

# **University of Portland**

## **Department of Campus Safety Crime & Fire Report for 2023**

### **MISSION STATEMENT**

The University of Portland's Department of Campus Safety is the University's Designated Campus Authority and exists to protect and serve the campus community. Our mission is to support the University's primary objectives of teaching and learning, faith and formation, service and leadership by helping to promote, create, and maintain a safe, secure, and enjoyable campus environment for all members of the University community and its guests.

### **CAMPUS CRIME REPORT AND DRUG AND ALCOHOL POLICY**

The University Park neighborhood that borders our campus is among the safest in Portland. Yet, like any place in our modern age, there are dangers. Federal law requires the Department of Campus Safety to tell the campus community about three of those risks: crime, drug use, and fire. The first portion of this booklet carries the Campus Safety Report, as required by the federal Crime Awareness and Campus Security Act of 1990. The second portion, mandated by the federal Drug-Free Schools and Communities Act of 1989, explains the University's policy on alcohol and illegal drugs. The third portion relates statistics and safety measures related to fires on campus, also required by the federal Crime Awareness and Campus Security Act of 1990. Please read these reports and use the information to help foster a healthy and safe environment for yourself and others on campus.

### **CAMPUS SAFETY REPORT**

The information in this publication is in compliance with requirements set forth under the Student Right to-Know and Campus Security Act of 1990 (Title II – Public Law 101-542 Nov. 1990). This report is updated on an annual basis and is disseminated to all University students and employees. Upon request, this report will also be provided to any applicant for enrollment or employment.

### **STATUS OF CAMPUS SECURITY**

The University of Portland places a high priority on the personal safety of its students, faculty, staff, and visitors. The Department of Campus Safety is committed to providing a secure environment. Historically, the University of Portland has been one of the safest campuses in the Pacific Northwest. The campus is located in the University Park neighborhood, which has one of the lowest crime rates in Portland. However, since it is impossible to prevent all crime, we wish to remind people that they must also take responsibility for their own personal safety. To that end, we offer several "Security Awareness and Crime Prevention Programs."

Monthly crime statistics for Portland, including the University Park neighborhood, are available through the Portland Police Bureau's Crime Stats application online at the following URL:  
<http://www.portlandoregon.gov/police/71978>

## **SECURITY AWARENESS AND CRIME PREVENTION PROGRAMS**

The University provides the following services and programs to improve safety on campus and to educate the community about security issues:

**Escort Service** — Campus Safety provides an escort service for people walking on campus or to and from a University-owned residence. Students, staff, and faculty are asked to walk with others when possible and to choose paths and walkways that are well lit and visible to the public.

**New Student Orientation** — Crime prevention materials are provided online, and questions are answered during new student orientation meetings.

**Personal Safety** — Threat assessment, dorm safety and violence prevention, fire and life safety; contact Campus Safety at (503) 943-7161 for more information.

**Residence Hall Security** — Hall security and safety is routinely discussed at all hall meetings.

**Emergency Telephones** — Campus phones are located outside the main entrance of each residence hall, in the Pilot House, at St. Mary's, Shiley Hall, Romanaggi Hall, Franz Hall, and Buckley Center. Several emergency phones are located in and around campus buildings to provide immediate access to Campus Safety during an emergency.

**Electronic Systems** — The Department of Campus Safety monitors intrusion and fire alarms campus-wide with the help of a computerized monitoring system. Access into certain facilities, including residence halls, is controlled through use of a card key access control system.

**Operation Identification** — Students are strongly encouraged to mark valuables with a driver's license number and to record and retain serial numbers in a safe place.

**Crime Prevention Advice** — Information related to substance abuse, personal safety, seat belt use, motor vehicle and bicycle theft prevention, and residence and office security are made available to the community via the Campus Safety staff.

**Community Notification of Criminal Activity** — The Department of Campus Safety notifies the campus community of security concerns by email notification, articles published in the campus newspaper, or in the faculty/staff newsletter. If warranted by the circumstances, the campus Emergency Notification System may be utilized to alert the campus community by recorded phone message, SMS (text) message, and email or by sending a Timely Warning email to the community.

## **Campus Security Authorities and Related Duties**

The Jeanne Clery Act directs campuses to identify and define the roles of Campus Security Authorities. Crimes that occur on campus may be reported to any Campus Security Authority (CSA), as defined by the Clery Act. A CSA is defined as:

1. A member of the campus security department of an institution.
2. Any individual or individuals who have responsibility for campus security, other than those members under paragraph (1) of this definition, such as an individual who is responsible for monitoring entrance into institutional property.
3. 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.
4. 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.

While the university has identified numerous CSAs, we officially designate the following offices as places where campus community members should report misconduct:

1. Campus Safety (formally, Department of Campus Safety and Emergency Management)
2. Residence Life Office
3. Residence Advisors (RA's)
4. Hall Directors
5. Director of Athletics
6. Title IX Coordinator
7. Vice-President of Student Affairs
8. Director of Residence Life
9. University President's Office
10. Office of Diversity and Inclusion
11. Student Activities Office

The duties of a Campus Security Authority are to report to the official or office designated by the institution to collect crime report information, such as the Campus Safety Department, those allegations of Clery Act crimes the person receives. The CSAs are not responsible for investigating or reporting incidents that they overhear students talking about in a hallway conversation that a classmate or student mentions during an in-class discussion; that a victim mentions during a speech, workshop, or any other form of group presentation; or that the CSA otherwise learns about in an indirect manner.

Under the Clery Act, a crime is considered as "reported for statistical data purposes" when it is brought to the attention of a campus security authority, the institution's...campus safety office, or local law enforcement personnel by a victim, witness, other third party or even the offender. It does not matter whether the individuals involved in the crime or reporting the crime are associated with the institution. If a campus security authority, who is not a confidential reporting designee, receives a report of a Clery Act related crime, they must immediately notify the Campus Safety Office. Such reports from confidential sources and those made directly to Campus Safety are used for statistical data collection and evaluation of the necessity of the issuance of an emergency notification or timely warning, which is required by federal law. Statistics included within the Annual Security Report are based upon reports of alleged criminal incidents, unless factually determined otherwise. It is not necessary for a crime to have been investigated by the Campus Safety Office, Office of Student Conduct or Title IX Director for inclusion in the Annual Security Report.

#### **HOW TO REPORT A CRIME OR EMERGENCY**

To report a crime or an emergency on campus, call the Department of Campus Safety. Campus Safety Officers respond to all reports of crimes and emergencies and complete an "Incident Report" for any crime occurring on or adjacent to University property. Reports are confidential within the guidelines established by the General Education Provisions Act (Buckley Amendment) and Oregon Revised Statutes. As a service to the University community, some reports are made available, free of charge, to a reporting party to assist in the filing of an insurance claim. Crime reports can be made at any time.

As a result of the negotiated rulemaking process which followed the signing into law, the 1998 amendments to 20 U.S.C. Section 1092 (f), clarification was given to those considered to be campus security authorities.

Campus “Pastoral Counselors” and campus “Professional Counselors”, when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. These individuals are provided the opportunity to report instances of confidentially reported incidents to be included in the annual statistics, which remain confidential and will not be investigated. The rulemaking committee defines counselors as:

**Pastoral Counselor**

An employee of an institution who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.

**Professional Counselor**

An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution’s community and who is functioning within the scope of his or her license or certification.

**Anonymous reporting**

If you wish to report a crime anonymously, go to the Campus Safety web page at [www.up.edu/campussafety](http://www.up.edu/campussafety) and click the link on the page titled “Report Crime Anonymously”

(<https://dynamicforms.ngwebsolutions.com/Submit/Start/17eb20d5-cf00-42cd-8c41-ba50a52ec69a?SSO=N>).

You will have the opportunity to report a crime or event without revealing your identity.

Call Campus Safety if someone is injured or ill, if you see fire or smell smoke, if you see something suspicious, if someone is hurting another; if you see someone stealing something or vandalizing property or you have something stolen.

Call quickly. Don’t assume someone else has made the call. Try to provide the dispatcher with accurate, detailed information about the problem.

STAY ON THE LINE until the dispatcher says it is OK to hang up. Depending upon the type of emergency the dispatcher may also request assistance from the Portland Police Bureau, Portland Fire Bureau, or an ambulance company.

To call Campus Safety from campus, simply use the last 4 digits of the phone number. To call Campus Safety from off campus, use all 10 digits of the phone numbers.

On Campus:

4444 for emergency help

7161 from on-campus) for non-emergency assistance

Off Campus:

(503)943-4444 for emergency help

(503)943-7161 for non-emergency assistance

## **DEPARTMENT OF CAMPUS SAFETY**

The Department of Campus Safety serves all students, staff, faculty, and guests of the University. All criminal offenses occurring on campus or at University-controlled property should be reported to Campus Safety.

The department operates twenty-four hours a day, seven days a week. Full-time staff includes a Director of Campus Safety and Emergency Management, two Associate Directors-Patrol Operations, one Associate Director-Administration, ten Campus Safety Officers and six dispatchers.

Officers conduct foot, vehicle, and bike patrols on campus and in the neighborhood adjacent to campus. The department is charged with the enforcement of University policies and regulations and assisting in the reporting of applicable federal, state, and local laws. All officers are certified under the Oregon Private Security Service Providers Act ORS-181.170—181.993.

The Campus Safety Department works cooperatively with the Portland Police Bureau and other enforcement agencies to ensure the safety of the campus community and may ask for assistance when a crime has been reported.

## **ACCESS TO CAMPUS FACILITIES**

Most campus buildings and facilities are accessible during normal business hours, excluding holidays. Athletic facilities, the computer labs, the Pilot House, the library and other select University service areas have varying hours of operation. For “after- hours” access to certain facilities, students will need approval from a faculty or staff person responsible for the facility, and a valid student ID card must be presented to Campus Safety personnel to be admitted.

Since the University cannot guarantee that unauthorized persons will not enter into residence halls, students are strongly encouraged to lock their room doors at all times. Hall access requires the use of an ID card which also acts as an “electronic” key. The University has an inter-visitation policy (which limits the hours non-residents may visit in a residence hall room). The violation of this policy may result in disciplinary proceedings. Residence hall policies may be found in the student handbook, [Life on the Bluff](#).

## **MAINTENANCE OF CAMPUS FACILITIES**

Campus Safety Officers, as part of their general patrol procedure, generate a work order to the Physical Plant when any defective lighting or unsafe condition is noted on campus. Students, faculty, and staff are encouraged to report any safety or security concerns directly to the Department of Campus Safety. Health and safety concerns may also be addressed to the Environmental Health and Safety Officer or to the President’s Advisory Committee on Health and Safety.

## **MISSING STUDENT PROCEDURE**

If a member of the University Community has reason to believe that a student is missing, they should immediately notify the Department of Campus Safety at 503.943.7161, whether or not the student resides on campus. All possible efforts will be made to locate the student to determine his or her state of health and well-being through the collaboration of Campus Safety and the Department of Student Affairs.

If the student is an on-campus resident, the Campus Safety Department will secure authorization from Residence Life officials to make a welfare check entry into the student's room. If the student is an off-campus resident, the Campus Safety Department will enlist the aid of the neighboring police agency having jurisdiction in the area the student resides.

Concurrently, University officials will endeavor to determine the student's whereabouts through contact with friends, associates, and/or employers of the student. Whether or not the student has been attending classes, labs, recitals, and scheduled organizational or academic meetings, or appearing for scheduled work shifts, will be established. If located, verification of the student's state of health and intention of returning to the campus is made. When and where appropriate, a referral will be made to the University Health Center.

If not located, notification of the family and local law enforcement within 24 hours of receiving the initial report is made to determine if they know of the whereabouts of the student. If the student is an off-campus resident, appropriate family members or associates are encouraged to make an official missing person report to the law enforcement agency with jurisdiction.

If the missing student is under the age of 18 and is not an emancipated individual, the Campus Safety Department will notify the student's parent or legal guardian immediately after the Campus Safety Department has determined that the student has been missing.

The Campus Safety Department will cooperate with, aid, and assist the primary investigative agency in all ways prescribed by law. Upon closure of the missing person investigation, all parties previously contacted will be advised of the status of the case. All students, faculty, and staff have the option to designate an individual to be contacted in the event the student, faculty, or staff member is determined to be missing for more than 24 hours. If a member of the community has designated such an individual, the Campus Safety Department will notify that individual no later than 24 hours after the community member is determined to be missing. Community members who wish to designate a confidential contact can do so by contacting the Campus Safety Department.

### **SEXUAL AND GENDER-BASED HARASSMENT, MISCONDUCT AND VIOLENCE**

The University of Portland (the "University") is committed to fostering a community that is safe and respectful for all community members. All students of the University are called to honor and respect the inherent value and dignity of others. Consistent with our values, sexual and gender-based harassment, misconduct, and violence are prohibited in our community. These types of prohibited conduct include: sexual harassment, including cyber harassment, sexual misconduct, sexual assault, dating, relationship, and domestic violence, stalking, including cyberstalking. Negative conduct that attempts to prevent reporting of conduct prohibited by this policy or prevent participation in University processes related to this policy and retaliation are prohibited. The University will analyze and may have an obligation to respond to any report or complaint received by the University regardless of whether the incident occurred on the campus of the institution or elsewhere that relates to prohibited conduct.

