions regarding the application of the University's Sexual Misconduct Policy to the facts;

(E) A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the University imposes on the Respondent, and whether remedies designed to restore or preserve equal access to the University's education program or activity will be provided by the University to the complainant; and

(F) The University's procedures and permissible bases for the complainant and Respondent to appeal.

Both the Complainant and Respondent will be notified of the Final Written Decision within 10 business days of the Live Hearing.

The Director of Student Conduct, or designee, or Director of Human Resources, or designee, may choose to follow up the written decision with an in-person meeting, offered to both Parties, in order to deliver and explain sanctions and/or appeal options.

## **Appeals**

### **Timelines and Reasons for Appeal**

A Party may appeal a dismissal of a Formal Complaint, or the Final Written Decision on the following grounds:

1. Procedural irregularity that affected the outcome of the matter;
2. 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;
3. The Title IX Coordinator, investigator(s), or decision-maker(s) 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.

Appeals must be filed within 7 calendar days of the dismissal of a Formal Complaint or the date of the Final Written Decision.

Appeals shall be in writing and shall be delivered to the Title IX Coordinator, which will distribute the appeal to the Sexual Misconduct Appellate Board. Appeals will only be considered under the following conditions:

1. The Party appealing is doing so based on one or more of the grounds for appeal and within the timelines for appeal, and
2. The Party appealing has provided a reasonable explanation of the selected grounds in the written appeal.

### **Appeal Procedures**

The Sexual Misconduct Appellate Board (“Appellate Board”) will determine if these conditions have been met; if so, the Appellate Board will:

- (A) Notify the other Party in writing when an appeal is filed and implement appeal procedures equally for both Parties;
- (B) Allow the non-appealing Party 7 calendar days, to submit a written statement in support of, or challenging, the outcome of the appealed decision;
- (C) Consider the materials in the record on appeal, including the verbatim record of the original hearing, the hearing outcome, the appeal, and supporting documents.
- (D) Issue a written decision describing the result of the appeal and the rationale for the result; and
- (E) Provide the written decision simultaneously to both Parties

Each Party will have the opportunity to discuss the appeal through an Appeal Meeting with the Appellate Board. Each Party will meet with the Appellate Board separately. This Appeal Meeting shall not serve to replace the original hearing, or serve as a discussion regarding anything else but whether or not the grounds for appeal are valid.

If the Appellate Board determines that the appeal is not valid, the Appellate Board will issue a written decision to that effect, the Final Written Decision stands and the matter shall be considered final and binding upon all involved. If the Appellate Board determines that the appeal is valid, the Appellate Board renders a decision with regard to policy violations and/or sanctions. A successful appeal does not necessarily mean that a case will be dismissed with all violations and sanctions removed. The Appellate Board reviewing the appeal may decide:

1. To affirm the findings/outcome and sanction(s) imposed by the Final Written Decision.
2. To reverse or modify the decision and/or sanction(s) in the Final Written Decision. Such reversal or modification shall take place only upon a showing by

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the Respondent of clear and material error on the part of Board and/or Director and which error affected the outcome of the case.

3. To dismiss the entire case. Dismissal will occur only if there is insufficient information to support a finding of responsibility for all alleged policy violations.

Both the Complainant and Respondent will be notified simultaneously in writing within seven (7) business days of the Appeal of the appeal outcome. All decisions made by the Appellate Board are final and cannot be appealed.

### **Procedure Note**

Although this policy undergoes regular review, information contained within it is subject to change by the University at any time. Although notice is not required for any change to take effect, the University will make reasonable attempts to timely notify students of any changes through Web site or email postings, or other methods deemed appropriate by University administration.

### **Annual Fire Safety Report**

Pacific University publishes this Fire Safety Report in compliance with the Higher Education Act of 1965 and as a part of its annual Clery Act Compliance. This report contains the university's fire safety policies and fire statistics for each On-Campus Student Housing Facility. These fire statistics are also reported annually to the Department of Education.

A printed report is available at the Campus Public Safety office at 2128 College Way Forest Grove, OR 97116. Copies of the Annual Security and Fire Safety Report are provided at no cost.

