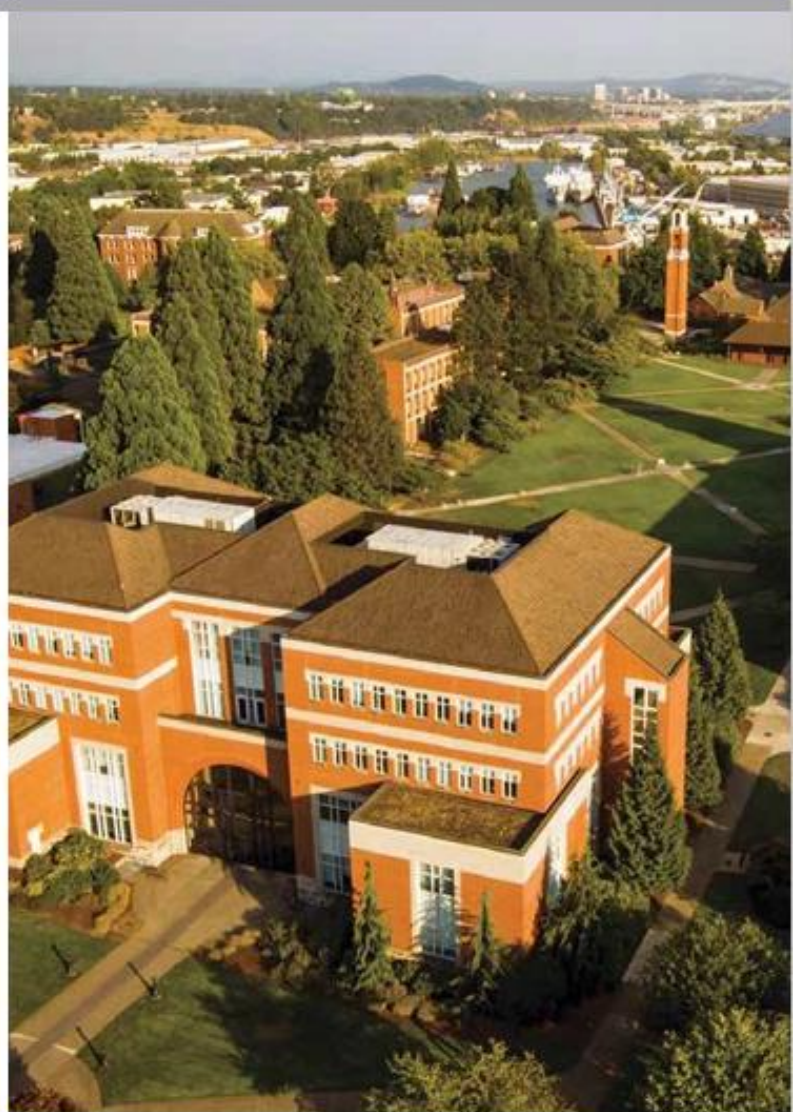




LIFE ON THE BLUFF

2023-2024

# STUDENT HANDBOOK



University   
of Portland



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# INTRODUCTION & IMPORTANT CONTACTS

Dear University of Portland Students,

As a Catholic university guided by the Congregation of Holy Cross, University of Portland welcomes you into our community. At University of Portland, we are committed to developing each other as whole persons through our pursuit of our core themes: teaching and learning, faith and formation, and service and leadership. Community is both descriptive of who we are as well as who we daily decide to be. Together we discover in our classrooms, residence halls, and the world how to be a community of hope. In a world that is changing rapidly, we seek to send out graduates who will act justly and live humble lives of service.

Living in community brings incredible joy. At University of Portland, we are strengthened by the unique gifts and talents that each of you bring. Wherever we find ourselves, we know you will find people to challenge your intellect, develop your character, and deepen your faith. We know that living among one another will spark your commitment to service and respect for every person you encounter, both on and off campus.

Living in community also brings great challenges. Ours is an inclusive environment that respects the dignity of each individual and provides the space and support for each member to flourish individually and as a part of the greater whole. We hold high expectations for one another. When we encounter a polarized climate, we aim to build scholars of character who address injustices in our systems while acknowledging the inherent dignity of those who may disagree. We draw from the life of Jesus Christ, who often enjoyed a meal with friends and detractors, spoke truth to power, found it essential to serve others, spend time with the sick and hurting, respect all people, and cherish the environment as God's gift to us all.

The University of Portland is shaped by the graduates who have come before and by those who now stand on its doorstep, and we seek every opportunity to encourage, challenge, and educate one another to live lives of great moral character. *Life on the Bluff* provides you with resources, expectations, and community standards that guide us at the University of Portland.

The world needs you. We need you. And in this spirit of great enthusiasm, I wish you well in the journey that lies ahead. Thank you for making University of Portland part of your story; welcome to this community.

May Christ the Teacher and the Spirit of Wisdom guide you in your work and may you always be a person with hope to bring.

In Holy Cross,

(Rev.) John J. Donato, C.S.C.  
Vice President for Student Affairs

## Introduction

*Life on the Bluff* is a guide to student life at the University of Portland and contains the policies, procedures, rules, and regulations that guide our community. These standards apply to all University of Portland students, graduate and undergraduate, both on and off University property, whether acting as an individual, member of a group, or as part of a student club or organization. All students are responsible for reading, knowing, and complying with the standards and expectations outlined in *Life on the Bluff*. *Life on the Bluff* is not a contract between the student and the University, and the University reserves the right to expand or delete or otherwise modify the contents of *Life on the Bluff* whenever such changes are adjudged by it to be desirable or necessary. Updates will be made to the online version of this handbook on an ongoing basis. Although notice is not required for any change to take effect, the University will make reasonable attempts to timely notify students of any changes through website or email postings, or other methods deemed appropriate by University. If there is a conflict between a policy in *Life on the Bluff* and applicable law or regulation, the University will abide by current governing laws and regulations. Additional policies governing academics at the University can be found in the University Bulletin. Students are responsible for following all applicable policies and regulations outlined in the University Bulletin.

### **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 the Americans with Disabilities Act (ADA) is the Vice President for Financial Affairs – Eric Barger, in coordination with Accessible Education Services, the Office of Residence Life, the Health and Counseling Center, Human Resources, and the Office of University Events. Eric Barger may be contacted at:

Eric Barger  
Vice President for Financial Affairs  
Waldschmidt Hall 411  
(503) 943-7507  
barger@up.edu

### **Title IX Coordinator**

All inquiries concerning the application of Title IX and its implementing regulations may be referred to the University's Title IX Coordinator or to the Assistant Secretary for Civil Rights of the Department of Education. The University's Title IX Coordinator is:

Ann James  
Title IX Coordinator  
(503) 943-8982  
[titleix@up.edu](mailto:titleix@up.edu)  
<https://www.up.edu/titleix/>

# UNIVERSITY OF PORTLAND MISSION STATEMENT

The University of Portland, an independently governed Catholic university guided by the Congregation of Holy Cross, addresses significant questions of human concern through disciplinary and interdisciplinary studies of the arts, sciences, and humanities and through studies in majors and professional programs at the undergraduate and graduate levels. As a diverse community of scholars dedicated to excellence and innovation, we pursue teaching and learning, faith and formation, service and leadership in the classroom, residence halls, and the world. Because we value the development of the whole person, the University honors faith and reason as ways of knowing, promotes ethical reflection, and prepares people who respond to the needs of the world and its human family.

## Core Mission Themes

### Teaching and Learning

An education that is rooted in the traditions of Holy Cross is committed to the highest level of excellence in the course of developing the whole person. In the wake of the French Revolution, the founder of Holy Cross, Blessed Basil Moreau, wanted a school system that taught the complementary truths of faith and reason in the context of a secular culture while receiving unquestioned certification for excellence by achieving the highest standards. He personally sought and hired the most qualified faculty for his schools and encouraged their development as teachers and as persons. His commitment to educate the whole person of the student—what he called “the head, the heart, and the hands”—continues to guide the work of Holy Cross universities today.

### Faith and Formation

If “Teaching and Learning” can be said to focus on the education of the “head,” the education of the “heart” is captured by the focus on “Faith and Formation.” From the beginning, Blessed Basil Moreau emphasized that students should live in residence with one another and their faculty, gaining from daily conversation and example what cannot be learned in the classroom alone. A Holy Cross education provides a rich experience of community in all facets of student life, including athletics, student government, and participation in the arts; students are encouraged to develop their deepest beliefs and values in the context of worship, discussion, prayer, and service of others. While this theme of Holy Cross education is most often possible for undergraduate students, graduate students are also welcome and challenged to develop in these ways through the opportunities available to them.

### Service and Leadership

The education of the “hands” refers to the many ways that students test their education and grow in wisdom in the context of real-world challenges. Blessed Basil Moreau valued the practical advantages of training outside the classroom — what we call service-learning, practice, faculty-guided research, or internships. Opportunities to study abroad are especially important for learning “hands on” the cultures of an increasingly inter-related world. A Holy Cross education achieves its finality when students, mature in wisdom and knowledge, serve the common good with zeal and through that service exercise leadership that transforms the world.

## 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, 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 and 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.

## RESOURCE GUIDE

<b>Topic</b>	<b>Where to Go</b>	<b>Phone</b>	<b>Location</b>
<b>Academic Resources</b>	Shepard Resource Center	(503) 943-7895	Buckley Center 101
<b>Accounts—Student</b>	Student Accounts	(503) 943-7347	Waldschmidt Hall 130
<b>Athletics</b>	Athletics	(503) 943-8420	Chiles Center
<b>Bicycle Registration</b>	Campus Safety	(503) 943-7161	Haggerty Hall 100
<b>Campus Events</b>	Student Activities	(503) 943-7470	St. Mary's Student Center
<b>Campus Ministry</b>	Campus Ministry	(503) 943-7131	St. Mary's Student Center
<b>Career Information</b>	Career Center	(503) 943-7201	Franz Hall
<b>Care Team</b>	Care Team	(503) 943-7709	Orrico Hall Lower Level
<b>Change of Name/Address/Major</b>	Registrar	(503) 943-7321	Waldschmidt Hall 100
<b>Change of Schedule/Class</b>	Registrar	(503) 943-7321	Waldschmidt Hall 100
<b>Community Service</b>	Moreau Center	(503) 943-7132	St. Mary's Student Center
<b>Computer/Internet</b>	Help Desk	(503) 943-7000	Buckley Center 106
<b>Counseling</b>	Health & Counseling Ctr.	(503) 943-7134	Orrico Hall Upper Level
<b>Course Packets</b>	Bookstore	(503) 943-7125	Pilot House
<b>Diplomas</b>	Registrar	(503) 943-7321	Waldschmidt Hall 100
<b>Disability Services</b>	Accessible Education Svs	(503) 943-8985	Buckley Center 163
<b>Diversity and Inclusion Programs</b>	Int. Edu., Diversity, and Inclusion	(503) 943-8112	Buckley Center 114
<b>Emergencies</b>	Campus Safety	(503) 943-4444	Haggerty Hall 100
<b>Employment—Student</b>	Human Resources	(503) 943-8040	Waldschmidt Hall 4 <sup>th</sup> Floor
<b>Financial Aid Information</b>	Financial Aid	(503) 943-7311	Waldschmidt Hall 120
<b>Federal Work Study</b>	Financial Aid	(503) 943-7311	Waldschmidt Hall 120
<b>First Year Student Resources</b>	Shepard Resource Center	(503) 943-7895	Buckley Center 101
<b>Graduation Information</b>	Registrar	(503) 943-7321	Waldschmidt Hall 100
<b>Housing</b>	Residence Life	(503) 943-7205	Tyson Hall 123