The Title IX Office addresses all concerns about sexual and gender-based harassment, misconduct and violence, including those that fall under Title IX or the student code of conduct.

The University reserves the right to take action when it determines that a student has not met the University's standards in this area. Such conduct may result in discipline, up to and including dismissal from the University.

### **Consent**

Consent means informed, freely, and voluntarily given mutual agreement understood by all parties and communicated by clearly understandable words or actions, to participate in each form of sexual activity. Consent will not be assumed by silence, incapacitation due to alcohol or drugs, unconsciousness, sleep, cognitive or mental incapacitation, physical impairment, or lack of active resistance. A current or previous dating or sexual relationship is not sufficient to constitute consent, and consent to one form of sexual activity does not imply consent to other forms of sexual activity. Ultimately, consent must be freely and voluntarily communicated, verbally and/or physically, for every sexual act.

There is no consent where:

- There is coercion, threat, intimidation, or physical force involved (as explained in more detail below)
- One party has taken advantage of a position of authority that he or she has over the other party (as explained in more detail below)
- One party is incapable of giving consent due to incapacitation (as explained in more detail below)
- No verbal and/or physical communication indicating consent has taken place; or
- The reporting party is under the legal age of consent.

“Coercion” is the use of an unreasonable amount of pressure to gain sexual access. It is more than an effort to persuade, entice, or attract another person to engage in sexual activity. To determine whether coercion occurred, factors taken into consideration are: (i) the frequency of the application of pressure, (ii) the intensity of the pressure, (iii) the degree of isolation of the person being pressured, and (iv) the duration of the pressure. A finding of coercion also generally involves either the use of physical force or the threat of harm. Harm can include, but is not limited to, physical harm, harm to social relationships or reputation, financial harm, harm to terms and conditions of employment or academic situation, or other types of leverage created from the threat of harm.

“Threat” is a statement of an intention to inflict pain, injury, damage, or other hostile action on a person in retribution for something done or not done.

“Intimidation” is verbal or physical conduct that forces another person to do or not do some action by inducing fear.

“Physical force” is a physical act of power, violence, or pressure directed against another person.

“Position of authority” generally refers to a position with institutional or institution-related power. Examples are: employment-related supervisor, resident advisor, and athletic team captain.

### **Incapacitation**

An incapacitated person is incapable of giving consent. A person is incapacitated if that person is in a physical or mental state such that he or she lacks the ability to make a knowing and deliberate choice to

engage in the sexual interaction. For the purposes of this policy, a person who is asleep or unconscious is incapacitated, without exception. A person may also become incapacitated due to other factors, which may include the use of alcohol and/or drugs to such a degree that the person no longer has the ability to make a knowing or deliberate choice to engage in the sexual interaction. Engaging in sexual activity with a person whom an individual knows, or should reasonably know, to be incapacitated constitutes a violation. If there is a question about whether the reporting party was incapacitated, the relevant standard is whether the respondent knew, or a reasonable person not under the influence of a judgment impairing substance in the respondent's position should have known, that the reporting party was incapacitated and therefore could not consent to the sexual activity.

Consumption of alcohol or drugs is not by itself sufficient to establish incapacitation. Therefore, each incident will be assessed on a case-by-case basis.

Incapacitation is a state beyond drunkenness or intoxication. An individual who is intoxicated may be able to consent to sexual activity. However, when an individual passes from intoxication to a state of incapacitation, the individual no longer has the ability to give consent.

Some indications of intoxication include, but are not limited to: slurred speech or difficulty communicating; difficulty walking or standing; and/or exaggerated emotions. Some indications of incapacity include, but are not limited to: indications of intoxication (as set out above), inability to speak coherently, inability to walk unassisted, vomiting, glassy or bloodshot eyes, inability to keep eyes open, unusual behavior, unconsciousness, confusion or lack of understanding of basic facts and/or disorientation to place, time, and/or location. These indications alone do not necessarily indicate incapacitation.

## **SEXUAL AND GENDER-BASED HARASSMENT**

All members of our community—students, staff, administrators, faculty, and visitors—are entitled to study and work free from unsolicited and unwelcomed sexual advances. Sexual harassment of any kind is inconsistent with the mission of the University of Portland to create a community in which all members feel safe and respected.

Sexual harassment is a form of discrimination on the basis of sex or gender. Sexual harassment is unwelcome conduct of a sexual nature. Sexual harassment 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.

Students seeking information regarding sexual harassment by faculty or staff, or who wish to report discrimination they experienced in a University setting should contact University of Portland's Title IX office at (503) 943-8982, or [titleix@up.edu](mailto:titleix@up.edu).

## **STALKING**

Stalking means engaging in a course of conduct directed at a specific person or persons that would cause a reasonable person to:



- Fear for his or her safety or the safety of others; or
- Suffer substantial emotional distress.

Stalking is generally composed of two or more acts over a period of time, however short. Examples of conduct prohibited under this policy include, but are not limited to:

- Nonconsensual and repeated communications;
- Intentionally following, pursuing, waiting for, or showing up uninvited;
- Surveillance or other types of close observation;
- Direct physical and/or verbal threats against an individual or the individual's loved ones;
- Manipulative and controlling behaviors, including, but not limited to, means via the internet or electronic means;
- Cyber-stalking, which is the use of the internet or other electronic means to stalk an individual. Cyber-stalking may involve stalking-type conduct that involves, but is not limited to, a larger than usual volume of email or text communications, false accusations, monitoring over the internet or via electronic means, making threats via the internet or electronic means, identity theft, intentional damage to data or equipment on the internet or via technology, or gathering information via the internet or via technology in order to harass another.

The Oregon Revised Statutes (ORS) defines Stalking in ORS 163.732.

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

Stalking is a Class A misdemeanor. (b) Notwithstanding paragraph (a) of this subsection, stalking is a Class C felony if the person has a prior conviction for: Stalking; or Violating a court stalking protective order. (c) When stalking is a Class C felony pursuant to paragraph (b) of this subsection, talking 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].

#### **USE OF THE REASONABLE PERSON STANDARD**

Where there is a specific reference to the reasonable person standard in this policy, the University will use a "reasonable person" standard in investigating reports and complaints of violations of this policy, both in determining facts and in assessing culpability.

A "reasonable person" is a hypothetical person who is levelheaded and rational, aware of community norms, and not under the influence of a judgment-impairing substance. Further, this person considers all information available to them about the circumstances and actual and perceived identities of all parties involved in the incident(s). The decision maker may use the reasonable person standard when assessing whether a reasonable person, as defined above, in the same position as the respondent, would believe that they had consent in that context.

This standard can be used in different ways throughout the investigation and student conduct process. For example, because the standard is referred to in the definition of prohibited discriminatory harassment, parties investigating a report or formal complaint of discriminatory harassment will use the reasonable person standard by assessing the situation from the perspective of a reasonable person as defined above to decide if the behavior constitutes a violation of this policy.

### **Title IX Sexual Harassment**

Some incidents of sexual harassment (including sexual harassment as defined under Title IX, sexual assault, dating violence, domestic violence, and stalking) that occur in an educational program or activity against a person in the United States are addressed via federal Title IX regulations. Sexual harassment that falls under Title IX must be addressed under Title IX procedures. Specific information for all members of the University of Portland community about incidents that are covered by Title IX and the procedures University of Portland utilizes to address this subset of prohibited behaviors is in the Title IX Sexual Harassment Policy available on the university's Title IX website at [up.edu/titleix](http://up.edu/titleix).

### **SEXUAL MISCONDUCT AND SEXUAL ASSAULT**

All forms of sexual contact without consent are considered sexual misconduct. Certain forms of sexual misconduct are also considered sexual assault.

Examples of sexual misconduct and sexual assault include, but are not limited to:

- Nonconsensual sexual intercourse, which is any sexual penetration or intercourse, however slight and with any object, by a person to another person that is without consent. This includes oral, anal, and vaginal penetration, to any degree and with any object. This type of conduct is referred to as "sexual assault" in this policy.
- Nonconsensual sexual contact, which is any sexual touching, however slight and with any object, by any person upon another without consent. Sexual touching is contact of a sexual nature, however slight.

Examples of nonconsensual sexual contact include (but are not limited to):

- Touching of a nonconsenting person's intimate parts (such as groin, genitals, breast, buttocks, mouth, and/or clothing covering these parts)
- Touching a nonconsenting person with one's own intimate parts
- Making a nonconsenting person touch you or another
- Or any intentional bodily contact in a sexual manner.

Depending on the nature or extent of the contact, this form of sexual misconduct may also be considered and referred to as "sexual assault."

Sexual misconduct also includes, but is not limited to:

- Causing another to engage in involuntary sexual acts
- Sexual exhibitionism
- Stalking, bullying, or harassment
- Prostitution or the solicitation of a prostitute

- Peeping or other voyeurism
- Going beyond the boundaries of consent, e.g., by allowing others to view consensual sex or the non-consensual video or audiotaping of sexual activity; and
- Causing or trying to cause the incapacitation of another with the intent of initiating sexual activity with or upon that person after incapacitation, regardless of whether sexual activity actually takes place.

### **DATING, RELATIONSHIP, AND DOMESTIC VIOLENCE**

Dating, relationship, or domestic violence is generally characterized by repeated manipulative behavior aimed at gaining power or control over an intimate or romantic partner. It consists of harassment or violence committed by a person who is or has been in a relationship of a romantic or intimate nature with the recipient of such conduct. The existence of a relationship of a romantic or intimate nature is determined by considering the following factors: length of relationship, type of relationship, and frequency of interaction within the relationship.

Examples of prohibited conduct include, but are not limited to, the following:

- Emotional abuse, which includes words and/or conduct used to manipulate or hurt a romantic or intimate partner (this is subject to application of the reasonable person standard);
- Verbal abuse, which includes the use of words or the withholding of communication to manipulate or hurt a romantic or intimate partner (this is subject to application of the reasonable person standard);
- Physical abuse, which includes words and/or conduct used to threaten or harm a romantic or intimate partner's physical safety (this is subject to application of the reasonable person standard);
- Resource abuse, which includes words and/or conduct aimed at manipulating or harming the financial or legal situation of a romantic or intimate partner (this is subject to application of the reasonable person standard);
- Sexual misconduct or sexual assault (as defined elsewhere in this policy);
- Physical violence that occurs between individuals in a dating relationship;
- Physical violence that occurs between individuals within the same household or who are related to one another or share a child;
- Within a dating or domestic relationship, attempting to cause or intentionally, knowingly, or recklessly causing bodily injury; and
- Within a dating or domestic relationship, intentionally, knowingly, or recklessly placing another in fear of imminent bodily injury.

### **OREGON REVISED STATUTES DEFINED FOR INTERPERSONAL VIOLENCE AND DOMESTIC VIOLENCE (INCLUDING DATING VIOLENCE)**

Domestic violence includes felony or misdemeanor crimes as defined by any applicable federal, state, or local law.

The Oregon Revised Statutes define "domestic violence" in ORS 135.230 to mean abuse between family or household members. "Family or household members" means any of the following:

- Spouses

- Former spouses
- Adult persons related by blood or marriage
- Persons cohabiting with each other
- Persons who have cohabited with each other or who have been involved in a sexually intimate relationship, or
- Unmarried parents of a minor child

In Oregon, there is no single crime of domestic violence. The term is used to describe any number of crimes (assault, murder, burglary, harassment, menacing) that occur between family or household members. “Abuse” is defined as the occurrence of one or more of the following acts between family or household members:

- Attempting to cause or intentionally, knowingly, or recklessly causing bodily injury
- Intentionally, knowingly, or recklessly placing another in fear of imminent bodily injury; or
- Causing another to engage in involuntary sexual relations by force or threat of force

## **RESOURCES FOR RESPONDING TO SEXUAL OR GENDER-BASED HARASSMENT, MISCONDUCT, OR VIOLENCE**

When sexual or gender-based harassment, misconduct, or violence occurs, the University’s primary concern is for the safety, health, and wellness of those who are affected. The University offers a variety of resources and support to assist affected students as outlined below. The University encourages affected students to speak to someone about what happened and to obtain information about types of support that are available.

The University of Portland is committed to making the Title IX process as accessible as possible for all students. Students who require an accessibility accommodation or who may have other factors that could impact their ability to participate in or seek resources from the Title IX program should contact the Title IX Office at [titleix@up.edu](mailto:titleix@up.edu) or (503) 943-8982 to make a request.

### **Types of support available to students.**

The following types of support are available to students. These are general examples and is not an exhaustive list:

- Emotional, mental health, and general counseling support
- Medical support
- Information about the University’s investigation and conduct processes
- Information about restraining orders and no-contact orders
- Information about the process for obtaining an interim suspension of responding party(s)
- Information about academic accommodations, such as a change in one’s academic schedule or accommodations related to timing of class requirements
- Information about non-academic accommodations, such as a change in on-campus work schedule and alternative housing options
- Information about other on-campus or off-campus resources

### **How to access support.**

Support can be obtained by contacting an on-campus or off-campus resource.

The two offices on campus that can most directly facilitate the providing of support, particularly in the areas of accommodations, are the Title IX Office and the Health & Counseling Center.