### **Reporting Fires**

#### **Pacific University - Forest Grove Campus**

A daily fire log is available for review at Campus Public Safety, 2128 College Way Forest Grove, OR 97116. The fire log includes information about fires that occur in On-Campus Student Housing Facilities including the nature, date, time, and general location. A fire is defined as any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

If a fire occurs in any Pacific University building, the campus community member must immediately seek safety and dial 911 from any campus extension or cell phone. The reporter or another witness should then notify Campus Public Safety at (503) 352-2230. When calling, please provide as much information as possible about the location and possible cause of the fire.

If a member of the Pacific University campus community finds evidence of a fire that has been extinguished, and the person is not sure whether Campus Public Safety has been notified, the campus community member should immediately notify Campus Public Safety to investigate and document the incident.



### **Pacific University - Hillsboro Campuses**

The Hillsboro campus of Pacific University does not include any residential buildings. Pacific University community members on the Hillsboro campus who discover a fire, should call 911 and provide as much information as possible to dispatch so that the Hillsboro Fire Department can investigate and take appropriate action. After providing information to 911 and evacuating the area, the caller should contact Campus Public Safety at (503) 352-7207.

### **Pacific University – Eugene Campus**

The Eugene campus of Pacific University does not include any residential buildings. Pacific University community members on the Eugene campus who discover a fire, should call 911 and provide as much information as possible to dispatch so that the Fire Department can investigate and take appropriate action. After providing information to 911 and evacuating the area, the caller should contact Lane Community College Public Safety as well as Pacific University Campus Public Safety at (503) 352-2230.

### **Pacific University – Woodburn Campus**

The Woodburn campus of Pacific University does not include any residential buildings. Pacific University community members on the Woodburn campus who discover a fire, should call 911 and provide as much information as possible to dispatch so that the Fire Department can investigate and take appropriate action. After providing information to 911 and evacuating the area, the caller should contact Campus Public Safety at (503) 352-2230.

### **Fire Safety Systems in Student Housing Facilities**

Fire safety is the top concern of Housing and Residence Life. Campus Public Safety and Residence Life staff conduct a minimum of one fire drill per student housing facility to practice the safe and orderly evacuation of the buildings.

To ensure a preventative approach, the Forest Grove Fire and Rescue perform annual fire safety inspections of all On-Campus Student Housing Facilities. For more information on the Forest Grove Fire and Rescue, visit their website at: <http://www.forestgrove-or.gov/fire>

Individuals can also learn more about fire safety from the U.S. Fire Association. Visit their site at [usfa.fema.gov/prevention/](http://usfa.fema.gov/prevention/).

The majority of university buildings, including all student residence halls, are equipped with automatic fire detection and alarm systems which are constantly monitored by Campus Public Safety so resources can be dispatched immediately when necessary.

Buildings are equipped with a variety of features that are designed to detect, stop, or suppress the spread of a 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.

## **Residence Hall Fire Safety Policies**

Each and every resident and guest plays an important role in fire prevention in the residence halls. With so many people living together, everyone has a responsibility to make safe choices and report unsafe conditions with regard to fire safety. It goes without saying that fires can have an enormous impact, both in terms of resident safety and financial costs. Because Pacific University takes fire safety so seriously, any violations of the Residence Hall Fire Safety policy will result in responsible persons being financially responsible for the costs to fix or clean any resulting damages, being subject to monetary fines, and being referred to the Conduct Office for further action. Fines for those responsible for violating any part of the Fire Safety policy are as follows:

- Burning and open flames, fire safety equipment tampering or misuse, obstructing a fire exit, negligent cooking, failure to evacuate during a fire alarm: \$150 for first violation, increasing by \$100 for subsequent violations (example, \$150 for first, \$250 for second, etc.)
- False fire alarm: \$500 per violation

Residents and guests also bear legal, criminal, and financial liability for creating fire hazards. Repeated and/or particularly dangerous violations of this policy may result in removal from campus housing.

### **Burning and open flames**

Residents and guests are prohibited from burning anything, using an open flame, or creating any kind of fire in Campus Housing. This prohibition includes but is not limited to using candles, cigarettes, cigars, hookahs, pipes, incense, and fireworks. If a resident or guest is found burning candles or similar items, the resident shall clip the wick or discard the item.