<b>I.D. Card Replacement</b>	Campus Safety	(503) 943-7161	Haggerty Hall 100
<b>Illness or Injury</b>	Health & Counseling Ctr.	(503) 943-7134	Orrico Hall Upper Level
<b>Insurance</b>	Student Accounts	(503) 943-7347	Waldschmidt Hall 130
<b>International Students</b>	International Student Svs.	(503) 943-7367	Buckley Center 114
<b>Learning Assistance &amp; Support</b>	Learning Commons	(503) 943-8002	Buckley Center 163
<b>Liturgies on Campus</b>	Campus Ministry	(503) 943-7131	St. Mary's Student Center
<b>Loan Information</b>	Financial Aid	(503) 943-7311	Waldschmidt Hall 120
<b>Lost and Found</b>	Campus Safety	(503) 943-7161	Haggerty Hall 100
<b>Mail Services</b>		(503) 943-7179	Tyson Hall 130
<b>Meal Plans</b>	Bon Appétit	(503) 943-7330	Bauccio Commons
<b>Off-Campus Information</b>	Residence Life	(503) 943-7205	Tyson Hall 123
<b>Parking</b>	Campus Safety	(503) 943-7161	Haggerty Hall 100
<b>Payment: University Fees</b>	Student Accounts	(503) 943-7347	Waldschmidt Hall 130
<b>Pregnancy</b>	Health & Counseling Ctr.	(503) 943-7134	Orrico Hall Upper Level
<b>Printing Services</b>	Printing & Mailing Svs.	(503) 943-7200	Tyson Hall 130
<b>Posting of Signs</b>	Student Activities	(503) 943-7470	St. Mary's Student Center
<b>Recreational Services</b>	Outdoor Pursuits	(503) 943-8755	Beauchamp Center
<b>Sexual Assault and Harassment Information</b>	Title IX Coordinator	(503) 943-8982	Waldschmidt Hall 217
<b>Student Conduct</b>	Residence Life	(503) 943-7205	Tyson Hall 123
<b>Student Government</b>	ASUP	(503) 943-7471	St. Mary's Student Center
<b>Studying Abroad</b>	Study Abroad	(503) 943-7857	Buckley Center 114
<b>Summer Session</b>	Summer Session	(503) 943-7848	Waldschmidt Hall 415
<b>Theft</b>	Campus Safety	(503) 943-7161	Haggerty Hall 100
<b>Transcript</b>	Registrar	(503) 943-7321	Waldschmidt Hall 100
<b>Vehicle Registration</b>	Campus Safety	(503) 943-7161	Haggerty Hall 100
<b>Withdrawal</b>	Registrar	(503) 943-7321	Waldschmidt Hall 100



# UNIVERSITY POLICIES AND STANDARDS OF STUDENT CONDUCT

## Introduction

The University of Portland is a Catholic university guided by the Congregation of Holy Cross. As our mission statement articulates, we strive to develop the whole person through teaching and learning, faith and formation, service and leadership. The result of this mission is graduates who are prepared to respond to the call of Jesus Christ to serve the needs of the world and the whole human family.

As part of our Catholic mission, it is important that we at the University of Portland are people of great character and moral virtue. We are called to live as Jesus did: to show love and respect to all we encounter, to order our actions towards the service of God and others, and to create a community in which all can thrive. Rooted in Gospel values, our community respects the dignity of every person. Our University policies reflect the importance of holding one another accountable to this ideal.

The University of Portland is a mission-based community. What differentiates us from the larger society is our emphasis on community, collaboration, and learning together in the pursuit of truth in the Catholic tradition. For these reasons, our policies hold students to a higher standard and have as their goal educating students and preserving community.

## Applicability of Policies and Standards of Student Conduct

The University policies and standards of conduct described below apply to all students, graduate and undergraduate, from enrollment to graduation, part-time students, students taking leave, and students who are enrolled in a study abroad program. The expectations of student conduct listed in *Life on the Bluff*, apply to individual students as well as groups. The University reserves the right to take action in, including to investigate and/or resolve through the University Conduct Process and our Title IX formal and informal resolution processes, cases of misconduct or violations of state or federal law that occur on or off University property. Involvement in the University Conduct or Title IX resolution Process may affect a student's ability to change their student status, including formally withdrawing from the university, taking leave, and degree conferral from the University until the concern is resolved. University of Portland may investigate all alleged misconduct that occurred from the time the student is enrolled to the University until the student completes a program, graduates or is permanently dismissed. If an incident occurred before the individual was enrolled but was unknown during the admissions process and that incident may have impacted a decision to admit that individual, the University may act.

In addition to complying with the expectations of University of Portland, students are expected to follow local, state, and federal laws/emergency directives, including any applicable foreign laws if studying abroad. Students who violate these laws or directives may be subject to the University student conduct process concurrent to criminal proceedings. The University is not bound by the policies, procedures, or findings of a court of law, and may continue its conduct proceedings before, during, and after any criminal action. A student not held responsible in a court of law may still be subject to conduct action at the University.

If a student is charged with or convicted of a felony, the University, through the Division of Student Affairs, reserves the right to take immediate action and suspend or permanently dismiss the student, independent of the student conduct process.

Generally, a student may not withdraw or take a leave of absence from the University after the University receives a report of an alleged violation of *Life on the Bluff* or other policies or community standards. The University reserves the right to proceed with University processes regardless of a student's request for a withdrawal or for a leave of absence from the University. At any time, the University may place an administrative or student conduct hold on the student's University academic transcript, make a transcript notification, or withhold the award of a student's degree. In cases where the University permits a student to withdraw from the University after the University receives a report of an alleged violation of *Life on the Bluff* or other University policies or standards of conduct (including while the University conduct process is pending), this withdrawal may be considered permanent and the student's academic transcript may be held. Even if a student withdraws from the University, the University may decide to proceed with the University processes. At the conclusion of University processes, the transcript may be updated with appropriate notation or status of the student.

When a student requests and provides written consent for the University to disclose his or her student conduct record to a person or entity outside the University, such as in connection with an application for employment, graduate school, or

professional licensure, the University will disclose information relating to that student's conduct. Generally, student records are retained for seven (7) years. The University may also report matters that remain unresolved and pending at the time a student left or withdrew from the University, as required or permitted by law and University policy.

Students who have not completed assigned sanctions, have an unresolved allegation of misconduct, or received temporary suspension or permanent dismissal as a sanction will not be considered "in good standing" with University of Portland.

## General Standards of Student Conduct

The following actions or behaviors are inconsistent with the University's expectations for members of its community. As a result, violations of these expectations may result in a conduct hearing and, if found responsible, might lead to a student's separation from the university through suspension or dismissal:

1. Sexual harassment, including sexual assault, dating and domestic violence, and stalking (see Sexual and Gender-Based Harassment, Misconduct, and Violence) and and relevant policies regarding Title IX at [up.edu/titleix](http://up.edu/titleix)).
2. Sexual misconduct (see Sexual and Gender-Based Harassment, Misconduct, and Violence).
4. Possession, use, sale, distribution, or manufacture of drugs or other controlled substances (see Illegal Drugs, Controlled Substances, and Misuse of Prescribed Medication).
5. Theft, damage, or vandalism of property.
6. Dishonesty, forgery, or taking advantage of another.
7. Violence or the threat of violence against any member of the University community or others, or any action that causes injury to another (see Violence and Threats of Violence).
8. Abusive or harassing behavior (see Discriminatory Harassment and Bullying).
9. Unauthorized possession of explosives, incendiary devices, firearms, or other weapons. (see Weapons and Explosives, Fireworks, and other Incendiary Devices)
10. Behavior that disrupts or interferes with the proper functioning of the University community, in both academic and non-academic settings (see Disorderly Conduct).
11. Behavior that infringes upon the well-being and/or rights of any member of the University community or that endangers the safety or life of any member of our community or others (see Disorderly Conduct (p. 16) and Life and Health Safety (p. 18)).
12. Failure to follow the directive of a University official (see University Directives (p. 22)).

# GENERAL COMMUNITY POLICIES AND RESOURCES

## Emergency Procedures

All students should know the emergency routes of their assigned University housing, or any University building accessed, visited, or used by them. For a full description of what procedures to follow in an emergency, students may consult the Emergency & Campus Safety Resource Guide, available on the Campus Safety website. Students should also know the location and operation of fire extinguishers. Disabling, covering, or otherwise interfering with the proper functioning of alarms, door securing devices, safety devices, or emergency system components is prohibited. Intentionally creating a false emergency response is also prohibited. Failure to respond appropriately to emergency alarms and emergency directions given by a University official is prohibited.

### **Fire**

In the event of a fire, students should activate the nearest fire alarm and evacuate the building. Students close doors as they exit and follow all directions of staff members. Failure to follow safe fire procedures, including any emergency drills, is unsafe and may lead to the student conduct process.

### **Earthquake**

Students should be aware of tall and heavy objects that could shift or fall in the event of an earthquake. Objects above beds and desks are particularly dangerous and students should set up their room to avoid these hazards. During an earthquake, students should not enter or exit a building during shaking. If inside, students should move away from windows, unsecured furniture, and other heavy objects and brace themselves in doorways or under heavy furniture. If outside, students should position themselves away from buildings, trees, utility poles, and power lines.

### **Bomb Threat or Suspicious Packages**

Contact Campus Safety immediately by calling (503) 943-4444 or call 911 and follow all directions.

### **Crime in Progress or Suspicious Person(s)**

Students should not attempt to interfere with a criminal unless to protect themselves. If possible, students should get an accurate description of the person and should call Campus Safety at (503) 943-4444 or call 911.

## Sex and Gender-Based Harassment, Misconduct, and Violence Policies

The University of Portland 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.

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.

### **Prohibited Conduct:**

The following areas of conduct are prohibited at the University:

1. Sexual harassment, including, without limitation, cyber harassment;
2. Sexual misconduct;
3. Sexual assault;
4. Dating, relationship, and domestic violence;

5. Stalking, including, without limitation, cyberstalking;
6. Sexual Harassment as defined under Title IX (“Title IX Sexual Harassment”);
7. Negative conduct (such as intimidation, retaliation, threats, harassment, or bribes) 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; and
8. Retaliation.

Additional definitions and clarifications related to Sexual and Gender-Based Harassment, Misconduct, and Violence Policies, as well as detailed information about available support and resources, how to report and what happens after a report is made, and additional relevant information can be found in the Sex and Gender-Based Harassment, Misconduct, and Violence Resource Guide in *Life on the Bluff*.

The University of Portland is committed to making the process of receiving support and/or resolution for incidents Sexual and Gender-Based Harassment, Misconduct, and Violence as accessible as possible for all students. Students who require a disability accommodation or who may have other factors that could impact their ability to participate in or seek support or university resources should contact the Title IX Coordinator at [titleix@up.edu](mailto:titleix@up.edu) or (503) 943-8982 to make a request.

Students with questions or who need support with the reporting process are encouraged to reach out to either confidential or responsible employees. Confidential and Responsible employees are listed in the Sexual and Gender-Based Harassment, Misconduct, and Violence Resource Guide in *Life on the Bluff*, on the Title IX website at [www.up.edu/titleix](http://www.up.edu/titleix), or by searching an employee’s name at [www.up.edu/directory](http://www.up.edu/directory).

## 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 as well as the guidelines listed in this section. 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 members of the University community.
- To educate individuals concerning the use and effect of alcohol to encourage responsible decision-making and reduced-risk consumption.
- To make assistance available to individuals who may be experiencing difficulty associated with the use, misuse, or abuse of alcohol.

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 expectations regarding the possession or use of alcohol. Failure to comply with the following expectations or a directive issued by a University official may result in action through the University conduct process:

- 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 restricts underage persons (e.g., a bar) by a person under the age of 21 or possessing false identification that misrepresents age or identity is prohibited.
- Except for persons approved by the University and holding the appropriate state licenses, no one shall sell, either directly or indirectly, alcoholic beverages. Examples of prohibited conduct 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 University property or at University sanctioned events subject to the following limitations:
  - a. Intoxication by any student 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.

- b. Kegs, without the approval of a University official are prohibited in all residence halls University rental properties, or anywhere else on University property.
- c. Within traditional residence halls (i.e., all University Residence Halls except Haggerty Hall, Tyson Hall, and University-owned rentals), the possession or consumption of alcoholic beverages that contain more than 14 percent (14%) alcohol by volume is prohibited.
- d. Students of legal drinking age may possess and transport reasonable quantities of sealed alcohol in suitable packaging through public areas of the university and common areas of residence halls.
- e. Students may not transport, possess, or consume alcoholic beverages in any common spaces. Examples include but are not limited to hallways, stairwells, lounges, classrooms, sidewalks, sports stadiums, or lawns.
- f. Students may not display signs or advertisements for alcoholic beverages in publicly visible places or as decorations in a residence hall.
- g. Students may not possess or display collections of alcohol containers or any other drinking paraphernalia including but not limited to shot glasses or drinking game tables.
- h. Abusive drinking is prohibited for students at University of Portland. Potential violations of this policy include but are not limited to participating in drinking games, drinking to the point of physical illness, “shotgunning” alcohol, taking shots, and possessing beer bongs or other drinking devices.
- i. 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.
- j. No student may use University, student organization, or University housing facility funds for the purchase of alcohol without approval from the Vice President for Student Affairs.