Resources are divided into three groups as follows:

- (i) On-Campus Confidential Employees;
- (ii) On-Campus Responsible Employees;
- (iii) Off-Campus Resources.

### **ON-CAMPUS CONFIDENTIAL EMPLOYEES**

The University recognizes not every individual will want to or be prepared to make a formal report to the University or to law enforcement. Students seeking to talk to someone about an incident of sexual or gender-based harassment, misconduct, or violence in a confidential manner without making a report to the University or initiating any investigation or action by the University or the police can access confidential resources as outlined and described in this policy below.

When information is shared with a resource on campus, the level of confidentiality that can be provided by a resource depends on (i) whether the resource has been designated a confidential resource employee, and (ii) whether there are any exceptions to that resource's ability to maintain confidentiality.

In this section, we have listed on-campus resources that have been designated as confidential by the University for purpose of the University's reporting policies and processes. In addition to setting out contact information for the resources, information has been provided about any exceptions to confidentiality. Information about the extent of confidentiality and exceptions to confidentiality can be complicated. If a student has questions or concerns about confidentiality, the University encourages students to ask these questions directly to confidential employees before sharing information that the student wishes to keep confidential. All confidential resources on campus will be marked as confidential employees for Title IX purposes on the University's directory.

### **Confidential Resources**

#### Health & Counseling Center (HCC)

(503) 943-7134 hcc@up.edu

- Wellness Education & Prevention Program Coordinator
- Nurse Practitioners
- Registered Nurse
- Medical Assistant
- Medical Office Administrator
- Mental Health Professionals

Pilot Helpline (after hours support)

(503) 943-7134, option 3 (outside HCC office hours)

#### Important Information About HCC Confidentiality.

There are a few exceptions to confidentiality when information is shared with HCC counselors, Pilot Helpline, and HCC staff. They may need to disclose information to others when: (1) a student shares

intent to harm oneself or someone else; (2) a student shares information about current abuse or neglect of a minor or vulnerable adult; or (3) a court order orders disclosure. Except for these exceptions, the University will treat information shared with HCC counselors, Pilot Helpline, and HCC staff confidentially.

Please note, any information shared with HCC counselors, Pilot Helpline, and HCC staff is held in the strictest confidence. Generally, courts will likely recognize the confidentiality of information shared with counselors, although there may be exceptions. Many courts also recognize the confidentiality of information shared with a medical practitioner, although there may be exceptions. It is likely that courts will not apply confidentiality to information shared with HCC staff who are not counselors or medical practitioners.

#### Campus Ministers

503-943-7131 [ministry@up.edu](mailto:ministry@up.edu)  
[up.edu/campusministry](http://up.edu/campusministry)

All Pastoral Residents

Religious members of the Holy Cross (CSC) community on campus

*Note: Some Priests and members of the Holy Cross (CSC) community may not be confidential resources and are responsible employees required to report any potential matters to the Title IX Office. For example, Priests and members of the CSC community who serve as Hall Directors and those with University-wide administrative duties (the President, Vice Presidents, and any other position serving on the President's Leadership Cabinet) have the discretion to receive information under the Sacrament of Reconciliation or Confession but otherwise are not confidential resources. If a student speaks with priest or members of the Holy Cross (CSC) community who fall under these exceptions and are not confidential and the communication is outside such sacraments, the report will not be treated confidentially, and the priest will need to report any potential Title IX matter to the Title IX Office. Communications that are within the Sacrament of Reconciliation or Confession will be treated confidentially.*

#### **Important Note About Confidentiality**

There are a few exceptions to confidentiality when information is shared with campus ministers and priests. Campus ministers and priests may need to disclose information to others when: (1) a student shares intent to harm oneself or someone else; (2) a student shares information about current abuse or neglect of a minor or vulnerable adult; or (3) a court order orders disclosure. Except for these exceptions, the University will treat information shared with campus ministers and priests confidentially.

Please note, any information shared with a priest in the Sacrament of Reconciliation (also referred to as the Sacrament of Confession) is held in the strictest confidence. Generally, courts will likely recognize the confidentiality of information shared with priests under the Sacrament of Reconciliation or Confession, although there may be exceptions.

It is likely that information shared with Campus Ministry staff or with priests outside of the Sacrament of Reconciliation or Confession will not be treated as confidential by courts. This means, for example, that if a civil or criminal case develops, the employee could still be called as a witness or required to turn over any related documents or notes the employee keeps in a court proceeding.

## **ON-CAMPUS RESPONSIBLE EMPLOYEES**

There are offices and individuals on campus available to support students following an incident of sexual or gender-based harassment, misconduct, or violence, but students should note that the following employees are obligated to report student disclosures to the University if they receive information about potential prohibited conduct. Therefore, these University employees are considered responsible employees by the University. Students may choose to connect with these offices and individuals if they want the University to engage its Title IX processes and policies. (See “How to Report & What Happens Next” section for additional information).

If a campus administrator, faculty member, or staff member is not specifically designated as a Confidential Employee as described above, the individual has a duty to report information to the Title IX Office. Individuals on campus who have a duty to report are sometimes referred to as “Responsible Employees.”

The following are specific University offices, employees, and University community members who have a duty to report information to the Title IX Office or engage in Title IX processes such as investigations:

### **Resources with Reporting Duties**

#### **Title IX Office**

(503) 943-8982  
titleix@up.edu  
up.edu/titleix

#### **Residence Life Office**

up.edu/residencelife  
(503) 943-7205 reslife@up.edu  
Tyson Hall 123

#### **Student Conduct Office**

(503) 943-7205 weingarten@up.edu  
up.edu/residencelife/student-conduct  
Tyson Hall 123

#### **Campus Safety Office**

(503) 943-7161 campussafety@up.edu  
up.edu/campussafety  
Haggerty Hall 100

All University employees with administrative and management duties: president and vice presidents, associate vice presidents, provost and associate/assistant provosts, and deans and associate/assistant deans.

All University employees with any type of supervisory duty (including supervisory duties overseeing student employees). However, if an employee in this category is specifically designated a Confidential Resource, that employee does not have a duty to report information to the Title IX office.

All University faculty. However, if an employee in this category is specifically designated a Confidential Resource, that employee does not have a duty to report information to the Title IX office.

All administrative staff in the Office of Residence Life, hall directors, assistance hall directors, and resident assistants.

All athletics staff, including all coaching staff.

All non-HCC counselors, such as academic counselors (except for the designated program counselors listed above as Confidential Resources) at the University's schools and academic counselors assigned to the Athletics Department.

**Important Note:**

If a campus administrator, faculty member, or staff member is not specifically designated as a Confidential Resource as described above, the individual has a duty to report information to the Title IX Office.

**Off-Campus and Other Community Resources**

The following are on-campus resources available to students. The level of confidentiality provided depends on the policies of each off-campus resource.

**Off-Campus Resources**

**Call to Safety (formerly known as Portland Women's Crisis Line)**

888.235.5333 support@calltosafety.org  
calltosafety.org

- Provides confidential advocacy, support, and information about resources. This resource is available to individuals of all sexes/genders, as well as those directly or indirectly affected, or those supporting individuals who are affected. Call to Safety also provides services related to domestic violence and stalking.

**Sexual Assault Resource Center**

(503) 640-5311 sarcoregon.org

- Provides confidential advocacy, support, and information about resources. This resource is available to individuals of all sexes/genders, as well as those directly or indirectly affected, or supporting individuals who are affected.



**National Sexual Assault Hotline**

(800) 656-4673

rainn.org

- Provides support, information and referral services for sexual assault survivors.

**Q Center**

(503) 234-7837

info@pdxqcenter.org

pdxqcenter.org

- Provides resources and referrals for the LGBTQ community.

**Forge**

(414) 559-2123

forge-forward.org

- Forge provides services to transgender, gender nonconforming, and gender non-binary survivors of sexual assault.

**YWCA and Gateway Center**

(503) 988-6400 ywcapdx.org

portlandoregon.gov/gatewaycenter

- YWCA provides support and information related to situations of domestic violence

**Raphael House**

(503) 222-6507

raphaelhouse.com

- Raphael House provides support and information related to situations of domestic violence

**Victim Rights Law Center (VRLC)**

(503) 274-5477 sjones@victimrights.org

- Provides confidential, free advocacy and support to survivors of sexual assault

**Portland Police Bureau**

Emergency: 911

Non-Emergency: (503) 823-3333

portlandoregon.gov/police

- The Portland Police Bureau can aid in investigating reports of sexual assault and pursuing a criminal case.

Survivors of dating violence, domestic violence, sexual assault, or stalking can make a report to law enforcement who can help collect evidence. Survivors of sexual assault can go to a local emergency room where they can receive a free exam from a specially trained nurse to collect evidence to preserve in case the student wishes to pursue criminal action. The survivor may decide to report to law enforcement or not report to law enforcement. Collecting and preserving evidence may assist in proving that a criminal offense occurred or be helpful in obtaining an order of protection. After a report is made to law enforcement, a survivor can still choose not to press criminal charges. Survivors have until the expiration of the statute of limitations for any crime to decide to press charges. Survivors should know that pursuing a criminal case does not commit a prosecuting attorney to filing a case. Law enforcement investigation materials may also be used in a Title IX or student conduct processes to provide more options to survivors in addition to criminal justice possibilities.

### **OTHER RESOURCES (EVENTS)**

The University may coordinate informational or public awareness events regarding sexual and gender-based harassment, misconduct, and violence. Such events include “Take Back the Night,” the Clothesline Project, candlelight vigils, protests, “survivor speak outs,” and other such forums during which students may disclose their experiences with sexual and gender-based harassment, misconduct, and violence. Generally, when students disclose information at these types of events, such disclosure will not be considered notice to the University for purposes of initiating the University’s obligation to investigate and/or address any particular incidents. However, such events may inform the need for campus-wide education and prevention efforts.

In order for confidentiality to apply to an event, event organizers should make a specific request to the Title IX Office, which will be considered on an individual basis. This is also so that the Title IX Office can keep appropriate records regarding the confidential nature of the event.

### **AMNESTY, NEGATIVE CONDUCT AND RETALIATION**

#### Amnesty.

To foster the safety and security of the entire community, the University of Portland encourages community members to report all incidents of sexual or gender-based harassment, misconduct, and violence. Students are sometimes afraid to report such incidents for fear of being held accountable for other, lesser policy violations such as intervisitation, alcohol, drug, or sexual intimacy.

In order to encourage students to obtain resources and report incidents, the University will not pursue the conduct process against a student who reports an incident of sexual and gender-based harassment, misconduct, and violence for lesser policy violations that occur in connection with the reported incident. Students who are interviewed as witnesses in such cases will not be subject to the student conduct process for lesser policy violations that occur in connection with the reported incident.

The University of Portland strongly encourages students to report all incidents of sexual or gender-based harassment, misconduct, or violence. The University prohibits intimidation, retaliation, threats, harassment, or other types of conduct that attempts to prevent the reporting of such an incident or

participation in an investigation, conduct process, or other University process related to such an incident. Any individual who feels subjected to this type of conduct should immediately report their concerns to the Title IX Office, Student Conduct, or call Campus Safety.

#### Negative Conduct.

Negative conduct (such as intimidation, retaliation, threats, harassment, or bribes) is conduct that attempts to prevent the reporting of conduct prohibited under this policy or that attempts to prevent participation in an investigation, conduct process, or other University process related to this policy.

It is important for individuals to not engage in any actions that might be seen as trying to prevent the report of a potential violation of this policy or interfering with an investigation, including attempting to influence the information provided by potential witnesses. There are various ways individuals can use or engage in to try to prevent a report or interfere with an investigation. Any such conduct is prohibited.

#### Retaliation.

Retaliation occurs when an individual is subjected to certain types of material, adverse treatment because of or as the result of: (i) making a report about conduct potentially prohibited by this policy or participation in an investigation, conduct process; or (ii) other University process related to this policy.

### **HOW TO REPORT**

The following are ways that a student can report a concern about sexual or gender-based harassment, misconduct, or violence. These are not the only ways to make a report.

- Students with questions or who need support with the reporting process are encouraged to reach out to the confidential and responsible employees listed above.
- Reports may be made via the Title IX website, email, phone, or in-person. Reports may be made by the individual directly affected by the incident of concern or by another person on behalf of that individual.

### **Resources with Reporting Duties**

#### **Title IX Office**

(503) 943-8982

[titleix@up.edu](mailto:titleix@up.edu)

[up.edu/titleix](http://up.edu/titleix)

#### **Residence Life Office**

[up.edu/residencelife](http://up.edu/residencelife)

(503) 943-7205 [reslife@up.edu](mailto:reslife@up.edu)

Tyson Hall 123

**Student Conduct Office**

(503) 943-7205 weingarten@up.edu  
up.edu/residencelife/student-conduct  
Tyson Hall 123

**Campus Safety Office**

(503) 943-7161 campussafety@up.edu  
up.edu/campussafety  
Haggerty Hall 100

## WHAT TO EXPECT AFTER A REPORT OR A UNIVERSITY-INITIATED PROCESS

### What happens next?

If a report is made to a non-Title IX Office or individual, the report will be relayed to the Title IX Office. Once the Title IX Office receives a report, whether directly from the complainant or from another office or individual, a Title IX staff member (such as Title IX Coordinator or Deputy Title IX Coordinator member) will contact the complainant to explain the sexual or gender-based harassment, misconduct or violence process, including next steps, and to discuss types of support available, including potential academic and non-academic resources. If the reported incident of sexual or gender-based harassment, misconduct, or violence falls under the federal regulations of Title IX the Title IX staff member will provide information about Title IX definitions and processes, which will include information about the formal complaint process. Additional details about definitions, policies, and processes under Title IX's regulation can be found at [www.up.edu/titleix](http://www.up.edu/titleix). As further detailed in the Title IX policies and processes, a complainant or respondent (as those terms are defined pursuant to Title IX), may appeal the University's determination that a matter is or is not governed by Title IX, including the dismissal of a formal complaint or refusal to dismiss a formal complaint.