### **Fire safety equipment and fire alarms**

All persons are prohibited from disabling, tampering with, or decreasing the effectiveness of any fire safety equipment (including, but not limited to, fire extinguishers, smoke detectors, and sprinklers.) This includes, but is not limited to:

- Covering, attaching to, or hanging *anything* from smoke detectors, fire alarms, and sprinkler heads.
- Removing batteries from a smoke detector and/or taking a smoke detector off the ceiling. If you have a battery-operated smoke detector, you are responsible to make sure it is working; if it beeps to indicate low batteries, *do not* take it down. Report this immediately to staff. (See “Reporting Facilities and Maintenance Concerns” in Residence Hall Handbook)

Individuals are prohibited from misusing fire safety equipment (such as inappropriately discharging a fire extinguisher.)

Causing a false fire alarm to be sounded is strictly prohibited (this does not include having one smoke detector sound temporarily due to smoke or steam while cooking).

### **Obstructing a fire exit**

Emergency exit doors and escape routes must be kept free and clear of materials that may

impede evacuation. Obstructing an evacuation route with trash, furniture, or other physical items is strictly prohibited.

### **Barbecue grills**

Residents are not allowed to possess or use barbecues or open flame cooking devices within campus housing, including on balconies and porches. When available, residents are permitted to use University owned community barbecues on the outside grounds away from buildings. Residents are required to keep community barbecues clean. See your RA for more information.

### **Negligent cooking**

Fires from unattended cooking are completely avoidable. Do not leave microwaves, ovens, stoves, or other appliances unattended while in use. Should a fire result from negligence while cooking, you will be held responsible. Please also consult the “Prohibited Items” list to see which appliances may not be possessed or used in campus housing.

### **Evacuating during fire alarm**

When a fire alarm sounds, residents and guests must promptly evacuate the building and assemble in the posted gathering location. Failure to do so may result in fines and citations. See “Safety and Emergencies” in the Residence Hall Handbook for further instructions.

### **Hover boards**

Due to the fire concerns surrounding hover boards, the use and/or possession of hover boards in campus housing is prohibited. Should these devices be found in any area in housing, they will be confiscated by staff.

### **Smoking policy**

Pacific University prohibits smoking anywhere on Pacific University campuses, including within and around Campus Housing. Smoking includes, but is not limited to the use of cigarettes, e-cigarettes, vaping devices, cigars, pipes, hookah, any other smoked or smoldering substances, or any similar devices. This policy prohibits smoking on all Pacific University campuses as well as university-owned or controlled property including but not limited to grounds, outdoor areas, vehicles, parking lots, and inside any personal vehicles parked on the property. In compliance with Oregon Senate Bill 754 (effective January 1, 2018), one must be 21 years of age to possess any tobacco products on campus.

As noted in the “Fire Safety” policy, smoking within Campus Housing will result in severe fines. See also: “Pacific University Smoking and Tobacco Use Policy” online.

### **Electrical connections policy**

Residents shall not cover, hang, or attach anything to electrical fixtures, lighting fixtures, fire safety fixtures, network fixtures, or heating and/or air conditioning units provided in their rooms. Residents shall not modify any of the aforementioned fixtures provided in their rooms, such as installing alternative fixtures, plates, dimmer switches, or ceiling fans. For fire safety purposes, residents are approved to use surge protector power strips that are UL (“Underwriters’ Laboratories,” a nonprofit safety testing organization) approved. Multiplying an outlet or extending an outlet more than once is prohibited. For example, residents shall not plug a surge protector into an outlet multiplier or plug a multiple-outlet extension cord into a surge protector.

Also, residents shall not plug one extension cord into another or plug another device into the end of a set of decorative lights. Electrical lights (such as “Christmas” lights) may not be used on metallic objects or attached to light fixtures. Please also see “Fire Safety” for additional policies related to this area.