## Bicycles and Other Riding Devices

Bicycles and other riding devices (including skateboards, scooters and rollerblades) must adhere to applicable state traffic rules and regulations. Pedestrians have the right of way; when passing a pedestrian from the rear a rider is required to give an audible signal. Motorized/electric bicycles and other riding devices are not to be ridden on sidewalks or pedestrian paths.

Bicycles should be registered with Campus Safety. Bicycles are required to be secured by a bicycle lock. Bicycles may only be parked at bicycle racks located around campus, securing a bicycle to a fixture other than a bicycle rack may result in impounding the bicycle. Bicycles and other riding devices must be removed from outdoor storage areas during breaks or university closures.

## Driving Under the Influence of Intoxicants

The University prohibits the operation of a vehicle while under the influence of intoxicating liquor, cannabis, a controlled substance, inhalant or prescribed medications that impair driving. The University may take disciplinary action if the action occurred on or off university property.

## Illegal Drugs, Controlled Substances, and Misuse of Prescribed Medication

University of Portland prohibits the possession or use of illegal drugs, the possession or use of controlled substances (including cannabis or other cannabis derived products), or the intentional misuse of prescribed medication. The possession, use, sale, distribution, or manufacture of controlled substances, synthetic substances designed to intoxicate, or other drugs illegal under federal, state, or local law is strictly prohibited.

Students who have been prescribed cannabis or THC products are not exempt from this policy and are encouraged to work directly with the University Health and Counseling Center to find alternative treatments. The unauthorized possession, use, theft, distribution, or sharing of prescribed medication is prohibited. Students are 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.

Regardless of its status in the State of Oregon, or whether or not an individual possesses a prescription for medical use, the possession or use of cannabis, and THC containing substances is prohibited for students both on or off University property and for the duration of their enrollment.

The University of Portland, through the Health and Counseling Center, can connect students to resources related to drug abuse and addiction.

## Disorderly Conduct

Any conduct that interferes with or disrupts the actions of others is prohibited. Examples of this type of behavior include disrupting or interfering with academic or non-classroom activities, such as lectures, concerts, athletic events, and social functions; hindering or disrupting any other University activity or University-sponsored activity or event; excessively loud or otherwise disruptive behavior that becomes a nuisance to non-university residents within the area surrounding the university; or any lewd, indecent, or other form of inappropriate conduct.

## Explosives, Fireworks, and Other Incendiary Devices

Explosives are not permitted on University of Portland property. Fireworks are also prohibited in all areas of the University of Portland, unless specific prior arrangements have been made through the Office of Campus Safety. This prohibition extends to all other incendiary or pressurized explosive devices.

## Fire Safety

In the interest of protecting all members of the University of Portland community, the following actions are prohibited:

- Accidental or intentional tampering with fire alarms, fire extinguishers, fire alarm pull stations, smoke detectors, fire suppression sprinklers, emergency exits, and any other fire safety equipment
- Pulling a fire alarm or signaling an emergency when no fire is present
- Accidental or intentional setting of a fire
- Failure to evacuate a University building after a fire alarm has sounded or other notice to evacuate has been given by a person authorized to give such notice

## Hazing and Initiation

The University of Portland prohibits hazing or hazing-like initiations by students on or off University property. Hazing is the practice of subjecting others to conduct that endangers the physical, emotional, mental health or safety of an individual or that destroys or damages personal property as a condition or precondition of attaining membership, inclusion, or leadership in a student organization, group, club, athletic team, or residence hall. Hazing behavior may include the facilitation of or acquiescence to a situation to produce mental or physical discomfort, embarrassment, harassment, or ridicule. Any group, student organization, club, or athletic team that violates this rule may also be subject to appropriate disciplinary action toward that group. Due to the coercive nature of hazing, implied or expressed consent to hazing is not a defense under this policy. Inaction in the presence of hazing or hazing-like initiations may also be a violation of this policy.

Prohibited behavior may include, but is not limited to, the following:

- Acts that are prohibited under any applicable law, including but not limited to ORS 163.197, under which hazing is a criminal violation
- Compelling conduct to embarrass or adversely affect the dignity of another, including but not limited to the performance of public stunts and activities, personal servitude by another, or assignment of pranks
- Acts that induce pain or illness or otherwise endanger the physical health and/or safety of another
- Compelling participation in physical activities, including but not limited to calisthenics or physical contests
- Compelling consumption of any food, liquid, or substance, including but not limited to alcohol, cannabis, or controlled substance
- Committing or threatening to commit any act of physical brutality, assault, or harm toward another



- Compelling another to commit any sexual act
- Compelling any act that results in the destruction, defacement or removal of private or public property
- Compelling physically or emotionally uncomfortable situations, including but not limited to exposure to weather elements, total or partial nudity, transportation and abandonment of the person, or confinement to unreasonable spaces.
- Inducing, causing, or requiring an individual to perform a duty or task that involves the commission of a crime or an act of hazing

## Honesty and Integrity

While at the University of Portland, students are expected to demonstrate the personal characteristics of honesty and integrity in all aspects of their campus life, both inside and outside the classroom and on and off campus. Students are expected to not engage in forms of academic dishonesty (including plagiarism or cheating), forgery, or taking advantage of others. See the Academic Bulletin for more information on these policies. Honesty is also expected in all interactions with University officials, including, but not limited to, Campus Safety and Residence Life staff.

## Identification and University Identification Cards

All students, staff, and faculty must possess a valid identification card. All students must carry their valid University of Portland identification card with them at all times and must provide it to a University official when requested to do so. A University official includes, but is not limited to, faculty, staff, residence hall staff including a Resident Assistant acting in their role, Campus Safety, and Bon Appétit staff.

Because of the wide breadth of services connected to the identification card, students who lose their card should report the loss to Campus Safety immediately, so that building access can be disabled. Students should also report lost cards to Bon Appétit to suspend use of the meal plan on the lost card.

Any transfer, alteration, falsification, or forgery of the identification card constitutes a violation of University policy. Providing false information or false rationale for the production or non-production of an identification card, possessing or using another student's identification card, or allowing another to use one's identification is prohibited.

## Keys and Building Access

Keys are issued to students, faculty, and staff for the purpose of responsible entry to specific spaces on campus. The following actions are prohibited under the University's key policy:

- Making or causing to be made any keys for any building, laboratory, facility, residence hall room, or University room without authorization.
- Possessing, using, or distributing keys, door combination codes, or access cards without explicit authorization from Campus Safety.

## Lewd Conduct

Conduct which is obscene, lewd, or indecent is prohibited. The following are examples of conduct prohibited by this policy:

- Urinating or defecating in areas other than toilets and urinals (including lawns, lounges, elevators, stairwells, balconies, parking lots, etc.);
- Public nudity;
- Engaging in intimate sexual contact in or within plain sight of common or public areas; and
- Public viewing or displaying of pornography.

## Life and Health Safety

The University of Portland prohibits behavior or activities that endanger the safety or life of any member of our community or others, whether intentionally or unintentionally. Such behaviors include, but are not limited to, the following:

- Interference with another such that that individual is unable to conduct usual affairs,
- Failure to comply with University policies and directives regarding social distancing, facemask wearing in common areas, contact tracing, or other public-health and safety focused mandates,
- Actions that would put a reasonable person in a state of fear for their safety
- Causing physical harm to any person,
- Conduct which threatens physical harm to any person, or
- Unauthorized presence in construction areas, restricted access areas, or on the roof of any University building, including University rental properties.

## Pilots Care

The health, safety, and well-being of individuals should be of paramount concern to all members of the University of Portland community. As such, UP students are expected to exercise active care, concern, and contact appropriate authorities in the event of any health or safety emergency, even if possible violations of the University's alcohol policy or drug policy may have occurred in connection with such an emergency.

Because student concerns of possible disciplinary action may unnecessarily deter their desire to seek medical attention for themselves or others, the University has adopted the following *Pilots Care* policy to remove barriers for students seeking medical attention in alcohol and drug- related incidents. This policy is intended to support an environment where students in an emergency situation receive necessary medical attention and those involved are provided an opportunity to learn from the incident.

The expectations for students in situations where someone requires medical attention due to an alcohol or drug-related incident are:

1. Proactively contact an appropriate authority (Campus Safety, residence hall staff, 911, etc.) to seek medical attention; and
2. Remain with the individual requiring medical attention; and
3. Cooperate with responding emergency officials.

A student requiring medical attention who has received support as described above will be required to meet with the Director for Community Standards or his/her designee for a conversation grounded in education, formation, and expectations of future behavior. The student will be exempt from the University's student conduct hearing process, but may be assigned to complete educational tasks and receive a professional referral.

A student that has sought assistance for another as described above while also violating the University's alcohol or drug policy will be exempt from the University's student conduct hearing process. However, the student may be required to meet with the Director for Community Standards or his/her designee for a conversation grounded in education, formation, and personal development. The student may also be assigned to complete educational tasks and/or receive a professional referral.

The *Pilots Care* policy is intended to create an environment where students who have received medical attention due to an alcohol and/or drug-related incident will reflect on their choices and change future behavior. As such, the Director for Community Standards reserves the right to assign sanctions or initiate the conduct process for students with repeated alcohol or drug-related incidents involving the need for medical attention. The *Pilots Care* policy applies to disciplinary action or sanctions resulting from the University Conduct Process. Students may face consequences from a club, organization, study abroad program, academic program, or other affiliation in accordance with the expectations of those affiliations.

## Pornography

The University of Portland believes in the sacredness of the human body. Therefore, pornography does not have a place within our community. The possession, use, and/or creation of pornography is prohibited. The creation or distribution of sexual images or explicit content may also be a violation of University expectations of Sexual or Gender Based Harassment, Misconduct, and Violence and/or Title IX policies and could result in Title IX related disciplinary action.

Students may seek assistance and guidance on cessation of the use of pornography from the Health and Counseling Center's counseling staff and/or Campus Ministry.

## Property Damage, Theft, and Vandalism

Damage, theft, or destruction of any property of a member of the University of Portland community, an institution or business, or another person not affiliated with the University is prohibited. Students are prohibited from defacing, vandalizing, painting, tagging, or otherwise tampering with University property, including landscaping, and may be financially responsible for the replacement and repairs.

As an extension of general respect for property, members of the University of Portland community are prohibited from engaging in theft of goods or property that rightfully belong to other individuals, businesses, the University, or other institutions. On-campus dining providers, the university bookstore, or other vendors may pursue criminal charges independent of the University Conduct Process.

## Respect

### Respect for Others

Respect and civility are basic to our common life at the University of Portland. It is expected that members of our community will be open to learning about and respecting persons and cultures different from their own. The University of Portland expects its members to treat one another with sensitivity, consideration, understanding, love, and acceptance.

*As a result, the following are prohibited:*

### Discriminatory Harassment

#### **A. Prohibited Conduct**

Conduct that constitutes discriminatory harassment related to any protected status is inconsistent with the University's values and is prohibited at the University.

Students who engage in prohibited conduct are subject to student conduct processes, which may result in disciplinary action, including and up to dismissal from the University.

The University's policies and procedures specific to discriminatory harassment based on sex/gender are set out separately in the Sexual and Gender-Based Harassment, Misconduct, and Violence section.

#### **B. Definitions**

1. "Protected statuses" are set out in the University's Statement of Inclusion and Equal Opportunity and Nondiscrimination Policy. Those protected statuses are race, color, national or ethnic origin, religion, sex, gender, sexual orientation, social or economic class, age, and disability.
2. "Discriminatory harassment" is offensive, unwelcome verbal, written, visual, or physical conduct that is based on or motivated by an individual's or group's actual or perceived affiliation with protected status(es). Discriminatory harassment violates this policy if it creates a hostile environment. A hostile environment is created if conduct is sufficiently severe, pervasive, or persistent that it either (a) denies, interferes with, or limits a person's ability to participate in

or benefit from the University's programs or activities, or (2) creates a learning, working, or living environment that a reasonable person would consider intimidating, hostile, or offensive.

Discriminatory harassment can be carried out by various means, from the use of offensive or intimidating references (such as with slurs, epithets, or offensive stereotypes) to a protected class, to outright threats, and by way of various mechanisms or media, whether verbal, non-verbal, written, visual, electronic or other.

Discriminatory harassment includes disparaging, degrading, or abusive words, phrases, or generalizations that are directed at an individual or group based on their actual or perceived affiliation with a protected class, and for which there is no reasonable justification.

Discriminatory harassment need not be targeted at the reporting party. The acts may be directed at anyone. For example, racial harassment need not be based on the complainant's race, so long as it is racially motivated (e.g., it might be based on the race of a friend or associate of the complainant). Additionally, the harassment need not result in physical injury or detriment to the target(s) of the harassment.