### Complainant and Respondent.

For situations involving sexual or gender-based harassment, misconduct, and violence, a student who is the alleged victim/survivor is referred to as the "complainant." A student who is the alleged perpetrator of the sexual or gender-based harassment, misconduct, or violence is referred to as the "respondent." The terms "complainant" and "respondent" are used in the federal Title IX regulations and are therefore adopted for all sexual and gender-based harassment, misconduct, and violence policies at the University of Portland to avoid confusion.

### University initiated processes.

The University may learn information that raises concerns about possible misconduct and therefore may invoke the sexual or gender-based harassment, misconduct or violence process or Title IX formal complaint process even if it does not have a specific complaint or a complainant who wishes to pursue the Title IX process. In determining whether to invoke the sexual or gender-based harassment, misconduct, or violence process of Title IX formal complaint process without a complainant, the University will consider the severity of asserted misconduct about which it has information, potential for recurrence of the misconduct, and any other information consistent with statutes, regulations, or guidance from the United States Department of Education or the State of Oregon.

### Informal resolution processes.

Some matters may be resolved through an informal resolution process. Informal resolution is a voluntary process. It is not appropriate for all matters and the Title IX Office determines whether the informal resolution process is appropriate. For example, the University will not facilitate an informal resolution process if it believes that the situation involves a degree of potentially severe, pervasive, or persistent harm to the reporting student or other individuals.

If the Title IX Office determines that the informal resolution process is appropriate and all parties agree to participate in it, the Title IX Office will facilitate communications between the parties to determine if the parties are able to voluntarily reach a mutually acceptable resolution. If the parties participate in an informal resolution but are unable to reach an agreed upon resolution or if the University determines

that the informal resolution process is no longer appropriate, the informal process will cease, and the formal resolution process will proceed. If an informal resolution process results in an agreed-upon resolution but the resolution is not fully implemented (i.e. the parties do not fully carry out the agreed upon terms of the resolution), the formal resolution process will proceed.

#### Formal resolution processes.

The Title IX Office will facilitate formal resolution processes if requested by the complainant or if the informal resolution process is not applied or successful, as described above.

The first part of the formal resolution process involves an investigation by a Title IX team member or outside investigator who gathers information (such as via interviews, document review, etc.). (More information about the investigation process is below.)

The second part of the formal resolution process is the student conduct process. The student conduct process involves a hearing conducted by a student conduct panel with Title IX related training. The panel will be provided with information gathered by the University investigator. The panel also may hear testimony directly from the complainant, respondent, and other witnesses. The panel will make a determination about whether a conduct violation occurred and what sanctions are appropriate to the violation, if any. (More information about the student conduct process is below).

#### *What happens if a student reports concerns to a responsible employee at the University and the student requests confidentiality or anonymity or that the University not pursue the report?*

The University will take all reasonable steps, consistent with legal requirements, to investigate and respond to the report consistent with the student's request for confidentiality or request not to pursue an investigation. If a reporting student asks that his or her name or other identifiable information not be disclosed to the respondent, the University's ability to investigate and/or respond may be limited. In any instance of alleged sexual or gender-based harassment, misconduct, or violence, the University will evaluate a request for confidentiality or request to not pursue an investigation in the context of its responsibility to provide a safe, nondiscriminatory, and non-harassing environment for all community members, including students. In the event the University cannot maintain confidentiality, the University will take steps to inform the reporting student.

The University will strive to honor the request of the complainant with regard to a course of action. However, the University reserves the right to take action as the University determines is appropriate and necessary in all cases of sexual or gender-based harassment, misconduct, and/or assault.

#### Making a report to law enforcement.

In addition to the right to file a report, a complainant has the right to file a complaint with local law enforcement if the complainant believes a crime has occurred. An incident can be reported to the Portland Police Bureau for possible criminal prosecution.

If the report for law enforcement is made through Campus Safety, Campus Safety also will notify the Title IX Office for appropriate follow up and administrative investigation. If a report is made directly to the Portland Police Bureau, the Title IX Office may not know about the report and therefore would not be able to initiate the University's processes.

The University has no ability to pursue criminal charges against an individual through the University's investigation or conduct process. The most serious discipline the University can issue through the conduct process is dismissal from the University.

### **Resources for making a report to law enforcement**

#### **Portland Police Bureau**

- Emergency: 911
- Non-Emergency: (503) 823-3333
- [portlandoregon.gov/police](http://portlandoregon.gov/police)

#### **Department of Campus Safety**

(503) 943-7161 [campussafety@up.edu](mailto:campussafety@up.edu)  
[up.edu/campussafety](http://up.edu/campussafety)

### **STUDENT CONDUCT PROCESS (see below for Conduct Process for Incidents of Sexual and Gender-Based Harassment, Misconduct, and Violence)**

#### **Overview**

The University's student policies and student conduct processes are the responsibility of the Division of Student Affairs. All alleged violations are handled by the Office of Residence Life or another designee appointed by the Vice President for Student Affairs and Associate Vice President for Student Development. To determine if a student is responsible for a violation of the University Policies and Standards of Student Conduct or other University policies the conduct procedures described below will be followed. Because the conduct process is educational in nature, students may not proceed through an attorney or family member. Decisions regarding a student's responsibility, or lack thereof, for the alleged violation will be based on careful consideration of the available information and evaluated on the basis of whether it is more likely than not that the student is responsible for the violation. If a student is found responsible for a violation of University policies or standards of conduct, the student may be assigned a sanction or combination of sanctions. The purpose of these sanctions is to promote the student's greater self-knowledge, physical and emotional health, restoration to full participation in the University of Portland community, and to maintain the safety of the community. The University retains the right and ability to adjust any conduct process described herein as it deems appropriate and necessary, in its discretion, given the specific facts and circumstances at issue. In the event that the Director of Residence Life or designee decides in-person hearings may provide too great a risk to the health or well-being of individuals involved, the University may hold any hearing or conduct meeting virtually using video or teleconferencing.

#### **Types of Conduct Hearings**

Based on the information gathered, the Office of Residence Life will decide whether to proceed with a case. If the Office of Residence Life decides to go forward, it will decide whether to proceed with the case as a Standard Conduct Hearing or Formal Conduct Hearing.

Each type of hearing has the same purpose: to determine if a student is responsible for the alleged violation(s), to help the student learn about the consequences for choices, to educate the student about

university policies and to provide pastoral care and education for the student involved. The primary difference between the types of hearings is who conducts them and the level of sanction that can be assigned.

### **Standard Conduct Hearing**

Standard Conduct Hearings are designed to allow for the investigation, discussion, and resolution of alleged violations of University policies and standards of conduct and of residence hall and University policies and expectations that may lead to any sanctions less than suspension or dismissal from the University.

Prior to the hearing, the charged student may review their student conduct file and have the University student conduct process explained. Both prior to and during the hearing, the charged student may ask questions to clarify any confusion regarding the hearing or student conduct processes.

A full-time student or current faculty or staff member may accompany a student to the Standard Conduct Hearing and serve as a support person. The support person may assist the student in preparing for the hearing and may speak to their community citizenship. The support person is not required to have firsthand knowledge of the incident. Any support person who comes to any additional meetings related to the conduct process must also be a full-time student or current faculty or staff member. The charged student must submit the name of the support person to the hearing officer twenty-four (24) hours prior to the hearing.

### **On-Campus Students**

All residence halls are guided by policies and expectations designed to create communities grounded in mutual respect and lead to personal growth and maturation. Students are expected to know and follow the policies and expectations governing life in the hall in addition to those governing life at the University as a whole.

Generally, a member of the Residence Life staff (most often the Hall Director) or their designee hear cases that involve violations of University and/or residence hall policies or procedures. Depending on the specific factors of a case, sanctions may include, but are not limited to, community service hours, monetary fines, residence hall probation, counseling assessment, alcohol education, written reflection, a recommendation of removal from the hall, probation, or other sanctions which meet the particular circumstances of a specific case.

If during the Standard Conduct Hearing the hearing officer determines that a Formal Conduct Hearing is the more appropriate setting, the hearing officer will stop the hearing and a Formal Conduct Hearing will be scheduled for a later date.

### **Off-Campus Students**

Violations of University policies or procedures by off-campus students that will result in an outcome that is less than suspension or dismissal from the University will be handled in a Standard Conduct Hearing. The Office of Residence Life will hear Standard Conduct Hearings for off-campus students. Depending on the specific factors of a case, sanctions may include, but are not limited to, monetary fines, counseling assessment, alcohol education, community service, written reflection, or other sanctions that meet the particular circumstances of a specific case.



If in the course of the Standard Conduct Hearing the hearing officer determines that a Formal Conduct Hearing is the more appropriate setting, the hearing officer will stop the hearing and a Formal Conduct Hearing will be scheduled for a later date.

### **Formal Conduct Hearing**

Formal Conduct Hearings are used when violations of University policies and procedures may result in an outcome of suspension or dismissal. The Office of Residence Life coordinates Formal Conduct Hearings, and they are generally run by the Director of Residence Life and one or two additional university conduct officers. Prior to the Hearing, the charged student may review their student conduct file and have the University Student Conduct Process explained. Both prior to and during the Hearing, the charged student may ask questions to clarify any confusion regarding the Hearing or student conduct processes.

A full-time student or current faculty or staff member may accompany a student to the Formal Conduct Hearing and serve as the support person. The support person may assist the student in preparing for the hearing and may speak to their community citizenship. The support person is not required to have firsthand knowledge of the incident. Any support person who comes to any additional meetings related to the conduct process must also be a full-time student or current faculty or staff member.

### **Failure to Appear at a Hearing**

If a charged student fails to attend the scheduled hearing and fails to notify the hearing officer of the delay or absence prior to the hearing, the hearing officer(s) may render a decision in the student's absence. The outcome of the hearing will reflect that the charged student was not present, and the hearing officer(s) will render a decision based on the partial information available. In the case of a Formal Conduct Hearing, the hearing officer(s) may dismiss the student.

### **Interference with the Student Conduct Process**

Interference with the student conduct process is prohibited. Such behavior includes, but is not limited to: violating privacy, lying or misrepresenting information to hearing officer(s), falsely initiating the student conduct process, harassing or intimidating any participant in the student conduct process, failing to comply with sanctions, or attempting to influence or discourage any participant in the student conduct process. This and other similar behavior aimed at disrupting the student conduct process may lead to action under the student conduct process.

### **Sanctions**

If a student is found responsible for violations of University policies or standards of conduct, a sanction or combination of sanctions will be assigned based on the following: the nature and circumstances surrounding the offense, prior violations or inappropriate behavior, the impact of the violation on the University community as well as those directly affected by the student's actions, and prior sanctions assigned in similar cases. Sanctions are designed with specific learning outcomes in mind. Through the completion of sanctions, students will learn to be more cognizant of the impact of their actions on themselves, the impact of their actions on others, and how to effectively be a part of a community. When placed on university probation, the student may, among other things, be prohibited from participating in campus activities, holding leadership positions, studying abroad, traveling for University sponsored activities, and maintaining eligibility for scholarships and grants.

**Possible sanctions include, but are not limited to, the following:**

- Warning
- Apology or acknowledgement of impact letter
- Monetary fines
- Community service hours
- Educational projects or papers
- Referral to campus resources
- Restriction of certain privileges
- Hold on student account
- Alcohol or drug education
- Alcohol or drug assessment
- Restitution
- No-contact order
- Ban from a specific area of campus
- Transfer or loss of on-campus housing privileges
- Residence Hall Probation
- Delayed Cancellation of Housing Contract
- Removal from Residence Hall
- University Probation
- Suspension
- Dismissal

**Residence Hall Probation**

This is a specified period of observance and evaluation of the student's behavior in the residence hall. If the student violates any residence hall policies or additional requirements during the period of probation, the student could be removed from the residence halls and possibly be subject to further sanctions.

**Delayed Cancellation of Housing Contract**

The student's residence hall probation has been violated, but due to specific circumstances within the case, the student's housing contract is not immediately voided.

**Removal from Residence Hall**

The student's residence hall contract is voided and the student is required to permanently leave University of Portland residence facilities with no refund made available to the student.

**University Probation**

This is a specified period of observation and evaluation of the student's behavior. If the student violates any University or residence hall policies during the period of probation, the student could be suspended from the University.

**Suspension**

This is a separation of the student from the University for at least one semester. The student may not be on campus without permission during that period. The student may apply for readmission at the end of

the suspension period, though readmission is not guaranteed. Any additional criteria for readmission will be specified at the time of suspension. If a student is suspended, no part of the tuition and fees including room and board for the remainder of the semester will be refunded.