### **Items prohibited in residence halls**

Residents shall not possess or use any of the following items in campus housing due to fire safety concerns. If these items are found, they will be confiscated (for a full list see the Residence Hall Handbook):

- barbecue grills (propane and charcoal)
- blow torches
- candles with burnt, unclipped wicks
- explosives/fireworks
- hazardous chemicals
- halogen lights
- heaters not provided by the University
- hot plates
- hover boards
- toasters/toaster ovens\*

\*Item is permitted in Apartment Kitchens (Burlingham, Gilbert, Vandervelden); Refrigerators 4 cubic feet or less are permitted in all rooms, however a mat must be placed under refrigerators in carpeted areas.

### **Residence Hall Safety Inspections**

Facilities personnel and Residence Life staff perform routine safety inspections of each resident’s space at least once per academic year. Inspections are conducted to ensure all of the rules and regulations for the student housing facilities are being adhered to. The inspections include, but are not limited to, visual examination of electrical cords, sprinkler heads, smoke detectors, and points of egress.

In addition, each room is examined for the presence of prohibited items (e.g. sources of open flames, such as candles, non-surge protected extension cords, portable cooking appliances in non-kitchen areas, etc.) or prohibited activity (e.g. smoking in the room, tampering with the life safety equipment, possession of pets, etc.). This inspection also includes a general assessment of food and waste storage and the cleanliness of the room. Prohibited items may be immediately confiscated by University personnel and might not be returned to the owner.

### **Response to Fires, Fire Alarms, and Explosions in Student Housing**

All persons are required by law to evacuate the building in the event of a fire alarm, or fire drill. All persons are prohibited from re-entering the building until an all-clear is given by Campus Public Safety Officers, Forest Grove Fire or Forest Grove Police.

1. Know the location of fire alarm pull stations, fire extinguishers, emergency exits, and fire escapes.

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2. Upon discovering a fire, pull the alarm immediately. Call 911 as soon as you are reasonably safe and then contact Campus Public Safety at (503) 352-2230.
3. Upon notice of a fire alarm, or fire drill, evacuate the building to your designated, safe, outside location.
  - a. Do not attempt to use elevators under any circumstance.
  - b. If there is heavy smoke, crawl along the floor to the nearest exit. Keep your nose and mouth covered with a cloth.
  - c. If it is not safe to leave your room because fire or smoke is blocking your path, stay in your room. Do not attempt to jump out of any window higher than ground floor. If it is safe to do so, go to the window and signal for help.
  - d. If you are trapped in your room, keep your doors and windows closed- open windows may draw smoke into the room. Shove wet towels, clothing or sheets underneath your door to prevent smoke from entering.
  - e. Hang a sheet or other large cloth out your window to notify emergency personnel that you are trapped. If your phone works, contact Campus Public Safety at (503) 352-2230 to apprise them of your situation.
4. Stay far away from the building— you could be injured by falling glass or explosions. Stay clear of fire lanes, roads, sidewalks, fire hoses, water valves, and emergency personnel so that they may work.
5. Inform Campus Public Safety or Residence Life staff of any injured, disabled, or trapped persons of which you are aware.
6. Remain for an accounting of all persons known to be inside. Do not re-enter the building until an all-clear signal is given by Campus Public Safety.

### **Catastrophic disaster assembly**

The University has designated assembly areas in the event of a catastrophic disaster, for example, a very large earthquake or explosion. If it is safe to go there, the area will be used for evacuation, triage, and recovery. Do not leave the assembly area until an all-clear is given by designated University personnel. It is crucial that everyone be accounted for should the disaster require search and rescue operations.

- **Cascade, Clark, Walter, and McCormick** assemble in Parking Lot E, which is between Clark Hall and the tennis courts
- **Vandervelden, Burlingham, and Gilbert** assemble in the Parking Lot K, behind Gilbert Hall.

### **Fire Safety Education and Training Programs**

Housing and Residence Life staff receive regular trainings on the location and operation of fire alarm systems, as well as a review of evacuation plans and their roles. Residential students receive a general orientation to the systems present in their hall meetings. Residents also participate in regular evacuation drills each year. Around the time of drills, students are reminded of fire safety and evacuation protocols via email.

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### Plans for future fire safety improvements

Pacific University continues to assess and upgrade fire safety equipment as an ongoing process to ensure that all equipment meets National Fire Safety standards. During the summer of 2019 Pacific University converted our fire reporting system from phone lines to radio systems in compliance with fire safety regulations and best practices. Future improvements will be made as needed as a part of the ongoing assessment process.