In evaluating whether conduct constitutes discriminatory harassment and/or creates a hostile environment based on discriminatory harassment, the relationship between the alleged harasser and the target, including any relevant power imbalance, is a factor to be considered. A single incident of discriminatory harassment, if severe enough, may create a hostile environment.

## **Bullying**

### **A. Prohibited Conduct**

Conduct that constitutes bullying is inconsistent with the University's values and is prohibited at the University.

Students who engage in prohibited conduct are subject to student conduct processes, which may result in disciplinary action, including and up to dismissal from the University.

### **B. Definitions**

"Bullying" is defined as conduct of any sort directed at another that is (1) disrespectful or not collegial, (2) severe, pervasive, or persistent, and (3) is of a nature that would cause a reasonable person in the victim's position substantial emotional distress and undermine that individual's ability to work, study, or participate in his or her regular life activities, and actually does cause the victim substantial emotional distress and undermines the victim's ability to work, study, or participate in the victim's regular life activities. Bullying can take place in-person, via others, or via different media including phone, mail, and the internet or other electronic means.

This policy is not intended to be, and will not be, applied in a way that would violate rights to academic freedom and freedom of expression, nor will it be interpreted in a way that undermines a University employee's authority to appropriately oversee and implement University policies and processes. This definition reserves for the University, in furtherance of its educational mission, the right to address conduct that would not necessarily be considered unlawful.

Examples of conduct prohibited under this policy include, but are not limited to:

- Verbal bullying, which is saying or writing disparaging or derogatory things. Verbal bullying includes teasing, name-calling, taunting, and threatening to cause harm.
- Social bullying, sometimes referred to as relational bullying, which involves hurting someone's reputation or relationships. Social bullying examples include spreading rumors about someone and embarrassing someone in public.

- Physical bullying involves hurting a person's body or possessions. Physical bullying includes hitting/kicking/pinching, spitting, gripping/pushing, taking or breaking someone's things, and making mean or rude hand gestures.

Please note that the reasonable person standard is applied to all the examples set out above.

## **Stalking**

### **A. Prohibited Conduct**

Conduct that constitutes stalking, including cyberstalking, is inconsistent with the University's values and is prohibited at the University.

Students who engage in prohibited conduct are subject to student conduct processes, which may result in disciplinary action, including and up to dismissal from the University.

### **B. Definitions**

"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/her safety or the safety of others; or
- suffer substantial emotional distress.

Stalking consists of conduct that is severe, pervasive, or persistent. Generally, it is 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 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 e-mail 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.

## **Use of 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).

This standard can be used in different ways throughout the investigation and adjudicative 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.

## Off-Campus Conduct

University of Portland students are responsible for upholding University standards, whether on or off campus. Therefore, a student's behavior while not on University property that interferes with the rights of others, or that reflects adversely upon the image, values, or mission of the University or student may subject a student to sanctions under the University student conduct process. Such behavior includes, but is not limited to, noise, litter, or destruction of property.

## Responsibility for Guests

University of Portland students are ultimately responsible for the behavior of their guests, including non-student and overnight guests. Guests are expected to be aware of and abide by University policies, including intervisitation (p. 22) (discussed below). More information about the policies and procedures regarding overnight guests can be found under the "Residence Hall Policies and Information (p. 33)" section.

## Residence Hall Visitation (Intervisitation)

To foster the growth and health of community within undergraduate residence halls, as well as to ensure the safety, security, and privacy of students living in the halls, the University of Portland has a policy of limiting visitation for residents who do not live in the same residence hall room. Outside of Intervisitation Hours, *only* those residents assigned to a room are permitted in the specific residence hall room. If residents who do not live in the room want to continue socializing or studying, all halls have 24-Hour Common Areas that they can move to. Residence hall intervisitation hours are as follows:

Monday – Thursday:	8:00 a.m. – midnight
Friday:	8:00 a.m. – 2:00 a.m.
Saturday:	10:00 a.m. – 2:00 a.m.
Sunday:	10:00 a.m. – midnight
Vacation and break nights:	10:00 a.m. – midnight

## Sexual Intimacy

The University embraces the Catholic Church's teaching that a genuine and complete expression of love through sex requires a commitment to a total living and sharing together of two persons in marriage.

## Romantic Relationships with Faculty/Staff

The University of Portland prohibits any faculty or staff employee from engaging in a romantic and/or sexual relationship with any undergraduate or graduate student currently enrolled at the University. Exceptions to this prohibition will be considered on a limited, case-by-case basis by the Office of the Provost and/or appropriate University Officers as determined by the Vice President of Human Resources.

## Smoking, Tobacco Use, Vaping, and Other Inhalant Delivery Systems

Possession or consumption of tobacco products or inhalant delivery systems (vaping) while on University property or at University events, is only permitted by individuals who are 21 years old or older and in designated areas. Smoking and vaping are prohibited in all University buildings including all residence halls, University-owned apartments and off-campus rental properties, and all public areas outside of designated smoking locations. Smoking devices include, but are not limited to, cigarettes, cigars, pipes, e-cigarettes, and hookahs.

## University Directives

At the University of Portland, authority to give directives resides in the officers of the University and its faculty, administrators, and staff. A directive issued by the Division of Student Affairs or any other University office charged with student welfare, including, but not limited to, the Office of Residence Life or Campus Safety, has the force of a University regulation. Failure to

comply with such a directive may cause a student to be subject to the University student conduct process. Examples of such directives include, but are not limited to, the following:

- Requests for valid identification,
- Requests for compliance with University policies,
- Mandatory meetings, including residence hall meetings and student conduct meetings, and
- Student conduct sanctions.

Students who fail to complete student conduct sanctions may be charged with additional violations of University policy(ies) through the University's student conduct program.

## Violence and Threats of Violence

Violence and threats of violence against any member of the University community or other people/groups is prohibited at the University of Portland. This includes actions that may cause injury to another or actions that place another person or group in a reasonable state of fear.

## Weapons

Weapons are not allowed within the University of Portland community. The following actions are prohibited for students:

- Possession or use of firearms, explosives, fireworks, or chemical agents such as Oleoresin Capsicum or Mace.
- Possession or use of a TASER, baton, or similar device.
- Possession or use of a pocketknife or non-cooking utensil with a total blade length of 2.75 inches or greater.
- Possession of instruments or game equipment that look like or can be confused with a firearm or dangerous weapon (e.g., paintball guns, air-soft guns, archery sets, BB guns, pellet guns).
- Use of any object to threaten the safety of another individual or self, or to cause injury or harm to another individual or self.

Note: The weapons policy does not apply to those involved in sanctioned ROTC training or weapons worn as issued equipment by Campus Safety personnel. However, a weapons permit or other government-issued license does not exempt individuals from the prohibitions described above.

## Resources for Students with Disabilities

The designated coordination point for University compliance with Section 504 of the Rehabilitation Act of 1973 and for the Americans with Disabilities Act (ADA) is Eric Barger, Interim Vice President for Financial Affairs, in coordination with the Accessible Education Services, Office of Residence Life, the Health and Counseling Center, Human Resources, and the Office of University Events. Employees seeking reasonable accommodations or modifications should initiate a request with Human Resources. Students and guests seeking reasonable accommodations or modifications should initiate a request with Accessible Education Services.

Accessible Education Services

Buckley Center 163

(503) 943-8985

aesrequests@up.edu

## Resources for Pregnant Students

Resources are available for students who are pregnant or believe they may be pregnant. The University of Portland respects all human life and will provide support to students who are pregnant or parenting. Students will not be subject to discipline or asked to leave the University of Portland for being pregnant. For more information and resources, visit the [Student Health Center's website](#) and/or the [Campus Ministry Office's website](#).

## Health Care Policies and Guidelines

### Measles Immunization Law

Oregon state law requires that each full-time student born on or after January 1, 1957, must have two doses of the measles vaccine or MMR vaccine on or after the first birthday, with a minimum of 28 days between doses. Acceptable exceptions may be found on the Student Health Center website. All students may electronically submit their MMR vaccination dates by going to the UP Patient Portal and signing in with their UP username and login information. Students who are non-compliant will have a hold placed on their account and will not be allowed to register for classes for following semester. Questions regarding how to comply with this requirement should be directed to the Student Health Center.

### American College Health Association (ACHA) Vaccination Recommendations

ACHA recommends that all students consider the following immunizations: Measles, Mumps, Rubella (MMR); Tetanus, Diphtheria, Pertussis (Tdap); Varicella (Chickenpox); Hepatitis A and B; Meningococcal Meningitis; Influenza. ACHA recommends certain groups consider the following immunizations: HPV; Pneumococcal Pneumonia; Polio. For a complete description of the ACHA immunization recommendations, please refer to the ACHA's immunization pdf.

### Health Insurance Policy

The University believes that a solid health plan is vital to the well-being of our students. As such, all full-time undergraduate students are required to carry medical insurance and are automatically enrolled in the Student Insurance Plan. Students with comparable existing health insurance coverage may complete an online Health Insurance Waiver through the office of Student Accounts.

## Student Activities Policies

The Office of Student Activities works with campus leaders to coordinate the programs and activities of New Student Orientation, student media (student newspaper, yearbook, and radio station), Student Government (ASUP) and its committees and services, Campus Program Board (CPB), Pilots After Dark, Multicultural Programs, and all officially recognized University clubs and organizations. In addition to those policies found within this Handbook, students are responsible for being familiar with the policies contained on the Student Activities website. A student who violates these policies may be referred to the Office of Residence Life.

### Student Clubs and Organizations

#### Establishment and Recognition of Clubs

For a club to be recognized as an official student club, the club's purpose must be compatible with the University's mission and Roman Catholic identity. No club or member of a club acting on its behalf may promote or participate in activity that is contrary to that mission or identity. Additionally, consistent with the University's policy of nondiscrimination, organizations may not discriminate on the basis of race, age, color, national origin, sex, sexual orientation, disability, or any other legally protected status, particularly in their membership selection and activities.

To begin the process of obtaining official University recognition, a representative of a group composed of at least ten (10) currently enrolled undergraduate students must make an appointment with the Program Coordinator for Clubs and Organizations in the Office of Student Activities to express interest and discuss necessary materials for submitting a proposal. Proposals are required to include a constitution, active roster, list of and description of proposed activities, and list of officers including a University faculty or staff advisor. All completed proposals for new clubs are reviewed by the Club Recognition Advisory Committee, appointed by ASUP. This committee then makes a recommendation to the Director of Student Activities who makes the final decision on whether the club will be recognized.

In order to retain recognition each year, a club must complete club re-recognition paperwork each spring semester. Renewal of club recognition is contingent upon the club remaining in good standing.

#### Student Organizations

Student organizations are separate entities sponsored by a campus department or an individual academic unit. While student organizations are not subject to the club recognition process, their membership composition, leadership structure, and activities are governed by the sponsor. Student organizations are also governed by all applicable provisions in *Life on the Bluff*.



## Good Standing

In order to remain in good standing, activities encouraged, sponsored by, or participated in by a recognized club, student organization, or any member acting on the club or organization's behalf must be consistent with the University's mission and Catholic character. Clubs and organizations must abide by all University policies, as well as local, state, and federal law. Student groups should pay particularly close attention to policies regarding distribution and posting of literature, use of alcoholic beverages, use of campus facilities, trips and transportation, and campus regulations regarding noise and quiet hours. Interruption of or disruption to the ongoing activities of the University, including, but not limited to, activity in classrooms, residence halls, the Commons, and campus proper, is acceptable only with permission obtained through the Director of Student Activities.

## Student Media

Student publications and the student press are valuable in establishing and maintaining an atmosphere of free and responsible discussion and of intellectual exploration on the campus. In delegating editorial responsibility to student editors, the University provides the editorial freedom necessary for the student publications to maintain their integrity of purpose as vehicles for free inquiry and free expression in an academic community. Student media editors and managers have control over editorial policies and news coverage, while bearing in mind their responsibility to allow for the expression of various points of view. A committee advises the University President on aspects of the media and professional student media advisors in the Office of Student Activities advise the student staff in each media on best journalistic practices. Additionally, all student media are subject to the same policies that govern all student organizations.

There are three official student media groups at the University of Portland: *The Beacon* (on-line student newspaper), *The Log* (student yearbook), and KDUP (student radio). All three media branches help maintain an atmosphere of free and responsible discussion and provide important channels for information to reach the campus community.