### **Dismissal**

This is a permanent separation of the student from the University. The student may not apply for readmission or enter campus without permission. Dismissal decisions will appear on a student's permanent transcript. If a student is dismissed, no part of the tuition and fees including room and board for the remainder of the semester will be refunded.

### **Pre-Hearing Sanctions**

In some situations, sanctions may be issued prior to a hearing. These sanctions will be applied only if the Office of Residence Life or its designee(s) determine they are necessary to protect the health and safety of the individual or other members of the University community. Generally, when the University is in session, the student will receive a hearing date no more than ten (10) business days after the interim sanction is put in place. Only when it is not possible to schedule necessary witnesses or obtain information significant to the case will the hearing be held more than ten days after the assignment of the interim sanction. Interim sanctions may include, but are not limited to, suspension, no contact orders, removal from residence halls, and placing a hold on student accounts or records.

### **Appealing a Conduct Decision**

Students found in violation of University policies or standards of conduct by the Division of Student Affairs and/or its designee(s) through the student conduct process have the opportunity to request an appeal. The student must submit a written request for an appeal to the Office of Residence Life within five (5) business days of being informed of the original decision. Failure to submit an appeal request within that time period will render the original decision final. Generally, if an appeal is filed, the sanctions issued as a result of the original decision will not become effective until the review process is complete.

A request for appeal must be submitted by completing a "Appeal Request Form" available online on the Student Conduct website. The Appeal Request Form must be completed in its entirety, attach all supporting documents, and contain the student's signature.

An appeal may be based solely on one of the following criteria:

1. The procedures outlined in Life on the Bluff were not followed during the student's original hearing; or
2. New and significant evidence is available which was unknown and could not have been known at the time of the hearing.

### **The severity of sanction is not considered a legitimate ground for an appeal.**

After an appeal request is submitted to the Office of Residence Life within five (5) business days following the original decision, the Office of Residence Life and/or its designee(s) will provide a written response to the appeal request. This response may include any information that the hearing officer(s) regards as relevant to the review, including any information used by the hearing officer(s) in making the determination.

The appeal reviewer is determined by the type of hearing and decision made. The reviewer will have the opportunity to review the student's conduct file, appeal, and the written response from the original hearing officer(s). The reviewer may then do any of the following: (1) refer the case back for more information, (2) request that the case be reheard, or (3) make a decision regarding the case on the basis of the information provided. Generally, the appeal itself will not involve an additional meeting with the charged student. Separate appeal routes exist depending on the original hearing officer and whether decisions of suspension or dismissal were the original outcome.

#### **Case review of sanctions less than suspension or dismissal**

In cases involving sanctions less than suspension or dismissal, the student may request a case review as follows:

If the original hearing officer was a Hall Director or Assistant Hall Director:

- The student may request a review of the decision by the Director of Residence Life or his/her designee on the basis of the two criteria identified above.
- The decision made by the Director of Residence Life or his/her designee is final.
- If the original hearing officer was the Director of Residence Life or his/her designee:
- The student may request a review of the decision by the Vice President for Students Affairs or his/her designee on the basis of the two criteria identified above.
- The decision made by the Vice President for Students Affairs or his/her designee is final.

#### **Case review of suspension or dismissal**

In cases involving suspension or dismissal, the student may request a case review as follows: If the original decision was suspension or dismissal:

- The student may request a review of the decision by the Vice President for Student Affairs or his/her designee on the basis of the two criteria identified above.
- The decision made by the Vice President for Student Affairs or his/her designee is final.

**Conduct Process for Incidents of Sexual and Gender-Based Harassment, Misconduct, and Violence** In matters involving allegations of sexual or gender-based harassment, misconduct, or violence, which do not constitute Title IX Sexual Harassment, the below processes, requirements, and standards will be applied. Incidents of Sexual and gender-based harassment, misconduct, and violence, as well as incidents of Title IX Sexual Harassment, fail to meet the University's value of the inherent dignity of all humans and may result in investigations, conduct hearings, and appeal. The specific processes and language related to incidents of Title IX Sexual Harassment are described in the Title IX Sexual Harassment Policy, available at [up.edu/titleix](http://up.edu/titleix). Formal rules of process, procedure, or rules of evidence such as those applied in criminal or civil courts are not used in the student conduct process.

Investigation prior to student conduct hearing (for Incidents of Sexual and Gender-Based Harassment, Misconduct, and Violence)

The student making a report (the "complainant") will be interviewed and asked to give a statement through a Title IX Office team member or outside investigator.

Upon receipt of the statement, the University will conduct a fact-finding investigation.

Any time after a report is made, a no-contact order may be implemented between the parties as appropriate to the situation. The purpose of a no-contact order is to help parties and/or witnesses to an incident of sexual and gender-based harassment, misconduct or violence avoid situations of potential conflict or confrontation. No-contact orders may include, but are not limited to, directions related to not engaging with other specified individuals, changes to living arrangements, changes to course schedules, and directions related to use of common areas such as dining locations, the library, and the Beauchamp recreation center. All reasonable efforts will be made to accommodate the concerns of the students involved.

The student who is named in the report (the “respondent”) will also be contacted to provide a statement.

The fact-finding report will include the statements of all parties as well as other information and reports collected and completed by the Investigator. The report will be submitted to Student Conduct.

Both the complainant and the respondent may identify witnesses who possess relevant information about the alleged incident of sexual or gender-based harassment, misconduct, or violence to the Investigator. The Investigator will conduct interviews and will document them during the investigation. This documentation will be forwarded on for use within the conduct process in lieu of witnesses attending the conduct hearing in person.

Once both statements are submitted, the complainant and the respondent will have access to the other party’s statement upon request to Student Conduct.

The Title IX Office will engage in a good faith effort to conduct a fair, impartial investigation in a timely manner designated to provide all parties with resolution. The time frame for finishing an investigation may be affected by many factors, including for example when the parties and witnesses are available to be interviewed, the number of interviews conducted, the complexities of a case, the University academic calendar, or other legitimate reasons that require an extension of time to promote the integrity and completeness of the investigation.

Student conduct hearing (for Incidents of Sexual and Gender-Based Harassment, Misconduct, and Violence)

Students may have the support person of their choosing at the conduct hearing, including parents or attorneys. If a student brings an attorney to serve as their support person during a meeting or hearing, the University's attorney may also be present. Support persons may be present in the hearing setting but are not permitted to participate in the hearing process. The complainant and/or respondent must submit the name of the support person they wish to bring to the hearing officer twenty-four (24) hours prior to the hearing. Both the complainant and the respondent have the same right to have a support person of their choosing present throughout the conduct hearing. Please note that role and expectations related to a support person are different than the role and expectations of an advisor in a process related to Sexual Harassment as defined by Title IX; support persons serve to provide emotional/moral support for the student while advisors have a more active role in the hearing.

Both the complainant and the respondent will receive equivalent notice of process.

The conduct hearing will be conducted with both the complainant and the respondent present. The conduct hearing may be conducted using video-conferencing technology to allow parties equal participation, and the ability to see and hear the other, without being in the same room. If a student chooses not to attend the hearing, the hearing panel will proceed in reaching a decision about the outcome of the case and possible sanctions without the absent student(s)' participation in the hearing process.

Generally, the hearing panel consists of three hearing officers: a presiding hearing officer (generally the Director of Residence Life) and two other hearing officers. The University may alter the hearing panel or related procedures when circumstances warrant.

Both the complainant and the respondent have the same right to present relevant evidence throughout the conduct hearing. The presiding hearing officer will determine the admissibility and relevance of all evidence, including that offered by the parties and/or witnesses.

The hearing panel will make a decision based on the "preponderance of evidence" standard, i.e., whether it is "more likely than not" that the alleged incident occurred.

The decision will be made within a reasonable timeframe after the conclusion of the hearing unless exceptional circumstances exist warranting an extension of the timeframe.

The University will disclose, in writing, the final results of any institutional conduct proceedings to both the complainant and the respondent.

Both the complainant and the respondent may request an appeal according to the process set forth below in subsection "Appeal."

Students who are found responsible for violating University policies regarding sexual or gender-based harassment, misconduct, or violence may be subject to disciplinary sanctions, including, without limitation, suspension or dismissal from the University.

#### Appeal (for Incidents of Sexual and Gender-Based Harassment, Misconduct, and Violence)

Both the complainant and the respondent have the right to request an appeal.

The student must submit written requests for an appeal to Student Conduct within five (5) business days of being informed of the original decision. Failure to submit an appeal request within that time period will render the original decision final.

The sanctions issued because of the original decision will not become effective until the review process is completed or until the 5 days to request an appeal have passed without request.

A request for appeal must be submitted by completing a “Appeal Request Form” available online on the Student Conduct website. The Appeal Request Form must be completed in its entirety, attach all supporting documents, and contain the student’s signature.

An appeal may be based solely on one of the following criteria:

- The procedures outlined in Life on the Bluff were not followed during the student’s original hearing and this irregularity affected the outcome of the matter;
- New and significant evidence is available which was unknown and could not have been known at the time of the hearing.

The severity of a sanction is not considered a legitimate ground for appeal.

After an appeal request is submitted to Student Conduct within five (5) business days following the original decision, Student Conduct and/or its designee(s) will provide a written response to the appeal request. This response may include any information that the hearing officer(s) regards as relevant to the review, including any information used by the hearing officer(s) in making his or her determination.

Where an appeal involves sexual or gender-based harassment, misconduct, or harassment, the appeal will be decided by the Vice President for Student Affairs or a designee.

The Vice President for Students Affairs or his/her designee will have the opportunity to review the student’s conduct file, request for appeal, and the written response from the original hearing officer(s). The reviewer may then do any of the following: (1) refer the case back for more information, (2) request that the case be reheard, or (3) make a decision regarding the case on the basis of the information provided. Generally, the appeal itself will not involve an additional meeting with the parties.

The decision made by the Vice President for Students Affairs or his/her designee is final.

Compliance with federal and state law.

The University intends to comply with all applicable requirements under federal and Oregon law. If there are any inconsistencies between the University's policies/procedures and such requirements, the University will follow federal and Oregon requirements.

### **Student Conduct and Studies Abroad Programs**

As a study abroad student, conduct inside and outside the classroom reflects upon the University of Portland. Accordingly, students are expected to adhere to the University of Portland's policies and the standards of student conduct as found in Life on the Bluff, as well as by the regulations of the specific study abroad program and host institution. Students are also expected to abide by the laws and respect the customs of the host country.

The Academic Program Director of each Studies Abroad site has primary responsibility in determining if a student is in violation of any policies and/or standards of the host program, country, or Life on the Bluff, and to establish sanctions for the violation. The Academic Program Director, in consultation with the Studies Abroad Director, and/or the Associate Vice President for Student Development, may also determine that a violation is so egregious that a student’s participation in the program may be

terminated, and further disciplinary action may be taken which could lead to suspension or dismissal from the University of Portland. Examples of misconduct include but are not limited to:

- Violation of laws of host country
- Abuse of alcohol, or use or abuse of illegal drugs
- Disturbing the peace or disrupting the community
- Repeated failure to control noise levels in student housing facilities
- Disruption of the academic environment of the program, including repeated failure to participate in class assignments or to attend mandatory excursions
- Vandalism perpetrated against public or private property
- Assault or sexual assault

### **EQUAL OPPORTUNITY AND NONDISCRIMINATION POLICY**

The University of Portland does not discriminate in its educational programs, admissions policies, scholarship and loan programs, athletic and other school-administered programs, or employment on the basis of race, color, national or ethnic origin, sex, disability, age, or sexual orientation. The University expressly reserves its rights and obligations to maintain its commitment to its Catholic identity and the doctrines of the Catholic Church. The designated coordination point for University compliance with Section 504 of the Rehabilitation Act of 1973 and for ADA is the Vice President for Financial Affairs, in coordination with Accessible Education Services, the Office of Residence Life, the University Health and Counseling Center, Human Resources, and the Office for University Events.

#### **Title IX Coordinator**

All inquiries concerning the application of Title IX and its implementing regulations, including inquiries about the University's sexual assault, sexual harassment, or sex discrimination policies and procedures may be referred to the University's Title IX Coordinator or to the Department of Education Office for Civil Rights (OCR). The University's Title IX Coordinator's contact info: (503) 943-8982; [titleix@up.edu](mailto:titleix@up.edu) or [www.up.edu/titleix](http://www.up.edu/titleix).

#### **Statement on Inclusion**

At the University of Portland, a Catholic University guided by the Congregation of Holy Cross, all dimensions of our communal life-teaching and learning, faith and formation, and service and leadership are informed and transformed by prayer, scripture, and the Christian tradition. Our belief in the inherent dignity of each person is founded upon the social teaching of the Catholic Church. At the center of that teaching is the fundamental mandate that every person, regardless of race, color, religion, gender, sexual orientation, social or economic class, age, or disability shall be treated with respect and dignity. Moreover, we seek to create and sustain an inclusive environment where all people are welcomed as children of God and valued as full members of our community. We condemn harassment of every kind, and assert that no one in our community should be subject to physical or verbal harassment or abuse. Further, no one shall be denied access to programs, services, and activities for any unlawful reason. We provide all who live, learn, and work at the University the opportunity to actively participate in a vibrant, diverse, intellectual community that offers a broad range of ideas and perspectives, so that we may all learn from one another.