### Fire Safety Systems by Residential Location

Location	Sprinklers or other fire extinguishing systems	Fire detection devices	Standalone smoke alarms	Devices that alert one to the presence of a fire, such as horns, bells or strobe lights	Fire doors and walls that reduce the spread of a fire	Number of Fire Drills in 2019
2415 Main Street			X			0
Burlingham Hall	X	X		X		1
Cascade Hall	X	X		X	X	1
Clark Hall		X	X	X	X	1
Gilbert Hall	X	X		X	X	1
McCormick Hall	X	X		X	X	1
Vandervelden Court			X			1
Walter Hall		X	X	X	X	1

### 2019 Statistics Regarding Fires in Residential Facilities

Location	Total Fires	Fire Number	Cause of Fire	Injuries*	Deaths	Value of Property Damage
2415 Main Street	0	0	N/A	N/A	N/A	N/A
Burlingham Hall	1	1	Result of unintentional action: Cooking	0	0	\$0.00
Cascade Hall	0	0	N/A	N/A	N/A	N/A
Clark Hall	0	0	N/A	N/A	N/A	N/A
Gilbert Hall	0	0	N/A	N/A	N/A	N/A
McCormick Hall	0	0	N/A	N/A	N/A	N/A
Vandervelden Court	0	0	N/A	N/A	N/A	N/A
Walter Hall	1	1	Result of unintentional action: Electrical	0	0	\$50.00

\*Requiring Medical Treatment at a Treatment Facility

**2018 Statistics Statistics Regarding Fires in Residential Facilities**

Location	Total Fires	Fire Number	Cause of Fire	Injuries*	Deaths	Value of Property Damage
2415 Main Street	0	0	N/A	N/A	N/A	N/A
Burlingham Hall	1	1		0	0	\$50.00
Cascade Hall	0	0	N/A	N/A	N/A	N/A
Clark Hall	0	0	N/A	N/A	N/A	N/A
Gilbert Hall	0	0	N/A	N/A	N/A	N/A
McCormick Hall	2	1	Result of unintentional action: Cooking	0	0	\$0.00
		2	Result of unintentional action: Cooking	0	0	\$0.00
Vandervelden Court	0	0	N/A	N/A	N/A	N/A
Walter Hall	0	0	N/A	N/A	N/A	N/A

*\*Requiring Medical Treatment at a Treatment Facility*

**2017 Statistics Statistics Regarding Fires in Residential Facilities**

There were no reported fires in residential facilities in 2017.

## Links To Resources

Resource	Internet Link
Pacific University Emergency Operation Plan	<a href="https://www.pacificu.edu/about-us/offices/campus-public-safety/emergency-response-operations">https://www.pacificu.edu/about-us/offices/campus-public-safety/emergency-response-operations</a>
Forest Grove Fire and Rescue	<a href="http://www.forestgrove-or.gov/fire">http://www.forestgrove-or.gov/fire</a>
Hillsboro Fire Department	<a href="https://www.hillsboro-oregon.gov/our-city/departments/fire">https://www.hillsboro-oregon.gov/our-city/departments/fire</a>
Woodburn Fire Department	<a href="http://woodburnfire.com/">http://woodburnfire.com/</a>
Eugene Fire Department	<a href="https://www.eugene-or.gov/120/Fire-and-Emergency-Medical-Services">https://www.eugene-or.gov/120/Fire-and-Emergency-Medical-Services</a>
Oregon Department of Justice Compensation for Victims of Crime	<a href="https://www.doj.state.or.us/crime-victims/victims-resources/victims-services/compensation-for-victims-of-crime/">https://www.doj.state.or.us/crime-victims/victims-resources/victims-services/compensation-for-victims-of-crime/</a>
Oregon Judicial Department Protective Orders	<a href="https://www.courts.oregon.gov/programs/family/forms/Pages/protective-orders.aspx">https://www.courts.oregon.gov/programs/family/forms/Pages/protective-orders.aspx</a>
Oregon Revised Statutes	<a href="https://www.oregonlegislature.gov/bills_laws/pages/ors.aspx">https://www.oregonlegislature.gov/bills_laws/pages/ors.aspx</a>
Oregon Revised Statutes Controlled Substances Laws	<a href="https://www.oregonlegislature.gov/bills_laws/ors/ors475.html">https://www.oregonlegislature.gov/bills_laws/ors/ors475.html</a>
Oregon Sex Offender Inquiry System	<a href="https://sexoffenders.oregon.gov/">https://sexoffenders.oregon.gov/</a>
Pacific University Campus Public Safety	<a href="https://www.pacificu.edu/support-safety/campus-public-safety">https://www.pacificu.edu/support-safety/campus-public-safety</a>
Pacific University Alcohol and Drug Information	<a href="https://www.pacificu.edu/support-pacific/alcohol-other-drugs">https://www.pacificu.edu/support-pacific/alcohol-other-drugs</a>
Pacific University Student Counseling Center	<a href="https://www.pacificu.edu/about-us/offices/student-counseling-center">https://www.pacificu.edu/about-us/offices/student-counseling-center</a>
Pacific University Student Health Center	<a href="https://www.pacificu.edu/about-us/offices/student-health-center">https://www.pacificu.edu/about-us/offices/student-health-center</a>
Pacific University Residence Hall Handbook	<a href="https://www.pacificu.edu/about-us/offices/student-conduct/student-handbook/residence-hall-handbook">https://www.pacificu.edu/about-us/offices/student-conduct/student-handbook/residence-hall-handbook</a>