Print, electronic, and broadcast media funded in full or in part by the University, or by University solicited funds, or bearing University sponsorship by use of its name, may not contain advertisements that appear to contradict the University's values or mission, or with subject matter that violates the standards of the University community. Prohibited subjects include, but are not limited to, tobacco, alcohol when promoting intoxication, drugs and/or drug paraphernalia, academic dishonesty, artificial contraception, abortion, and illegal activities.

All student media should carry a prominent statement that the opinions expressed are not necessarily those of the University or student body.

## Contracts

As a normal course of business, recognized clubs and student organizations may have reason to enter into a contract with a speaker, performer, musician or disc jockey, independent contractor, or other service provider. Only Officers of the University are authorized to sign contracts. A contract is any agreement made between two or more parties entering into a business relationship where there is:

- A mutual exchange of promises (such as payment for services performed)
- With reasonable, understandable terms and conditions
- That binds the parties to perform the responsibilities described.

The word "contract" is not necessary for an agreement to be a contract. Contracts vary in complexity based upon the nature of goods and services exchanged and come in many different forms such as a memorandum of understanding, letter of intent, lease or rental agreement, license, purchase order, waiver/release, terms and conditions, non-disclosure agreement, standard engagement agreement, etc.

A contract should contain certain basic information necessary to understand the intent of the parties, such as:

- The names of the parties
- The dates or term of the agreement
- A clear description of the responsibilities or obligations of the parties
- The terms of payment (if applicable)
- A procedure for termination or renewal of the agreement
- A signature line for authorized individuals executing the agreement

To prepare a contract for signature, the terms and conditions must be reviewed by the club's advisor or by a staff member from the Office of Student Activities. Once the review is complete and any necessary revisions completed, the contract can be submitted to an Officer of the University for approval and signature.

Generally, contract review will take a minimum of 5-10 business days for review. However, there are occasions when a complex contract may require a referral to legal counsel and require additional time. Please contact the Office of Student Activities for more information.

## Advertising, Posters, Distribution of Literature, and Chalking

### Advertising

University personnel and registered student clubs and organizations may post or distribute literature on University property. All materials posted or distributed must clearly indicate the name of the sponsoring student club, organization, or University department, and any additional information required by the Office of Student Activities. For instance, if the advertisement is for an event, the department requires accurate date(s), time(s), location(s), and contact information for disability accommodation requests. All posted materials must bear an approval stamp affixed by the Office of Student Activities. Additionally, a copy of all material distributed on campus must be given to the Office of Student Activities prior to distribution or posting. Unauthorized material will be removed. Authorization of publicity does not imply sponsorship, approval, or endorsement by the University of any idea, viewpoint, or activity described.

Before publicity for a meeting or event can begin, all facilities, dates, and times must be cleared through the Office of University Events. Material printed in any language other than English may be posted only when accompanied by an accurate English translation.

Fliers and posters placed on University bulletin boards may not exceed 14" x 22" and must bear an approval stamp affixed by the Office of Student Activities. Only one advertisement per event is permitted on any one bulletin board. Posted material may not be placed on walls, doors, windows, pillars, trees, designated departmental bulletin boards, or over previously posted materials in such a way as to obscure them. Fliers designated for residence hall bulletin boards must be stamped by the Office of Student Activities and must be left in the Office of Residence Life, as hall staff will oversee distribution. Campaign posters for student elections must also be stamped by the Office of Student Activities and then brought to the Hall Director for instructions on the appropriate placement of the poster within the Residence Hall. All posters and fliers will be removed from University bulletin boards the day following the event or two weeks after the date of approval, whichever is earlier.

### Distribution of Literature

Newspapers, magazines, journals, and other periodicals must be approved by the Office of Student Activities for distribution prior to delivery. Materials such as brochures, handbills, information sheets, or promotional items approved for distribution may be handed out in high-traffic areas (e.g., in the Bauccio Commons foyer) as indicated by the Director of Student Activities. Door-to-door or random solicitation to pedestrians is prohibited. Materials may not be placed on or in vehicles parked on campus or left unattended in public areas. All materials to be distributed and methods for distribution in all residence halls must be approved by the Office of Residence Life.

### Chalking

Recognized clubs, student organizations, and campus departments may use sidewalk chalk to advertise an event or promote messages related to the group's mission and purpose provided they obtain permission in advance from the Office of Student Activities. Permission may be obtained by sending submitting a request in writing (or via e-mail to [stuact@up.edu](mailto:stuact@up.edu)) at least three business days in advance.

Once approved, chalking is allowed under the following guidelines:

- Only non-toxic, erasable chalk may be used; permanent markers, grease-based chalk, spray-on chalk paint, and/or any other forms of paint are not permitted.
- Chalk may only be applied to horizontal, solid surfaces exposed to the sky such as campus sidewalks, walkways, and patios near residence hall entrances and the Pilot House where rain waters will naturally wash it off.
- Chalk may not be applied to streets, parking spaces, the Bell Tower Plaza, the entryway to the Chapel of Christ the Teacher, the Seal of Holy Cross on the Academic Quad, benches, or any vertical surfaces (including, but not limited to, sides of buildings, step faces, stair risers, pillars, and trash receptacles).
- The application of chalk may not deface decorative symbols or engraved text located on the sidewalks.

- Chalk messages must be attributed to the sponsoring group or the messages will be subject to removal.
- All messages must be respectful and appropriate for the general public, including children and other campus guests.
- Messages deemed to be hateful, offensive, or construed to be threats of emotional or physical harm toward an individual or group are not permitted, will be removed, and parties found responsible will be referred to the Director for Community Standards for review.
- Arrangements must be made for approved event promotion messages to be removed within 24 hours of the completion of the event or the sponsoring group could be subject to removal charges.

### Unaffiliated Commercial Vendors and Non-Profit Groups

All policies outlined in Advertising, Posters, Distribution of Literature and Chalking apply equally to off-campus groups wishing to post or distribute literature on campus. Additionally, all pieces of literature must indicate the name of the sponsoring organization or business establishment and contact information. Unaffiliated commercial vendors and non-profit groups are limited to hanging posters no larger than 14" x 22" and must obtain approval and appropriate stamps through the Office of Student Activities. Authorization of publicity does not imply sponsorship, approval, or endorsement by the University of any idea, viewpoint, activity, service, or product described.

Groups unaffiliated with the University may not independently distribute materials or obtain petition signatures on campus unless they are sponsored by a registered student club, organization, or department of the University. To request sponsorship from a student club or organization, the unaffiliated group must request sponsorship through the Office of Student Activities in writing (requests may be sent via email to stuact@up.edu). Requests will be distributed to appropriate student clubs or organizations through their campus mailboxes or e-mail accounts. Contact information must be provided within the request to make it possible for an interested group to respond. If there is no interest or support, the unaffiliated group is prohibited from distributing literature or attempting to obtain petition signatures on campus.

### Sales and Solicitation

The University recognizes the desirability of permitting recognized student organizations and University departments an opportunity to supplement their allocated resources through organized and pre-planned, schedule-approved fundraising activities.

Individuals may not sell or solicit among the general University population unless they are sponsored by a recognized student organization or University department. Individual students who are fulfilling a class assignment which involves sales or solicitation in order to meet an approved curricular objective (e.g., for a marketing class) may conduct such projects on campus and may keep a portion of the proceeds consistent with the class assignment's objectives. Students who are conducting sales or solicitation as a class assignment must follow all University policies and procedures which apply to sales and solicitation for student organizations and University departments.

The use of the University's name, logos, seals, and symbols on any merchandise must be approved by the Office of Marketing and Communications. Unauthorized use and/or alteration of name, logo, or designated symbols of the University is strictly prohibited. Excluding University Athletics, Marketing and Communications, and Residence Life, approval from the Office of Student Activities is required for all student and departmental sales, services provided in exchange for resources, and solicitation for support by campus groups, both on and off campus, as well as all on-campus attempts to solicit the University student population by unaffiliated non-profit groups and businesses. Request forms are found at Student Activities. Student groups should submit request forms at least two weeks in advance of the beginning of the proposed fundraiser or solicitation. If the solicitation is a campaign to request donations from parents, friends, organizations, or businesses, student groups should submit the request four weeks in advance of the proposed launch of the campaign as additional approval must be granted from the Office of Development. Crowd-source fundraising is not allowed.

"Sales" are defined as the act of exchanging a product for money, goods, or other services. Examples of sales:

- Bake sales
- Merchandise sales
- Concessions sold at an event
- Banquets, pancake breakfasts, spaghetti dinners
- Rummage sales or sales of club-owned property no longer used or needed

- Event tickets, discounts, or subsidies
- Third party sales of wares or brand specific products
- Live and/or silent auctions

“Services Provided” are defined as an act of exchanging organized labor or a service for money, goods, or other services. Examples of services provided:

- Car washes
- Lawn/yard care
- Clean-up projects
- Event registration or security services
- Transportation or shuttle services
- Club specific technical expertise such as DJ services, marketing services, web services

“Solicitation” is defined as any effort to ask for support, donations or contributions of money, goods, or services. Examples of solicitation:

- Requests for donation, discount, or sponsorship
- Requests for door prizes, gifts-in-kind, event support
- Pledges or petitions for support
- Voter registration drives
- Charitable drives for food, clothing, shoes, hygiene items
- Collection drives for non-profit organizations or disaster relief
- Events held for a specific charity

Raffles and bingo games where the exchange of money is required to participate are a form of gambling regulated by the State of Oregon. Request to host these types of activities may be approved under specific guidelines which can be found at Student Activities.

Upon submission of a request for a sales and/or solicitation activity, the Office of Student Activities may require further documentation and/or communication with the student group to clarify logistics and parameters before approving or denying the request.

Student groups representing themselves or an individual in the group representing themselves as acting for or on behalf of the University in any commercial enterprise or in the solicitation or collection of funds for any purpose without advance approval by the appropriate University official or agency is prohibited. This applies to all means of communication, including but not limited to e-mail, standard mail, telephone, text, social media post, fax, or in-person contact.

Sales are permitted only from behind tables or in booths in approved and reserved locations. Canvassing and door-to-door sales and/or solicitation are expressly prohibited.

### Demonstrations

All demonstrations must be registered in writing with the Associate Vice President for Student Development and must also observe the following rules:

1. Only members of the University of Portland community may organize, lead, or participate in a demonstration on campus;
2. All demonstrations must be peaceful and orderly; and,
3. Demonstrations may not impede the freedom of the University community or disrupt its routine and ordinary operations.

Organizers and leaders will be held responsible for ensuring these rules are followed. Violations of this policy may be addressed through the University student conduct process.

## Speaker or Performers

A faculty member, a University department, or a recognized student club or organization must sponsor speakers or performers invited to campus. Where special problems can be foreseen at events dealing with highly charged and emotional issues, the president of the University or his delegate may prescribe conditions in order to ensure an atmosphere of open exchange and to see that the educational objectives of the University are not obscured.

## University Events Involving Alcohol When Students are Present

Any University-sponsored events that include alcohol where graduate or undergraduate students are present must be approved by the Vice President for Student Affairs or his/her designee(s). All such events must include adequate safeguards to ensure moderate and legal consumption through the promotion of responsible attitudes towards and decision-making regarding the consumption of alcohol. Approval will normally only be granted when the event complies with the policies in this Handbook as well as those found on the Guidelines and Approval Form for a University Event with Alcohol policy available on the Office of Student Affairs website.

## Trips and Transportation

A University trip is defined as any travel to and from the University sponsored by a department, faculty, staff, or student organization for which the University provides planning, financial assistance, and/or general guidance for the purpose of fulfilling an aspect of the University's mission for business or education. The Office of Student Activities classifies trips into four categories: local travel, day trips, extended trips, and international travel.

- Local travel is defined as travel within the Portland Metro area that does not involve an overnight stay.
- A day trip is defined as travel outside the Portland Metro area that does not involve an overnight stay.
- An extended trip is defined as travel outside of the Portland Metro area that involves one or more nights away from the University.
- For international travel involving students, organizers should consult the international travel protocols from the General Counsel's office.

Students, faculty, and staff who intend to drive any vehicle—University, rental, or personal—for University activities or business must contact the Campus Safety Department in advance to obtain the relevant policy information and must comply with all safety and registration guidelines. Additionally, students should review the University Vehicle and Transportation Policy for Students

Any student club or organization in good standing wishing to conduct or sponsor a trip must obtain prior approval from their faculty or staff advisor and submit a request to the Director of Student Activities or his/her designee. Student trips should be planned so as not to interfere with academic classes. If the trip does interfere with classes, organizers are responsible to make a request to the Office of the Provost for an excused absence.