#### **Interpersonal Violence Prevention Efforts**

The University of Portland takes a comprehensive approach to our interpersonal prevention education efforts. We are committed to providing students with information on campus policies and resources, as



well as, equipping them with skills to cultivate healthy relationships and participate in promoting a campus culture that intervenes to prevent the potential for harm.

### **Get Inclusive: Voices for Change – Sexual Assault Prevention**

Prior to the start of each school year, all students are expected to complete an online education and training course entitled “*Get Inclusive: Voices for Change*” sexual violence prevention program. The course includes education on Campus Sexual and gender-based harassment, misconduct, and violence policies:

- Campus and community resources
- Understanding and establishing effective consent
- Bystander intervention strategies
- Healthy relationships
- Responsible relationships with alcohol
- Campus Alcohol and Substance Policies
- Diversity, equity, and inclusion
- Hazing and intimidation, and bullying

### **Green Dot**

Green Dot is a bystander intervention prevention strategy that helps students understand the power of the bystander and equips them with skills to notice concerning behaviors and intervene to prevent interpersonal violence from occurring on our campus. Green Dot, further, promotes a culture where each member of our campus community has a role to play in demonstrating the fact that violence is not acceptable in our community. Education is conducted through hour-long overview sessions and 6-hour Green Dot Bystander Trainings.

### **Overview Sessions**

Overview sessions were conducted in 2022, including one required of all Freshman and transfer students during New Student Orientation. This was also required of all Resident Assistants.

### **Bystander Trainings**

One Green Dot Bystander training was conducted in 2022, with 21 attendees.

### **Resource Advertising**

- In-person Education – During every Green Dot training session (Overview sessions and Bystander Trainings), campus and community resources and reporting options are discussed.

### **Awareness Raising Events**

- Can I Kiss You? – Consent education presented by Mike Domitrz, from the Center for Respect. The presentation was a requirement for all new students and took place during Orientation weekend. This presentation review campus expectations related to consent and relevant resources.
- Green Dot Overview – Focused on bystander intervention and interpersonal violence prevention, this presentation was required for all new students and transfer students to attend during Orientation weekend. Resident Assistants were also required to be in attendance.

- Student Feedback and Listening Sessions regarding Title IX were held for students and for faculty and staff.
- The Student Against Sexual Assault put on awareness campaigns, Week of Action, for Sexual Assault Awareness Month and Domestic Violence Awareness Month. Tabling events were also hosted by the Wellness Education and Prevention Program Coordinator to raise aware during Sexual Assault Awareness Month.
- Information sessions with students providing information about how Title IX process has changed at the University of Portland

### **Residence Hall Education**

Healthy Relationships Conversations: Hall staff, Health and Counseling Center staff, and Campus Ministry staff conduct informal and formal pastoral conversation with students regarding healthy relationships; specifically ensuring respect of one another and developing good communication skills.

## CRIME STATISTICS

<b><u>2023 Crime Statistics</u></b>	Campus	Residence Hall	Public Property	Non-Campus
Murder	0	0	0	0
Manslaughter	0	0	0	0
Rape	1	1	0	0
Fondling	1	1	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Burglary	0	0	0	0
Robbery	0	0	0	0
Aggravated Assault	0	0	0	0
Motor Vehicle Theft	9	2	2	0
Arson				
<b>Liquor Law Violations:</b>				
Arrests	0	0	0	0
Disciplinary Referrals	61	61	0	0
<b>Drug Law Violations</b>				
Arrests	0	0	0	0
Disciplinary Referrals	22	20	2	2
Arrests				
Disciplinary Referrals				
Dating Violence	2	2	0	0
Domestic Violence	0	0	0	0
Stalking	2	0	1	1
<b><u>2023 HATE CRIMES</u></b>				
Murder & Manslaughter	0	0	0	0
Sexual Assault	0	0	0	0
Aggravated Assault	0	0	0	0
Burglary	0	0	0	0
Motor Vehicle Theft	0	0	0	0
Arson	0	0	0	0
Larceny - Theft	0	0	0	0
Simple Assault	0	0	0	0
Intimidation	0	0	0	0
Vandalism	0	2	2	2

<b><u>2022 Crime Statistics</u></b>	Campus	Residence Hall	Public Property	Non- Campus
Murder	0	0	0	0
Manslaughter	0	0	0	0
Rape	3	3	0	0
Fondling	1	1	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Burglary	0	0	0	0
Robbery	1	0	0	1
Aggravated Assault	2	2	0	0
Motor Vehicle Theft	15	0	5	0
Arson	0	0	0	0
<b>Liquor Law Violations:</b>				
Arrests	0	0	0	0
Disciplinary Referrals	71	0	0	0
<b>Drug Law Violations</b>				
Arrests	0	0	0	0
Disciplinary Referrals	9	2	0	0
<b>Weapons Law Violations</b>				
Arrests	0	0	0	0
Disciplinary Referrals	0	0	0	0
Dating Violence	0	0	0	0
Domestic Violence	0	0	0	0
Stalking	0	0	0	0
<b><u>2022 HATE CRIMES</u></b>	0	0	0	0
Murder & Manslaughter	0	0	0	0
Sexual Assault	0	0	0	0
Aggravated Assault	0	0	0	0
Burglary	0	0	0	0
Motor Vehicle Theft	0	0	0	0
Arson	0	0	0	0
Larceny - Theft	0	0	0	0
Simple Assault	0	0	0	0
Intimidation	0	0	0	0
Vandalism	0	0	0	0

Campus	Residence Hall	Public Property	Non- Campus
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**2021 Crime Statistics**

Murder	0	0	0	0
Manslaughter	0	0	0	0
Rape	1	1	1	0
Fondling	1	1	1	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Burglary	2	0	0	0
Robbery	0	0	0	0
Aggravated Assault	0	0	0	0
Motor Vehicle Theft	0	0	5	0
Arson	0	0	0	0

**Liquor Law Violations:**

Arrests	0	0	0	0
Disciplinary Referrals	43	43	0	0

**Drug Law Violations**

Arrests	0	0	0	0
Disciplinary Referrals	8	8	0	0

**Weapons Law Violations**

Arrests	0	0	0	0
Disciplinary Referrals	0	0	0	0

Dating Violence	2	1	0	0
Domestic Violence	0	0	0	0
Stalking	5	4	0	0

**2021 HATE CRIMES**

Murder &	0	0	0	0
Manslaughter	0	0	0	0
Sexual Assault	0	0	0	0
Aggravated Assault	0	0	0	0
Burglary	0	0	0	0
Motor Vehicle Theft	0	0	0	0
Arson	0	0	0	0
Larceny - Theft	0	0	0	0
Simple Assault	0	0	0	0
Intimidation	0	0	0	0
Vandalism	0	0	0	0

These statistics have been compiled from incidents reported to the Department of Campus Safety or the agency of jurisdiction. The statistics do not reflect any reports that might have been made to other departments or individuals at the University unless those individuals or departments informed Campus Safety of the incident. Victims or witnesses may report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. Pastoral or professional counselors, when acting as a counselor, are not required to report any crimes or incidents; however, the University urges its counselors to provide “statistical information” should they become aware of a sexual assault incident. Since 1991 academic institutions that participate in the federal financial aid program have been required to compile an annual report with respect to campus crime statistics and campus security policies, and prepare, publish, and distribute the report to all current students and employees, and to any applicant for enrollment or employment upon request. The report is required to contain statistics for any occurrences on campus, in or on non-campus buildings or property, and on public property during the most recent calendar year, and during the two preceding calendar years for which data is available. In 1999, after congress enacted the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, additional reporting of more specific crimes was required. Nothing prohibits the University from providing more clarification than what is statutorily required and the University’s Campus Safety Department has elected to further delineate ‘on campus locations’ into two categories; on campus property and residence halls on campus. The definition of a non-campus building or property is any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution, or any building or property owned or controlled by a student organization that is officially recognized by the institution.

#### **EXPLANATION OF REPORTED CRIMES CRIMINAL**

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

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

**Sex Offenses** — Any sexual act directed against another person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent. **Forcible**

**Rape** — The carnal knowledge of a person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity, or because of his/her youth.

**Forcible Sodomy** — Oral or anal sexual intercourse with another person, forcibly and/or against that person’s will; or not forcibly against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

**Sexual Assault With An Object** — The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

**Forcible Fondling** — The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person’s will; or, not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

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

**Statutory Rape:** Non-forcible sexual intercourse with a person who is under the statutory age of consent.

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

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

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

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. This includes all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned (including joyriding).

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

**Hate Crimes:** Crimes that manifest evidence the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, sexual orientation, ethnicity, disability, gender identity, or national origin, as prescribed by the Violence Against Women Act, Hate Crimes Statistics Act and Campus Security Act.

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

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

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

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

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

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

**Weapon Law Violations:** The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons,

concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to — (A) fear for his or her safety or the safety of others; or (B) suffer substantial emotional distress.

**Domestic Violence:** Includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or 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.

**Dating Violence:** Violence committed by a person — (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) The length of the relationship (ii) The type of relationship (iii) The frequency of interaction between the persons involved in the relationship.

**Sex Offender Notification:** The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a state concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a state to provide notice, as required under state law, of each institution of higher education in that state at which the person is employed, carries on a vocation, or is a student.

The Oregon State Police in Salem provides registered sex offender information that can be obtained online at <http://sexoffenders.oregon.gov>, or by calling 503.378.3720 Ext. 44429 and requesting a printout of registered sex offenders within your ZIP code. This service is free of charge.

## **ARREST STATISTICS**

The following are arrest and disciplinary referral statistics for three offense categories. Liquor violations do not include driving while impaired or driving under the influence of alcohol. Since 1999 the University is also required to report referrals for campus disciplinary proceedings for alcohol, drug, and weapons law violations in these statistics.

In general, all Oregon state laws regarding the possession, sale and use of alcoholic liquors have been adopted by the University and will be enforced as applicable by the University of Portland. The manufacture, sale, distribution, possession, or use of a controlled substance or drug, not medically authorized, is strictly prohibited by the University of Portland. Law enforcement officers are the only persons permitted to possess firearms while on campus.



## ***Arrests/Disciplinary Statistics\****

	2023	2022	2021
<b><i>Liquor Law Violations</i></b>			
Arrests	0	0	0
Disciplinary Referral	61	0	43
<b><i>Drug Law Violations</i></b>			
Arrests	0	0	0
Disciplinary Referral	22	2	8
<b><i>Weapons Law Violations</i></b>			
Arrests	0	0	0
Disciplinary Referral	0	0	0

*\*In order to provide the most accurate picture of student conduct responses to alcohol, drugs, and weapons, this table shows total referrals, including those where the incident occurred outside reportable geography.*

### **DRUG AND ALCOHOL POLICIES**

The choice to alter one's state of being through the use of alcohol and other drugs can have grave consequences, which include health risks, injury to personal relationships, and the interruption of the pursuit of life goals. Because the University values the health of body, spirit, and mind, and because the illegal possession, use, and sale of alcohol and other drugs may result in criminal action, the University of Portland does not condone drug use by any member of the University community. In addition to University disciplinary sanctions, students, faculty, and staff involved with illegal use, possession, or distribution of controlled substances face civil penalties.

#### **Drugs and Other Controlled Substances**

The choice to alter one's state of being through the use of drugs can have grave consequences on one's health, personal relationships, and long-term goals. In keeping with the University's focus on ministering to the whole person, the University of Portland will not tolerate the possession or use of such substances. More specifically, the possession, use, sale, distribution, or manufacture of marijuana (regardless of whether the student possesses a prescription for medical use), synthetic substances, or other drugs illegal under federal, state, or local law is strictly prohibited. The unauthorized possession, use, and/or distribution of prescription drugs is prohibited.

Students are also prohibited from displaying or possessing drug paraphernalia. Any violation of this policy may result in serious consequences under the University student conduct process, including but not limited to suspension or dismissal.

#### **Federal and State Drug Laws**

Listed below are the penalties for possession of drugs according to federal and state laws, except for lawful recreational or medical marijuana use under Oregon law. For complete information on manufacture, possession and distribution penalties at the local, state, and federal level contact the Department of Campus Safety.

**SCHEDULE I Maximum prison time and fine**

Class B Felony: Heroin, LSD, other hallucinogens, marijuana, others 10 years \$100,000 **SCHEDULE**

**II Maximum prison time and fine**

Class C Felony: Methadone, morphine, amphetamine, cocaine, PCP 5 years \$100,000 **SCHEDULE**

**III Maximum prison time and fine**

Class A Misdemeanor: Non-amphetamine stimulants, some depressants 1 year \$2,500

**SCHEDULE IV Maximum prison time and fine**

Class C Misdemeanor: Valium-type tranquilizers, some less potent depressants 30 days \$500

**SCHEDULE V Maximum prison time and fine**

**Violation Only:** Diluted mixtures, compounds with small amounts of controlled drugs None \$1,000

**Alcohol Possession and Use**

The University expects that all members of the University community and their guests who choose to use or serve alcoholic beverages will do so in a responsible manner and in accordance with state and federal laws. The primary purpose of the University's policies governing the use of alcoholic beverages and of its related programs and services are:

- To promote responsible attitudes regarding alcohol use and responsible behavior among all members of the University community.
- To educate individuals concerning the use and effect of alcohol in order to encourage responsible decision-making.
- To make assistance available to individuals who may be experiencing difficulty associated with the use, misuse, or abuse of alcoholic beverages.