## Additional Contact Information

Resource	Contact Information
SARC - Sexual Assault Resource Center	4900 SW Griffith Drive, Suite 100, Beaverton, Oregon 97005 (503) 626-9100
Department of Human Services	500 Summer St. NE E-15, Salem, OR 97301 (503) 945-5600



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Washington County Victim's Assistance Program	150 N First Avenue, Suite: 300, Hillsboro, OR 97124 (503) 846-8671
Lane County Victim's Assistance Program	125 East 8th Avenue, Eugene, OR 97401 (541) 682-4523
Marion County Victim's Assistance Program	555 Court St NE, Suite 3231, Salem, OR 97301 (503) 588-5253
St. Vincent's Hospital (Certified Sexual Assault Nurse Examiners)	9205 SW Barnes Road, Portland OR, 97229 (503) 216-1234
Washington County District Attorney's Office (Protective Orders)	150 N First Avenue, Suite: 300, Hillsboro, OR 97124 (503) 640-5352 ext. 306
Lane County District Attorney's Office	125 E 8th Ave #400, Eugene, OR 97401 (541) 682-4261
Marion County District Attorney's Office	555 Court St NE, Suite 3250, Salem, OR 97301 (503) 588-5222
The Northwest Network (for LGBTQ survivors)	P.O. Box 18436, Seattle, WA (206) 568-7777
Pacific University Office of Equity, Diversity, and Inclusion	Marsh Hall 114, Pacific University, Forest Grove, OR 97116 (503) 352-1457
Pacific University Office of International Programs	Scott Hall, Pacific University, Forest Grove, OR 97116 (503) 352-1600
Pacific University Office of Student Life	Clark Hall, Pacific University, Forest Grove, OR 97116 (503) 352-2200
Pacific University Campus Public Safety – Forest Grove	2128 College Way, Forest Grove, OR 97116 (503) 352-2230
Pacific University Campus Public Safety – Hillsboro	190 SE 8 <sup>th</sup> Ave, Hillsboro OR, 97123 (503) 352-7207
Pacific University Human Resources Office	Frye Building, 2011 21st Avenue, Pacific University, Forest Grove, OR 97116 (503) 352-2210
Pacific University Office of the Registrar	Marsh Hall, Pacific University, Forest Grove, OR 97116 (503) 352-2793
Pacific University Student Counseling Center	2142 College Way, Forest Grove OR 97116 (503) 352-2191 730 SE Oak St, Suite D, Hillsboro OR 97123 (503) 352-2658
Pacific University Center for Gender Equity	Clark Hall, Pacific University, Forest Grove, OR 97116 (503) 352-2273
Pacific University Student Health Center	2142 College Way, Forest Grove, OR 97116 730 SE Oak St, Suite D, Hillsboro, OR 97123 (503) 352-2269