In order to seek approval for day trips or extended trips, the sponsoring organization must provide to the Office of Student Activities in writing the following information:

- Name of sponsoring club or organization
- Name and contact information of trip leader(s)
- A complete list of participants
- A general itinerary including departure and arrival dates and times for each destination
- The proposed transportation plan, including modes of transportation and names of drivers (if travel involves driving)

A student representative from the sponsoring organization must accompany the trip. The Office of Student Activities may require a University chaperone on certain trips, particularly on overnight trips. In these cases, the sponsoring organization is responsible for recruiting a full-time faculty or administrative staff member to serve as the University representative.

Once approved, a signed waiver form detailing the potential risks of participation will be collected from each participant before departure. Waivers are available from the Student Activities Office and must be obtained in advance.

Any groups conducting or sponsoring trips through other departments or programs must meet these requirements and any additional requirements of that department or program.

## Religious Groups

As a Catholic and Holy Cross university, the priests and brothers of the Congregation of Holy Cross take full responsibility for the pastoral care of all students at the University of Portland, both Catholic and non-Catholic. These efforts are directed by and coordinated through the Office of Campus Ministry. Rooted in the Roman Catholic tradition, Campus Ministry's mission is to respect and nurture the faith development of Catholics, other Christians, and all who seek God with a sincere heart. Campus Ministry offers a variety of opportunities for worship, prayer, and faith formation, intended to meet the needs of all members of the University community.

In an effort to fulfill its mission, Campus Ministry may approve some other religious organization, Catholic or non-Catholic, to become involved in direct pastoral ministry to, the evangelization of, or the catechesis of students, either by a presence on campus or by using University structures, facilities, or services. Authorization for such organizations to serve comes from Campus Ministry and is dependent upon a group's ability to minister beyond Campus Ministry's capacity, and in a way that complements the work of Campus Ministry. Once approved, an organization's University-related activities will be supervised and supported by Campus Ministry. Organizations must be respectful of the University's Catholic character and respectful of other religious traditions on campus. Any group who fails to show such respect will not be approved for ministry on campus or will have its approval rescinded.

## Technology Policies and Guidelines

The full list of technology policies, resources, and expectations can be found on [Information Services website](#).

### Acceptable Use

Technology plays an important role in the University's mission for teaching and learning, faith and formation, and service and leadership. For this reason, the University provides a range of technological resources to students, faculty and staff. This includes login accounts, online resources like email, and hardware and software such as the lab computers and printers. However, abuse of these resources can pose a risk to our community and the University itself. The Acceptable Use Policy, available on [the Information Services website](#), describes what qualifies as acceptable and unacceptable use. Unacceptable use includes conducting illegal activity, harassing other people, or taking actions that circumvent or compromise security and privacy. If a UP account is found to be violating the Acceptable Use Policy, it may be immediately suspended with or without notice to protect other UP community members. Violations of the policy by students may lead to action under the Student Conduct process.

### Computer Malware

Due to the proliferation of computer viruses and other malware, all students are required to use anti-virus software on their personal computers before connecting to the University network. The Office of Information Services provides each student with Antivirus software at no additional cost via the Software Download Center accessible via support.up.edu. Failure to have virus protection software, the proper patches, or to have the software installed correctly may result in the loss of network access. Additionally, any student's network account or computer that the Office of Information Services believes is infected with a virus will have his or her network access cut off until the computer can be inspected, cleaned, and proper virus protection software installed.

Residential students may obtain this software from Pilots UP or it can be provided by the Information Services Help Desk at (503) 943-7000.

### Cryptocurrency

The University of Portland Acceptable Use Policy prohibits university resources being used for personal or financial gain. As such, students are prohibited from using university resources (including computing equipment, network services, and electricity) for cryptocurrency activities outside of faculty sanctioned research and course work.

As a result, the University makes every effort to block access to cryptocurrency transactions on our network and computing resources.

## Information Security

This policy defines the principles to which students, faculty, staff, and the University community must adhere to to ensure that the confidentiality, integrity, and availability of each piece of information owned or entrusted to the University is protected. The complete policy can be found on the Information Services website.

## Internet Connectivity and E-mail

The UPStudent wireless network is available throughout campus including residence halls, classroom buildings, recreational and social buildings. UPStudent requires the use of a valid university account to connect. Devices that do not support the use of a university account to connect (game consoles, personal assistants) can use the UPIoT wireless network. You will be required to contact the Help Desk to register your device on the UPIoT wireless network.

It is the expectation that all members of the University community recognize what is appropriate and responsible usage of network resources. Any inappropriate usage, usage that might be viewed as harassing, objectionable, or contrary to the mission of the University, will not be tolerated and may lead to action under the student conduct process. Please consult the Acceptable Use Policy from Information Services or the Help Desk with any additional questions.

Students should be aware that their University e-mail account is maintained by the University and that the University reserves the right to access e-mail and user accounts under certain circumstances. For more information, please consult the Acceptable Use Policy.

## Peer-to-Peer Sharing

It is against University policy to download and/or distribute copyright-protected material. No use of illegal file-sharing applications shall be allowed on any University computers, networks, or in any other University resources. The complete policy can be found on the Information Services website.

## Artificial Intelligence

Information Services fully allows students to make use of generative AI tools, such as ChatGPT and image generators. However, each course may have its own standards for how to acceptably incorporate AI-generated content into submitted work. These standards will be communicated in each course syllabus and can be discussed with the course faculty.

AI is a powerful tool but is still rapidly changing and growing as a technology. Students are encouraged to find resources at UP and online to learn more about how to use it safely and effectively. Remember when interacting with any AI that any information you provide can become part of the permanent data set owned by the AI creator. Be very wary of sharing private or sensitive information.

# Parking and Traffic Policies

The Campus Safety Department oversees all traffic and parking on campus. A complete copy of all University traffic and parking rules and regulations and a Neighborhood Parking Enforcement map may be obtained at the Campus Safety Office. The following policies are especially pertinent to those students wishing to bring a vehicle to campus:

- All vehicles brought to campus must be registered with Campus Safety.
- Purchasing a parking permit does not guarantee a parking space.
- Freshman resident students are prohibited from bringing a vehicle to campus. In the rare instance that this regulation poses a significant hardship on a student, the student may seek an exception from Campus Safety. Vehicles should not be brought to campus until the exception has been authorized.
- Students who are parking a vehicle on campus at any time between 8:00 am and 6:00 pm on weekdays must purchase a parking permit from Campus Safety. Students may only park in those lots designated for general parking (See Parking and Traffic Regulations for more information on which lots are designated such).
- Per the University's agreement with the City of Portland, students are prohibited from parking in the two neighborhoods designated below between 8:00 a.m. and 4:00 p.m. on weekdays unless they are parking near their residence (further clarification or guidance can be obtained at the Campus Safety office):

- North of Willamette Blvd. and south of N. Princeton Street between N. Olin Avenue and N. Wall Avenue, and
- N. Warren Street and N. Willamette Lane between N. Monteith Avenue and N. Wall Avenue.
- Parking adjacent to red curbs is prohibited. Yellow curbs are designated as loading zones. Vehicles may not park on a yellow curb for longer than 20 minutes.
- Students residing in University-owned houses adjacent to campus may not bring a vehicle onto campus between 8:00 a.m. and 4:00 p.m. on weekdays when school is in session.
- Illegally parked vehicles are subject to citations, immediate towing, or wheel-booting.

## Vehicle Use Policy

Students, faculty, and staff who intend to drive any vehicle—University, rental, or personal—for University activities or business must contact the Campus Safety Department in advance to obtain the relevant policy information and must comply with all safety and registration guidelines. Additionally, students should review the University Vehicle and Transportation Policy for Students.



# RESIDENCE HALL POLICIES AND INFORMATION

The University lives out its mission of teaching and learning, faith and formation, service and leadership, in its residence halls. In these communities that we promote mutual respect, faith development, and service to fellow hall members and the University community at large. All students living in residence halls are called to grow in communal responsibility, spiritual development, and leadership. As students discover opportunities for intellectual, social, emotional, spiritual, and physical development, they truly receive an education of the mind and the heart.

The residence halls at the University of Portland are the cornerstone of our community and the places where education of the mind and the heart takes root. To maintain residence hall communities that are safe and secure homes for all whom live there, residents and guests must follow certain housing policies and expectations. In addition to abiding by University policies and standards of conduct, students living in or visiting residence halls must be aware of and abide by the following policies and expectations. Failure to do so may lead to action under the student conduct process.

## Residence Hall Staff

Every residence hall community is guided by a Hall Director. The first priority for each Hall Director is the development and formation of college students and building community among the residents of the hall. The Hall Director is responsible for selecting a staff of resident assistants and for furthering the personal, social, academic, and spiritual growth of the residents.

The Hall Director is supported by the Assistant Hall Director. The Assistant Hall Director's primary responsibilities mirror those of the Hall Director: encouraging the development and formation of college students and building community among the residents of the hall. The Assistant Hall Director's additional responsibilities include assisting with faith and liturgy development, managing front desk operations, advising the Hall Council, and coordinating maintenance and work order management.

Resident Assistants are full-time undergraduate students carefully selected by the Hall Director for their leadership experience, interpersonal skills, and desire to have a positive impact on the residential community. Resident Assistants assist in the general management of the hall, plan community activities and educational programs, and serve as a role model to the other residents in the hall.

Each residence hall community also benefits from the presence of a Pastoral Resident. The Pastoral Resident is generally a priest or brother of the Congregation of Holy Cross who lives in the residence hall and works alongside the Hall Director, Assistant Hall Director, and Resident Assistants. Pastoral Residents help build the faith community of the hall through presiding at weekly Hall Mass, planning liturgies, retreats, and prayer services. As part of the Hall staff team, they are resources for students in the hall.

## Housing Contract

The Residence Hall and Food Service contract and Rental Property Contract are legal and binding agreements for the entire academic year. It is important that each resident be familiar with the conditions of the contract and keep a copy for his/her records. The contract includes that students cannot stay and/or live in University-owned housing in cases when they are not actively fulfilling their duties as a student which includes regularly attending classes. Please contact the Office of Residence Life for further information about the housing contract.

## Animals

Pets and animals of any kind, excluding fish, are prohibited in residence halls. Service animals and assistance animals are allowed through an approved accommodation plan through Accessible Education Services. Students must have an approved accommodation plan and approval from the Office of Residence Life before moving a service or assistance animal into a residence hall.

## Appliances

To meet fire, health, and safety requirements, cooking appliances that utilize open flame or coil heaters are not allowed in residence halls without approval from the Office of Residence Life. Examples of these appliances include but are not limited to air fryers, toasters, hot plates, toaster ovens, gas stoves, barbecues and grills, George Foreman-style grills, and other high-wattage appliances. A single student room can have one refrigerator. The refrigerator must not exceed 4.5 cubic feet in size and must be in good operating condition. Students are prohibited from possessing or using halogen lamps, space heaters, and air conditioners in student rooms. Students who need an accommodation for their space should contact their Hall Director.

## Break Periods

During Fall Break, Thanksgiving Break, Spring Break, and Easter Weekend, hall services are limited. Intervisitation hours during all break periods end at midnight. Any social gatherings during these times must be approved by the Hall Director prior to the start of the break period. These guidelines also apply to any student approved to move in early in August or stay late in May. There is no access to the traditional halls during Christmas Break except under special circumstances. With the exception of Haggerty and Tyson Halls, no students may stay within residence halls during Christmas Break.

## Building Security

In order to ensure the safety of our residents and their possessions, exterior doors may not be propped open unless a University official grants permission to do so (e.g., during move-in). Anyone found to be propping exterior doors may be subject to a fine and/or other sanctions. The front doors of each residence hall are accessible only by ID card.

Students are responsible for securing their room and should lock the room when it is unoccupied or when residents are asleep. As with items placed in storage, the University is not responsible for loss of personal property caused by theft, fire, or other causes. Students are advised to obtain insurance coverage on all personal effects.

## Bulletin Boards and Posting

Bulletin boards and other surfaces designated for posting materials are for University business items, campus notices, and approved programs and activities. Commercial material may not be placed on bulletin boards in residence halls unless approved by the Office of Residence Life, the Hall Director, or Student Activities. Items that are improperly posted will be removed. Any material determined by hall staff to be obscene, degrading, racist, sexist, and/or harassing will be removed from bulletin boards and other public areas (including the external face of residence hall and apartment doors).