In light of the above-stated purposes and in compliance with state and federal laws, all University students are expected to comply with the following regarding the possession and use of alcohol: No person under the age of 21 may lawfully possess or consume alcoholic beverages in the State of Oregon. Students may be subject to the University conduct process for underage possession, consumption, or transportation of alcoholic beverages, or for providing alcoholic beverages to any person who is underage.

No person shall sell, give, or otherwise make available any alcoholic beverage to a person who is visibly intoxicated.

Entry into a licensed premise that bans underage persons (e.g., a bar) by a person under the age of 21 is prohibited. Students may be subject to the University conduct process for this behavior or for possessing false identification that misrepresents age or identity.

Except for persons holding the appropriate state licenses, no one shall sell, either directly or indirectly, alcoholic beverages. Examples of prohibited conduct that may subject a student to University discipline include, but are not limited to, charging admission to a party or selling cups.

**Students of legal drinking age may possess and consume alcohol on campus subject to the following limitations:**

- Intoxication by any student, regardless of age, whether in public or private, is prohibited. Symptoms of intoxication include, but are not limited to, the following: slurred speech, impaired

motor coordination, vomiting, loss of consciousness, and loss of good judgment. Such behavior may result in University discipline.

- Kegs or any containers holding over 32 oz. of alcohol are prohibited in all residence halls (including Haggerty & Tyson Halls) and in any University rental properties.
- Within traditional residence halls (i.e., all halls except for Haggerty & Tyson Halls), the possession or consumption of alcoholic beverages that contain in excess of 14 percent (14%) alcohol by volume are prohibited.
- Students of legal drinking age may possess and transport reasonable quantities of sealed alcohol in suitable packaging through public areas of campus and common areas of residence halls.
- Students may not transport, possess, or use open containers in any common spaces (e.g., hallways, stairwells, lounges).
- Students may not hang signs or advertisements for alcoholic beverages from windows, on doors, or in other publicly visible places.
- Students may not possess or display collections of alcohol containers or any other drinking paraphernalia.
- Abusive drinking is prohibited on campus. Potential violations of this policy include but are not limited to: participating in drinking games, drinking to the point of physical illness, “shot gunning” alcohol, taking shots of any form, and possessing beer bongs or other drinking devices.
- Print, electronic, and broadcast media funded in full or in part by the University, or by University solicited funds, or bearing the University's name, may not contain advertisements promoting alcohol or events that have alcohol as their primary focus. Advertising of alcoholic beverages is prohibited within University residence facilities.
- No graduate or undergraduate student, student organization, or University housing facility may use University, student organization, or University housing facility funds for the purchase of alcohol without prior permission.

### **Driving Under the Influence of Alcohol or Drugs**

The University prohibits the operation of a motor vehicle while intoxicated or impaired by alcohol, drugs, or any controlled substance. “Driving under the influence” is defined as a situation in which the operator of any vehicle, including bicycles and all other motorized and non-motorized vehicles, is determined to be driving such vehicle under the influence of any combination of intoxicating liquor, an inhalant, and/or a controlled substance which may alter, inhibit, or impair a person’s condition of thought and action.

This determination may be made through an admission, as a result of a blood alcohol content test, or by commonly accepted behavioral observations (e.g., slurred speech, staggering).

### **Drugs and Controlled Substances**

In keeping with the University’s focus on ministering to the whole person, the University of Portland will not tolerate the possession or use of such substances. More specifically, the possession, use, sale, distribution, or manufacture of marijuana regardless of whether the student possesses a prescription for medical use), synthetic substances, or other drugs illegal under federal, state, or local law is strictly prohibited. The unauthorized possession, use, and/or distribution of prescription drugs is prohibited. Students are also prohibited from displaying or possessing drug paraphernalia. Any violation of this policy may result in serious consequences under the University student conduct process, including but not limited to suspension or dismissal.

Though Oregon's Measure 91 went into effect on July 1, 2015, the University has not changed its position on marijuana. Our drug policy clearly states that the use of illegal substances and the misuse of legal substances are strictly prohibited. Additionally, marijuana is still illegal under federal law.

**Regardless of its status in the State of Oregon, or whether or not an individual possesses a prescription for medical use, marijuana is banned from our community. The University of Portland continues to prohibit all possession of use of marijuana by students, both on and off campus.** The University of Portland takes a strong stance against drugs because we care deeply about our students and community members. The University values the personal wellness, health, academic success, growth, and development of the individuals within our community. The University of Portland does not believe that the use of marijuana or other drugs promotes the success of our community members. The University of Portland, through the Health Center, can connect students to resources related to drug abuse and addiction.

### **Portland Municipal Code**

In addition to these state and federal laws, the Portland Municipal Code also addresses the use of drugs and alcohol. The following violations are punishable by imprisonment of up to 6 months and a fine of not more than \$500 or both:

- Section 16: Vehicles and traffic code:
- Section 16.12.010: Driving under the influence of liquor or drugs
- Section 16.12.012: Driving while intoxicated (.08 percent)
- Section 20.12.040: Selling, possessing, or consuming any alcoholic beverage in any park without a permit.

### **Standards of Conduct**

The University of Portland expects all members of the University community, and their guests, who choose to lawfully use or serve alcoholic beverages, to do so in a legal and responsible manner. In general, all Oregon state laws regarding the possession, sale, and use of alcoholic liquors have been adopted by the University of Portland and will be enforced as applicable. The unlawful manufacture, distribution, dispersal, possession or use of illicit drugs by University students or employees in the workplace is prohibited. Any employees convicted of violating a criminal drug statute in the workplace must notify his or her supervisor no later than five days after such conviction. The supervisor will immediately notify the University President, in writing, of this reported conviction. The possession or use of alcohol in the institution is prohibited except for its use at University-sanctioned events where the serving of alcohol has been approved, or in limited amounts and types by students over the age of 21 who do not reside in a space shared with students under the age of 21. Impairment in the institution due to the use of alcohol is prohibited and will be punished at the University's discretion. This policy applies to all University students and employees without exception.

### **Sanctions**

Any student or employee of the University found on University property or at University-sponsored events abusing alcohol or using, possessing, manufacturing, or distributing controlled substances or alcohol in violation of the law shall be subject to disciplinary action in accordance with applicable policies of the state of Oregon and the University of Portland. Such disciplinary action includes, but is not necessarily limited to, expulsion, termination of employment, referral for prosecution, and/or the completion, at the individual's expense, of an appropriate substance abuse assistance or rehabilitation program. All employees are required to notify the University of any criminal drug statute conviction for a

violation occurring in buildings, facilities, grounds, or property controlled by the University within five days after such a conviction. The University will, in turn, notify the applicable federal agency of the conviction. Appropriate action will be taken within thirty days of the University's notice of a conviction or violation of the University's policy as to a drug-free workplace.

In addition to any penalties under federal and state law, employees or students found to be in violation of this policy may be subject to disciplinary sanctions consistent with applicable provisions of state laws and regulations, the University of Portland's conduct code, applicable collective bargaining agreements, and applicable University administrative rules and directives. If imposed, sanctions will include appropriate action (up to and including expulsion and/or termination of employment and referral for prosecution) and may require participation in an approved drug and/or alcohol abuse assistance or rehabilitation program.

### **Counseling and Education & Student Resources**

Any student who has concerns about the use of any drug, including alcohol, is urged to contact the University Health Center at 503-943-7134. Help is available, from informational pamphlets and presentations to assessment and consultation. Referral for treatment is also available on a strictly confidential basis. Alcoholics Anonymous (503-223-8569) offers excellent help free of charge. The caller will be given the times and locations of daily meetings throughout the city and on the University of Portland campus. Other community resources are listed under "Alcohol/ Drug Abuse" in the Yellow Pages. Additional listings are under "Alcoholism Treatment" and "Drug Abuse Information and Treatment."

### **Employee Resources**

Most University employees and their dependents are eligible for the Employee Assistance Program. Eligible employees and their dependents can make an appointment with the Employee Assistance Counselor (800-433-2320). The meetings will take place away from work and will be strictly confidential. If the employee initiates the contact, no information, not even the fact that the employee has seen the EAP counselor, will be relayed to the employer. If the contact is recommended or required by your employer some information – for example, that you have kept the appointment – may be related back to the employer. The EAP counselor, an expert in the area of drug/ alcohol problems, can provide information, assessment, or consultation, and referral.

Employees not eligible or not wishing to use EAP can access a number of excellent community resources. Alcoholics Anonymous (503-223-8569) can provide the times and locations of daily meetings.

### **Resources**

- University Health Center: 503-943-7134
- Employee Assistance Program: 800-433-2320
- Help for people with chemical-dependency problems: Alcoholics Anonymous: 503-223-8569
- Al-Anon: 503-292-1333
- Cocaine Anonymous: 503-256-1666
- Narcotics Anonymous: 503-727-3733

## **Health Risks**

### **Types of Drug, Other Names and Possible Health Risks:**

- Stimulants: Speed up action of the central nervous system.
- Amphetamines: (Speed, uppers, crack, pep pills and bennies) Hallucinations, heart problems, paranoid psychosis, and death. Can harm fetus.
- Cocaine: (Coke, snow, crack, rock) Narcotic. Depression, convulsions, de- pendency, paranoid psychosis, coma, death.
- Depressants: Relax the central nervous system.
- Barbiturates: (Barbs, goof balls, downers, blues) Dependency, coma, death.
- Tranquilizers: (Valium, Librium) In combination with alcohol, especially dangerous.
- Methaqualone: (Sappers, quads, ludes) Narcotic. Lowers pain perception.
- Heroin: (H, scag, junk, smack) Loss of judgment and self-control, tolerance, dependence, coma, death.
- Morphine: (M, dreamer) Malnutrition, infection, hepatitis.
- Codeine, opium: Hallucinogens, distort reality.
- Lysergic acid: (Diethylamide, LSD, acid) Hallucinations, “flashbacks,” possible birth defects in user’s children. Long-term psychosis possible.
- Mescaline: (MDA, DMT,STP, Psilocybin, designer drugs) Same as above.
- Phencyclidine: (PCP, Angel dust: legally classified as a depressant) Same as above.
- Cannabis: Alters perception and mood.
- Marijuana: (Grass, pot, weed) Loss of coordination, dependence, lung damage.
- Hashish: (Hash, hash oil) Same as above.
- Alcohol: Dependence, depression, coma, death. Alcohol abuse is linked to cancer, heart and liver damage, and Fetal alcohol syndrome.
- Deliriants: Cause mental confusion.
- Aerosol products: Hallucinations, death. Damage to lungs, brain, liver, bone marrow.
- Nicotine: Emphysema, lung cancer, heart disease, dependence.

### **Emergency Test and Evacuation Drills**

The University of Portland shall participate in emergency tests or evacuation drills, at least once per year to assess and evaluate emergency procedures and capabilities. The evacuation drills, table top exercises, and emergency preparedness training are done in partnership with the Department of Campus Safety, the Portland Bureau of Emergency Management and the local fire station. The Department of Campus Safety will document each test, including the date, time, and whether it was announced or unannounced.

### **Mass Notification System**

The Mass Notification System used at the University of Portland broadcasts immediate e-mail, text, and voicemail messages to those community members. The University of Portland will immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, faculty, or staff occurring on the campus. Taking into account the safety of the community, the University will determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or

otherwise mitigate the emergency. After the initial notification, follow-up information may be disseminated to the community via the messaging system or by email, as needed.

### **Policy Statement for Mass Notification**

Policy Statement — The University of Portland maintains a subscription to a third party voice and email messaging service that enables University of Portland administrators to create voice and email messages for emergency alerts to members of the University of Portland community and send them to a list of subscribed cell phone or other wireless device users, as well as email accounts.

### **Mass Notification System for Emergency Alerts**

Reason for Policy — Establish the guidelines by which the mass notification system will be used for distribution of emergency alerts to students, faculty, and staff that would be affected directly by a critical incident which poses an imminent threat to their health or safety given their presence on University of Portland grounds and/or its surrounding areas.

Voice and email message emergency alerts are one element of University of Portland's comprehensive emergency response protocol that provides for rapid notification to students, faculty, and staff about situations or events that are occurring on campus and its surrounding areas. The service is designed for those conducting regular University of Portland related business in the immediate area. The emergency messaging service with which University of Portland has contracted requires users to opt-in to the service by subscribing their cell phone or wireless device number and e-mail address via Pilots UP.

### **Definition of Terms in Statement:**

Emergency Alerts: Notifications regarding critical incidents that pose an imminent threat to the health or safety of University of Portland's community. Examples of such emergency incidents include, but are not limited to severe weather, hazardous materials incidents, and acts of criminal violence that broadly threaten the safety of University of Portland community.

Email and Voice Messages: Brief, direct voice notifications received on a cellular phone or similar text communication handheld device, and emails sent to the UP account and one other non-UP email account.

### **Creation and Distribution of Emergency Messages**

Designees from following University of Portland offices and departments have the authority to approve dissemination of emergency messages.

- Office of the President
- Office of the Vice President for Student Affairs
- Department of Marketing and Communications
- Department of Campus Safety

Once approved, emergency messages will be distributed by a trained system administrator to subscribers of the messaging service. Creation of Message templates ("standard messages") will be reviewed with the Office of Marketing and Communications.

### **Follow-Up after a UP Alert Message is sent:**

Notifications — Immediately after sending an emergency alert message, the designee who created the message shall notify the other designated offices that the message has been sent and shall describe the rationale for activating UP Alert. The purpose of this communication is to ensure that all four offices are sharing consistent information and are not sending duplicate messages.

**Archiving Alert Messages** — The messaging system archives “sent” messages, but as a back-up, message creators will record the date, time, location, purpose, and content of all messages that they send. This information will be forwarded to the designee in the Office of the Vice President for Student Affairs where the official University of Portland record of all alert messages will reside. A copy of the archived messages will reside in the Campus Safety email account.

### **Renewal and Maintenance**

A sustained marketing effort of this communication tool will be made for all students, faculty, and staff throughout the year using existing web technology (portal) and traditional media (emails, postings). The UP Alert Notification System will be tested twice per year to evaluate overall system capability and effectiveness.

### **Procedures**

Procedures on critical incident notification can be found at: <http://www.up.edu/campussafety/default.aspx?cid=9362&pid=606>

### **TIMELY WARNING POLICY**

In the event that a situation arises, either on or off campus, that, in the judgment of the Director of Campus Safety, constitutes an ongoing or continuing threat, a campus-wide “timely warning” will be issued by the Department of Campus Safety. These situations are judged on a case-by-case basis. The warning will be issued through the University email system to students, faculty and staff. Depending on the particular circumstances of the incident, especially in all situations that could pose an immediate threat to the community and individuals, the Department of Campus Safety may also post a notice on the campus-wide alert page on the Department of Campus Safety website on the left-hand side, with the link “Safety Alerts and Information” or directly at:

<http://www.up.edu/Campussafety/default.aspx?cid=6140&pid=607>, as well as the UP Portal at: <http://pilots.up.edu>, providing the university community with more immediate notification. In such instances, a copy of the notice is posted in each residence hall, on the bulletin boards in each academic building, and at the Residence Life office. The web portal is immediately accessible via computer by all faculty, staff and students. Anyone with information warranting a timely warning should report the circumstances to the Department of Campus Safety, by phone (503-943-7161) or in person at the Campus Safety office at 5415 N. Warren St.

### **HIGHER EDUCATION OPPORTUNITY ACT Produce Campus Fire Safety Annual Compliance Report**

The Higher Education Opportunity Act (Public Law 110-315) became law in August 2008. It requires all United States academic institutions to produce an annual fire safety report outlining fire safety practices, standards, and all fire-related on campus statistics. The following public disclosure report details all information required by this law as it relates to the University of Portland.



## General Statement of University of Portland Student Resident Housing

At the University of Portland, all residence halls (Christie, Corrado, Haggerty, Kenna, Lund Family Hall, Mehling, Shipstad, Tyson, Fields & Schoenfeldt, and Villa Maria) are covered with integrated fire sprinkler systems and redundant fire alarm monitoring systems which are monitored 24 hours/day, seven days/week by the Campus Safety Department.

### Residence Hall Fire Safety Systems

<i>Residence Hall</i>	<i>Fire Detection System (smoke, heat, ion)</i>	<i>Fire Suppression System</i>	<i>Fire Extinguishers Present</i>	<i>Redundant Monitoring System</i>	<i>Fire Drills Each Year</i>
<i>Christie Hall</i>	Yes	Full System	Yes	Yes	2
<i>Corrado Hall</i>	Yes	Full System	Yes	Yes	2
<i>Fields &amp; Schoenfeldt</i>	Yes	Full System	Yes	Yes	2
<i>Haggerty Hall</i>	Yes	Full System	Yes	Yes	2
<i>Kenna Hall</i>	Yes	Full System	Yes	Yes	2
<i>Lund Family Hall</i>	Yes	Full System	Yes	Yes	2
<i>Mehling Hall</i>	Yes	Full System	Yes	Yes	2
<i>Shipstad Hall</i>	Yes	Full System	Yes	Yes	2
<i>Tyson Hall</i>	Yes	Full System	Yes	Yes	2
<i>Villa Maria Hall</i>	Yes	Full System	Yes	Yes	2

### Fire Safety Improvements and Upgrades

The University of Portland Campus Safety Department annually reviews the fire systems in our residence halls and will make upgrades, repairs or revisions when problems are identified.

### Residence Hall Fire Drills

Fire drills are held once a semester for each residence hall. Fire drills are mandatory supervised evacuations of a building for a fire. The fire drill is scheduled with the Department of Campus Safety, the individual residence hall staff, and the local fire station. The supervised fire drill is scheduled within the first 3 weeks of the beginning of the semester. Evacuation route maps are posted in each resident room showing where the closest egress route is and the assembly area outside. Students who fail to leave the building during a fire drill are fined and referred to the Student Conduct process.

### Fire Life Safety Education

Residence Life policy on fire safety is to prohibit usage of electrical cooking appliances, candles, and specific electrical equipment inside of individual rooms. Candles or open flame are prohibited in residence halls with the exception of the residence hall chapels. There are limits on the number of electrical appliances allowed in a specific room. The following Residence Life policy on evacuation from

residence halls can be found in the student handbook and is discussed with residents when they move into the residence hall.

In case of a fire, please sound the nearest fire alarm and evacuate the building. Evacuation procedures are as follows:

- Know the emergency routes from your room and hall.
- Check to see if your door is hot or has smoke around it. If so, stay in your room and wait to be evacuated by firefighters.
- Shut your door tightly when you leave.
- Exit your building and follow the directions of staff members.
- DO NOT remain in courtyards or in close proximity to the buildings. Remain in designated locations until cleared for re-entry by either the hall director, or a member of the residence life staff acting on behalf of the Hall Director or by Campus Safety.
- If you can use a fire extinguisher in your hall without endangering yourself, please do so. However, our first concern is your safety. Do not attempt to extinguish a fire if your personal safety becomes threatened. A fire safety inspection is conducted in the first semester to ensure residents are abiding by all fire safety regulations. Residence Life staff training on fire/life safety is held annually by the Environmental Health & Safety Officer.

### **Fire/Life Safety Inspections**

During fall semester, a residence life staff person will do a fire/life inspection of each resident's room. You will be notified as to when these inspections will take place, and you will be required to allow the staff person, or his or her stand-in, entrance to your room for inspection. If you or your roommate(s) are not home, the room will be inspected without you present and a note will be left indicating the status of your room. Should a violation be found, you will receive a letter indicating what the violation was, and you will be expected to meet immediate compliance. If the violations have not been corrected after an unannounced re-inspection, you and/or your roommate will be fined and will be subject to disciplinary action.

Some common violations are as follows:

- Extension cords and multi-tap electric units without a breaker
- Items stored closer than 18 inches from a sprinkler head
- Blocking of electrical panels
- Blocking of egress (exit) pathways
- Evidence of burning of candles, incense, or tobacco products
- Evidence of cooking; or cooking appliances, even if unused
- Evidence of a heavy load of combustibles in a room, on the walls, or ceiling
- Covering a door with paper or other combustible material
- Use of electrical wiring, devices, appliances which are modified or damaged
- Use of portable heater
- Tampered with smoke detector
- Use of halogen lamp/lighting
- Unsafe lofting or raising of beds — including rooms with no guardrails
- Strings of lights, twinkle lights, holiday lights
- Any other situation deemed unsafe by the staff inspector
- Smoking Policy

The University of Portland prohibits smoking in any of the residence halls and within a minimum of fifty feet from any residence hall entrance.

### **Reporting a Fire**

Students reporting a fire should contact Campus Safety and 911. If the fire event is no longer a danger, they should contact the Hall director, assistant director, or resident assistant to report the incident to Campus Safety.

### **Definitions**

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

- Fire drill: A supervised practice of a mandatory evacuation of a building for a fire.
- Fire-related injury: Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term “person” may include students, faculty, staff, visitors, firefighters, or any other individuals.
- Fire-related death: Any instance in which a person is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire, or deaths that occur within 1 year of injuries sustained as a result of the fire.
- Fire safety system: Any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire including: Sprinkler 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, smoke-control and reduction mechanisms, and fire doors and walls that reduce the spread of a fire.
- Value of Property Damage: The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity, including: contents damaged by fire, related damages caused by smoke, water, and overhaul, however it does not include indirect loss, such as business interruption.

### **Fire Log**

A fire log open to the public is kept at the Campus Safety Department during normal business hours. The University of Portland maintains a fire log that records any fire that occurred in an on-campus student housing facility and includes information such as the nature, date, time and general location of each fire. The Fire Log entry, or an addition to an entry, shall be made within two business days of the receipt of information.

The Fire log for the most recent 60-day period shall be open to public inspection during normal business hours. Any portion of the log older than 60 days will be available within two business days of a request for public inspection.

### **ADDITIONAL PHONE NUMBERS**

- Alcohol and Drug Helpline: (503)244-1312
- Clark County Crisis Line: (360) 696-9560 or (800) 626-8137
- Multnomah County Central Crisis Line: (503) 988-4888 or (800) 716-9769
- Poison Control (National): (800) 222-1222
- Portland Police Non-Emergency Number : (503) 823-3333

## 2023 Fire Statistics

<b>Residence Hall</b>	<b>Total Fires in Each Building</b>	<b>Date/Time of Incident</b>	<b>Cause of Fire</b>	<b>Number of Injuries that Require Treatment at Medical Facility</b>	<b>Value of Property Damage Caused by Fire</b>
<i>Christie Hall</i>	0	N/A	0	0	0
<i>Corrado Hall</i>	0	N/A	0	0	0
<i>Fields &amp; Schoenfeldt</i>	0	N/A	0	0	0
<i>Haggerty Hall</i>	0	N/A	0	0	0
<i>Kenna Hall</i>	0	N/A	0	0	0
<i>Lund Family Hall</i>	0	N/A	0	0	0
<i>Mehling Hall</i>	0	N/A	0	0	0
<i>Shipstad Hall</i>	0	N/A	0	0	0
<i>Tyson Hall</i>	0	N/A	0	0	0
<i>Villa Maria</i>	0	N/A	0	0	0

## 2022 Fire Statistics

<i>Residence Hall</i>	<i>Total Fires in Each Building</i>	<i>Date/Time of Incident</i>	<i>Cause of Fire</i>	<i>Number of Injuries that Require Treatment at Medical Facility</i>	<i>Value of Property Damage Caused by Fire</i>
<i>Christie Hall</i>	0	N/A	N/A	0	0
<i>Corrado Hall</i>	0	N/A	N/A	0	0
<i>Fields &amp; Schoenfeldt</i>	0	N/A	N/A	0	0
<i>Haggerty Hall</i>	0	N/A	N/A	0	0
<i>Kenna Hall</i>	0	N/A	N/A	0	0
<i>Lund Family Hall</i>	0	N/A	N/A	0	0
<i>Mehling Hall</i>	0	N/A	N/A	0	0
<i>Shipstad Hall</i>	0	N/A	N/A	0	0
<i>Tyson Hall</i>	0	N/A	N/A	0	0
<i>Villa Maria Hall</i>	0	N/A	N/A	0	0

## 2021 Fire Statistics

<i>Residence Hall</i>	<i>Total Fires in Each Building</i>	<i>Date/Time of Incident</i>	<i>Cause of Fire</i>	<i>Number of Injuries that Require Treatment at Medical Facility</i>	<i>Value of Property Damage Caused by Fire</i>
<i>Christie Hall</i>	<i>0</i>	<i>N/A</i>	<i>N/A</i>	<i>0</i>	<i>0</i>
<i>Corrado Hall</i>	<i>0</i>	<i>N/A</i>	<i>N/A</i>	<i>0</i>	<i>0</i>
<i>Fields &amp; Schoenfeldt</i>	<i>0</i>	<i>N/A</i>	<i>N/A</i>	<i>0</i>	<i>0</i>
<i>Haggerty Hall</i>	<i>0</i>	<i>N/A</i>	<i>N/A</i>	<i>0</i>	<i>0</i>
<i>Kenna Hall</i>	<i>0</i>	<i>N/A</i>	<i>N/A</i>	<i>0</i>	<i>0</i>
<i>Lund Family Hall</i>	<i>0</i>	<i>N/A</i>	<i>N/A</i>	<i>0</i>	<i>0</i>
<i>Mehling Hall</i>	<i>0</i>	<i>N/A</i>	<i>N/A</i>	<i>0</i>	<i>0</i>
<i>Shipstad Hall</i>	<i>0</i>	<i>N/A</i>	<i>N/A</i>	<i>0</i>	<i>0</i>
<i>Tyson Hall</i>	<i>0</i>	<i>N/A</i>	<i>N/A</i>	<i>0</i>	<i>0</i>
<i>Villa Maria</i>	<i>0</i>	<i>N/A</i>	<i>N/A</i>	<i>0</i>	<i>0</i>