## Cooking

Cooking in traditional residence hall rooms is prohibited. Students may utilize the residence hall kitchens for cooking meals. Each residence hall with a common kitchen has specific policies regarding the checkout of kitchen supplies and equipment.

## Credit Load

Students living in University residence halls or rental properties must be enrolled as full-time students (a minimum of 12 credits for undergraduate students and 9 for graduate students). Students who drop below a full-time credit load and who wish to remain in the residence hall or rental property must fill out a petition and submit it to the Office of Residence Life for consideration. Petitions are located in the Office of Residence Life (also available online).

## Damage to Room or Furnishings

Any damage to a residence hall room or its furnishings will be charged to the occupants of the room. All rooms are inventoried prior to the opening of the hall and after its close, during which time damages, missing furniture, and rule violations are noted and occupants are charged accordingly. In order to comply with building codes and construction standards, all repairs to residence hall facilities must be performed by University personnel. Report any damage to residence hall rooms and furnishings to hall staff immediately. If corridors or community areas are damaged, occupants of student rooms in the damaged area may be charged for the damage.

## Extended Absences

Extended absences from the hall when school is in session may result in the cancellation of a student's housing contract by the Office of Residence Life. Students who receive on-campus housing in the residence halls are required to live in the rooms they are assigned. If a student expects to be gone from the hall for an extended period of time, the student should communicate that absence to the RA and Hall Director.

## Furniture

Furniture in lounges, common areas, and lobbies is provided for the use and enjoyment of all members and guests of the hall community. Students are prohibited from removing furniture from common spaces and may be subject to fines or other action under the student conduct process if they are discovered doing so.

Room furniture and configuration varies between and within the different residence halls. While a student is free to bring in additional furniture, all University furniture must remain in the resident's room at all times. Violations of this policy will subject a student to fines and/or additional sanctions. In addition to the policy regarding raised and "lofted" beds, water beds are prohibited in the residence halls.

## Guests Hosted in Residence Halls

Students living in residence halls are required to follow applicable University policies and directives related to guests in residence halls. If guests are allowed, students must register all overnight guests with their Hall Director before the arrival of any guests. All guests must follow University policies and procedures and stay only as long and as often as allowed by the Hall Director. Generally, an overnight guest is welcome for a visit that is no longer than two nights in a row and occurs only once a month. All non-student guests and overnight guests must be hosted at all times, and the host is responsible for the actions and safety of their guest. The guest must always carry valid identification. The overnight guest must stay in a room with a host of the same sex and with the permission of the roommate(s).

In consultation with the Office of Residence Life, Hall Directors may establish guidelines relating to guests that supplement those stated here. Students intending to host guests under the age of 18 must abide by all University policies and directives regarding minors on campus. Students must also provide the Hall Director with written permission from the minor guest's parent/guardian in order to seek approval for an overnight stay. Any requests for exceptions to this policy, including guests under the age of 16 may stay overnight only with the approval of the Director of Residence Life.

## Hall Mass

Mass is celebrated weekly in each residence hall chapel on Monday, Tuesday, or Wednesday. The students, members of the hall staff, and pastoral residents plan the liturgies, with the support of Campus Ministry. After each Mass, the hall staff host a social. The residence hall Mass schedule is available on the Campus Ministry website.

## Keys and Building Access for Residence Halls

The unauthorized possession, use, loan, or duplication of keys is prohibited. Students will be issued a room key and a mailbox key when they check into the hall at the beginning of the year or semester. Residents agree to abide by all University policies and procedures governing keys. Any student who loses either a room key or mailbox key will be charged a replacement fee. Should a student lose or misplace his/her room key, the student should immediately report the loss to a Residence Life staff member or Campus Safety.

Residence hall exterior doors are locked for the safety and security of our residents. Residents can gain access to their own hall 24 hours a day by using their student ID card at the entrance. Other visitors must contact individual residents in advance for entry.

Any damage or policy violation by a non-resident guest will be the responsibility of the host as well as the guest. In the event that no individual will take responsibility for the actions of the guest, all residents in a living area may be held responsible for the actions of the guest.

## Laundry Facilities

Washing machines and dryers are located in each traditional hall and operate by card. Residential Students may download the CSC Go App ([link](#)) to connect to the machines in each Residence Hall.

## Mail Services

Students can pick up mail and packages at the Mail Center, located in Tyson Hall. The Office of Printing and Mailing Services processes incoming and outgoing mail and packages to support official University business as well as the personal needs of the community, most predominately students. The office cannot process mail or packages that represent commercial or non-profit enterprises without authorization from the Vice President for Financial Affairs. In addition, commercial and non-profit enterprises cannot use the University's identity or address for business licensure or tax purposes. Students or other members of the University community who engage in such activities must use a non-campus address.

## Meal Plans

All students living in on-campus residence halls are required to choose from among the different meal plans available through Bon Appétit, the University of Portland's official food service provider. Students with specific dietary or medical concerns should contact Bon Appétit to discuss potential accommodations. If no appropriate accommodation can be made, an exception to the meal plan requirement may be granted by the Office of Residence Life. More information on the meal plans and how to choose one that fits an individual student's needs can be found on the Bon Appétit website.

## Painting

The painting of student rooms, common areas, and hallways is prohibited.

## Quiet Hours

To ensure the rights of all residents to proper conditions for rest and study, the following hours have been designated as quiet hours:

Sunday through Thursday	10:00 p.m. - 10:00 a.m.
Friday and Saturday	Midnight - 10:00 a.m.

The Hall Director may extend quiet hours beyond those listed here, especially during Reading Week and Finals Week. In addition to listed quiet hours, students in residence halls are expected to practice common courtesy at all times and may be directed to reduce their noise or impact on the community.

## Raised and Lofted Beds

All students using raised beds (bunked or "lofted" using a loft kit provided by the university) must adhere to the following regulations:

- Personally designed and constructed lofts are prohibited.
- Beds may only be raised using University equipment or by the use of a single, commercially manufactured bed riser in good condition under each leg of a single non-lofted bed.
- Students are required to use guardrails for all raised beds.
- In buildings equipped with automatic sprinklers, raised beds must be located so as to minimize automatic sprinkler interference.
  - Sidewall sprinklers: Locate bed on opposite wall from sprinkler(s).
  - Overhead sprinklers: There must be a minimum ceiling clearance of 36 inches.
- Raised beds and their frames must not be enclosed with fabric, plywood, or any other material.

- Raised beds shall abut only on the short ends, except when placed in an “L” shaped configuration.
- The top of the mattress may be no higher than 7 feet from the floor, regardless of ceiling height.
- Beds must be lowered or un-lofted before a student moves out of their residence hall room (so that the condition and arrangement of the room is the same at move-out as it was at move-in).

## Recycling and Trash

Each room and residence hall are equipped with dedicated recycling bins. The following items must be recycled and cannot be placed in the trash or otherwise destroyed or disposed of batteries, computer monitors, computer electronics, televisions, or light bulbs. Recycling points are set up on campus for proper disposal of these and any other hazardous materials.

Trash and recycling may not be left in hallways or in common spaces. These items must be placed in the designated areas for each residence hall. Please contact hall staff for more information about the location of recycling and trash receptacles for each hall.

## Removal from Housing

Conduct that is considered detrimental to the community may result in removal from the hall. In the event of removal, the resident’s housing deposit is automatically forfeited, and a room refund may not be given for the period following removal.

## Residential Student Safety and Health

To maintain a healthy and safe environment, Office of Residence Life staff may create specialized expectations for a residence hall.

Residents and visitors may be asked to not congregate in common areas for safety or public health reasons. Students may be required to wear personal protective gear in communal spaces and abide by specific cleaning or safety instructions issued by a University official.

Students who pose a threat to the health of others may be asked to follow additional protocols for the protection of the community. These may include social or physical distancing, isolation, or quarantining. The Office of Residence Life and the Health and Counseling Center will provide additional support in these circumstances.

## Respect for Building and Community

To promote respectful use of space, as well as create strong partnerships with custodial and maintenance staff, all students must follow designated guidelines related to safety, cleanliness, and notice of damages to their assigned room (see other “Residence Hall Policies” for more information on what may fall under this policy).

This applies when the student moves into the assigned room and includes (but is not limited to) when the student moves out of an assigned room. Students who do not follow guidelines for cleaning, move out, or other applicable Residence Life guidelines will be in violation of University policy and subject to the student conduct process.

Guidelines for move out, cleaning expectations, and other housing information will come from Residence Life Staff. It is always expected that students use common sense in promoting a respectful space. Additionally, these policies apply for students following safety policies and requests while in their assigned residence hall room.

## Room Assignment

Unmarried first-year students are required to live in a residence hall unless they are living at home. Rising sophomores, juniors, and seniors seeking to remain in a residence hall must abide by procedures and deadlines outlined by the Office of Residence Life to receive consideration in the following year’s room assignment process. These processes may be specific to each hall.

Room deposits are due at the beginning of the academic year from first-year students and upperclassmen moving into a residence hall after living off-campus. The deposit serves as a damage deposit.

If a student is paying for a double, triple, or quad and the student's roommate leaves, the student is responsible for preparing his/her room to accept a new roommate or moving in with someone else. Students should consult their housing contract for additional information.

## Room Change

As stated in the housing contract, the University reserves the right to make changes to the housing assignment. Students wishing to initiate a room change must first meet with their Hall Director. If the Hall Director considers a room change to be the appropriate option, students must complete a petition form, available from the Office of Residence Life (in person or online). The Hall Director must approve all room changes by signing the petition form. Once the Hall Director approves the room change, the student must take the petition form to the Office of Residence Life for final verification before any belongings may be moved. Once the student receives final verification, the room change must be completed within the time frame agreed to on the petition.

## Room Entry and Inspection

In certain cases, University officials may enter a room for the purpose of inspection, inventory, or repair. Students are generally notified in advance if room entry for this purpose is needed, though advance notice is not guaranteed nor required. The University reserves the right to enter rooms for the purpose of maintaining security, health, safety, community standards, and orderly operation of the University.

In an effort to ensure a safe environment, a Residence Life staff member will do a fire/life inspection of each student's room. Students will be notified when the inspection will take place and are required to allow the staff person entrance. If no student is present in the room at the scheduled time for inspection, the inspection will take place in the students' absence. Should a violation be found, students will receive a letter indicating what the violation was and will be expected to remedy the violation immediately. If the violation has not been corrected after an unannounced re-inspection, the student(s) will be fined and may be subject to action under the student conduct process.

Common violations include but are not limited to: extension cords without a breaker, items stored closer than 18 inches from a sprinkler head, blocking electrical panels or blocking exits, prohibited cooking appliances, covering a door with paper, presence of a portable heater, holiday lights, or a smoke detector that has been tampered with.

## Safety Guidelines for Decorations

In order to ensure compliance with fire department requirements and to ensure a safe environment in the residence halls, the University has adopted the following policy regarding decorations:

- All decorations shall either be non-combustible or factory-treated with flame retardant.
- No paper of any type may be used to line the exit corridors and stairs.
- Displays and decorations of any type may not obstruct any exit paths or obstruct the exit path in any exit corridor.
- Nothing may be attached to or resting on smoke detectors, heat detectors, or sprinkler heads.
- Hose cabinets, fire extinguisher cabinets, and fire alarm stations may not be covered or obscured with any decorative materials.
- Exit and emergency lighting systems may not be covered or obscured.
- No open flames, candles, or incense may be used.
- Colored lights may not be installed in corridor lighting fixtures.
- Natural evergreen branches or trees are not allowed in student rooms.
- All displays of wreaths or other holiday decorations must be flame retardant.
- No more than three strands of Christmas lighting may be combined in any string for indoor decoration.

- All Christmas decorations must be removed by the beginning of Christmas break.
- Decorations in rooms shall not exceed more than 50% of the wall surface.
- Decorations in hallways shall not exceed more than 10% of the wall surface.

The University of Portland Holiday Decorations Policy is available online through the Campus Safety webpage.

## Semester Break Housing

The housing contract does not provide for housing during the period between the fall and spring semesters unless a student is a resident of Haggerty & Tyson or a University-owned rental property.

## Sports in the Hall

To avoid personal injury or property damage, students are prohibited from playing sports or acting in way which might cause damage to the building in the corridors and lounges. The use of scooters, skateboards, bikes, and other such devices is also prohibited inside residence halls.

## Storage

In addition to the limited storage available in each resident's room, each hall has some area reserved for resident storage. These storage spaces are not meant to be accessed by students on a regular basis. Storage in any University facility is done at the student's own risk. The University is not responsible for loss, theft, fire, or damage of any items. Residents are encouraged to obtain insurance coverage on all personal effects.

Each hall has its own process for prioritizing and organizing storage needs. In addition to those policies, all items stored in University storage must be boxed and properly marked with the student's name and room number. Storage of dangerous, flammable, or explosive items is prohibited, and hall staff will dispose of all unmarked and unclaimed items.

## Subletting

Subletting any university-owned residential space (residence hall room, university-owned apartment, or university-owned home) is prohibited, except in instances when a short-term sublet agreement is arranged and agreed to by the University and the resident assigned to university-owned housing. Short term rentals arranged through third-party rental websites (such as Airbnb or Craigslist) are specifically prohibited.

## Telephone Service

Each residence hall room is equipped with a network port for a VoIP phone. Students can rent a VoIP telephone for use during the academic year. Local and domestic long-distance calls are no charge to residents. Residents should use calling cards for international calls. Most residents use a personal cell phone or personal computer to make calls.

## 24-Hour Social Space

Each residence hall has designated spaces that are available 24 hours for use by all on-campus resident students. 24-hour social space consists of those designated areas in each residence hall that may be used by students and their guests at all times when school is in session. Use of this space may be limited at the discretion of the Hall Director for hall events or other functions. Additionally, conduct in these spaces is governed by all University policies and standards of conduct, including the Alcohol policy and Quiet Hours, as well as any additional policies within the residence hall. Sleeping and housing overnight guests in 24-hour space is prohibited. Residents and their guests are responsible for abiding by all policies and procedures and conducting themselves in a reasonable and appropriate manner, exercising good judgment, and having respect for Hall Staff members and other students.

## Unsanctioned Occupants

Beyond short-term guests (as defined by the *Guests Hosted in Residence Halls* policy), no one other than the assigned occupants may reside in university-owned housing (residence hall, university-owned apartment, or university-owned home).

## Windows and Balconies

Throwing, dropping, or allowing any object or person(s) to pass through a window or off of a balcony is prohibited. Additionally, students are prohibited from throwing objects such as snowballs or water balloons at the building. Window screens are provided for safety and security and should not be removed. Damaged and/or missing room screens will be repaired and replaced. The occupant may be responsible for the expense.



# UNIVERSITY STUDENT CONDUCT PROCESS

Students with questions regarding the University's disciplinary procedures may contact the Office of Residence Life, Tyson Hall 123, (503) 943-7205.

The University of Portland is committed to making the student conduct process as accessible as possible for all students. Students who require a disability accommodation or who may have other factors that could impact their ability to participate in the student conduct process should contact the Office of Residence Life at 503-943-7205 to make a request at least 24 hours prior to a meeting, conference or hearing. The university's ability to meet requests may be limited without enough advance notice.

## 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 for Community Standards 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. 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 Student Conduct office determines whether the informal resolution process is appropriate.

## 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 view 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 for Community Standards 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.

The following procedures will be applied to add to or amend the formal hearing process described above in an incident of alleged sexual and gender-based harassment, misconduct, and violence that the Director for Community Standards determines in his/her judgment to require these additional procedures and that does not otherwise meet the qualifications of a Title IX hearing. 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. In cases involving charges of sexual and gender-based harassment, misconduct, and violence, students may have the support person of their choosing, 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). In the context of sexual and gender-based harassment, misconduct, and violence, support persons may be present in the hearing setting, but are not permitted to participate in the hearing process. The reporting party and/or responding party must submit the name of the support person they wish to bring to a hearing to the hearing officer twenty-four (24) hours prior to the hearing.

Once allegations are made and a student conduct investigation begins, a no-contact order will be issued between the two parties. Therefore, it might be necessary to make changes to living arrangements, course schedules, and dining locations to avoid confrontations between the students. All reasonable efforts will be made to accommodate the concerns of the students involved.

The student making a report (the "reporting party") will be interviewed and asked to give a statement through an Investigator. Upon receipt of the statement, the University will conduct a fact-finding investigation. The student who is named in the report (the "responding party") 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 and will be submitted to the Office of Residence Life. Once both statements are submitted, the reporting party and the responding party will have access to the other party's statement upon request at the Office of Residence Life. The investigation will be completed within a reasonable time frame, generally sixty (60) calendar days unless exceptional circumstances exist warranting an extension of the time frame.

The conduct hearing itself will take place according to the University conduct process described above. In addition, for matters of alleged sexual and gender-based harassment, misconduct, and violence:

- Both the reporting party and the responding party will receive equivalent notice of process.
- The conduct hearing will be conducted with both the reporting party and the responding party present. Reasonable arrangements, such as the use of a physical barrier, will be made to prevent the reporting party and the responding party from directly facing one another. 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.
- Both the reporting party and the responding party have the same right to present relevant evidence throughout the conduct hearing.
- Both the reporting party and the responding party have the same right to have a support person of their choosing present throughout the conduct hearing.
- Both the reporting party and the responding party may identify witnesses who possess relevant information of the alleged incident of sexual harassment, sexual misconduct, or sexual assault 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.
- No questions, statements, or information about the sexual activity of the reporting party with anyone other than the responding party may be introduced. Questions, statements, or information about past sexual activity between the reporting party and the responding party may only be discussed if relevant to the issue of consent.
- The hearing officers 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 time frame of the conclusion of the hearing unless exceptional circumstances exist warranting an extension of the time frame.
- The University will disclose, in writing, the final results of any institutional conduct proceedings to both the reporting party and the responding party.
- Both the reporting party and the responding party may request an appeal according to the process set forth below.

Students who are found responsible for violating University policy regarding sexual and gender-based harassment, misconduct, and violence can be subject to disciplinary sanctions including suspension or dismissal from the University.

## 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 fine
- Community service hours
- Educational project or paper
- 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
  - 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 from the Director for Community Standards or designee 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 university property 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.

## Conduct Process for Incidents of Sex and Gender-Based Harassment, Misconduct, and Violence

The following procedures will be applied to add to or amend the formal hearing process described above in an incident of alleged sex and gender-based harassment, misconduct, and violence that the Director for Community Standards determines in their judgment to require these additional procedures and that does not otherwise meet the qualifications of a Title IX hearing. 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. In cases involving charges of sexual and gender-based harassment, misconduct, and violence, students may have the support person of their choosing, 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). In the context of sexual and gender-based harassment, misconduct, and violence, support persons may be present in the hearing setting, but are not permitted to participate in the hearing process. The reporting party and/or responding party must submit the name of the support person they wish to bring to a hearing to the hearing officer twenty-four (24) hours prior to the hearing.

Once allegations are made and a student conduct investigation begins, a no-contact order will be issued between the two parties. Therefore, it might be necessary to make changes to living arrangements, course schedules, and dining locations to avoid confrontations between the students. All reasonable efforts will be made to accommodate the concerns of the students involved.

The student making a report (the "reporting party") will be interviewed and asked to give a statement through an Investigator. Upon receipt of the statement, the University will conduct a fact-finding investigation. The student who is named in the report (the "responding party") 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 and will be submitted to the Office of Residence Life. Once both statements are submitted, the reporting party and the responding party will have access to the other party's statement upon request at the Office of Residence Life. The investigation will be completed within a reasonable time frame, generally sixty (60) calendar days unless exceptional circumstances exist warranting an extension of the time frame.

The conduct hearing itself will take place according to the University conduct process described above. In addition, for matters of alleged sexual and gender-based harassment, misconduct, and violence:

- Both the reporting party and the responding party will receive equivalent notice of process.
- The conduct hearing will be conducted with both the reporting party and the responding party present. Reasonable arrangements, such as the use of a physical barrier, will be made to prevent the reporting party and the responding party from directly facing one another. 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.

- Both the reporting party and the responding party have the same right to present relevant evidence throughout the conduct hearing.
- Both the reporting party and the responding party have the same right to have a support person of their choosing present throughout the conduct hearing.
- Both the reporting party and the responding party may identify witnesses who possess relevant information of the alleged incident of sexual harassment, sexual misconduct, or sexual assault 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.
- No questions, statements, or information about the sexual activity of the reporting party with anyone other than the responding party may be introduced. Questions, statements, or information about past sexual activity between the reporting party and the responding party may only be discussed if relevant to the issue of consent.
- The hearing officers 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 time frame of the conclusion of the hearing unless exceptional circumstances exist warranting an extension of the time frame.
- The University will disclose, in writing, the final results of any institutional conduct proceedings to both the reporting party and the responding party.
- Both the reporting party and the responding party may request an appeal according to the process set forth below.

Students who are found responsible for violating University policy regarding sexual and gender-based harassment, misconduct, and violence can be subject to disciplinary sanctions including suspension or dismissal from the University.

## 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 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.

### **Appeal of sanctions less than suspension or dismissal**

In cases involving sanctions less than suspension or dismissal, the student may request an appeal as follows:

- If the original hearing officer was a Hall Director or an Assistant Hall Director:
  - The student may request a review of the decision by the Director for Community Standards or designee on the basis of the two criteria identified above.
  - The decision made by the Director for Community Standards or designee is final
- If the original hearing officer was the Director for Community Standards or designee:
  - The student may request a review of the decision by the Vice President for Students Affairs or designee on the basis of the two criteria identified above.
  - The decision made by the Vice President for Students Affairs or designee is final.

### **Appeal of suspension or dismissal**

In cases involving suspension or dismissal, the student may request an appeal 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 designee on the basis of the two criteria identified above.
  - The decision made by the Vice President for Student Affairs or designee is final.

### **Appeal of Sexual or Gender-based Harassment, Misconduct, and Violence Cases**

In sexual harassment, sexual assault, and sexual misconduct cases, both the reporting party and the responding party have the right to request an appeal. The reporting party and the responding party may request an appeal on the basis of the decision made, but not on the basis of the sanction(s) assigned. Either party may request a review of the decision by the Vice President for Student Affairs or his/her designee and his/her decision is final.

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

As a University of Portland student participating in a designated Study Abroad program, conduct reflects upon the University of Portland. Accordingly, students are expected to follow the University of Portland's expectations 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.

# SEX AND GENDER-BASED HARASSMENT, MISCONDUCT, AND VIOLENCE RESOURCE GUIDE

## **I. SUMMARY**

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. 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.

## **II. PROHIBITED CONDUCT**

The following areas of conduct are prohibited at the University:

1. Sexual harassment, including, without limitation, cyber harassment;
2. Sexual misconduct
3. Sexual assault;
4. Dating, relationship, and domestic violence;
5. Stalking, including, without limitation, cyberstalking;
6. Sexual Harassment as defined under Title IX ("Title IX Sexual Harassment");
7. Negative conduct (such as intimidation, retaliation, threats, harassment, or bribes) 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; and
8. Retaliation.

## **III. DEFINITIONS**

The following definitions are relevant to this policy and include definitions of prohibited conduct as well as related terms:

### **A. Sexual and Gender-Based Harassment.**

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.

The following are some examples of conduct that may be considered sexual harassment:

- Unwanted requests for sexual favors;
- Deliberate unwelcome touching that is sexual in nature;



- Unwanted and persistent sexual looks, gestures, or comments;
- Unwanted letters, telephone calls, texts, emails, or contact through social media of a sexual nature;
- Unwanted and persistent pressure for dates;
- Repeatedly leaving unwanted gifts, cards, or letters;
- Unwanted sexual joking, teasing, remarks, or questions;
- Whistling, leering, cat calls, or kissing sounds;
- Displays of materials, posters, video, or audio recordings of a sexual nature that do not have a research or pedagogical reason for display;
- Asking someone about sexual fantasies, preferences, or history, or talking to someone about yours;
- Telling lies or spreading rumors about a person's sex life;
- Unwelcome and unwanted hugging, touching, kissing, patting, stroking, or massaging;
- Rubbing oneself sexually around another person;
- Exposing one's genitals;
- Repeatedly contacting or following someone either physically or through electronic means to demonstrate or make romantic or sexual overtures, including repeatedly asking someone out against their wishes, that causes the person to fear for their safety;
- Allowing other individuals to observe private sexual activity from a hidden location (e.g., closet) or through electronic means (e.g., FaceTime, Snapchat, Skype, or live-streaming images) without consent of the participant(s);
- Watching private sexual activity without the consent of the participants or viewing another person's intimate parts in a place where that person would have a reasonable expectation of privacy;
- Written, verbal, or electronic statements that disparage a person based on a perceived lack of stereotypical masculinity or femininity or perceived sexual orientation; and
- Recording, photographing, disseminating, or transmitting intimate or sexual utterances, sounds, or images of private sexual activity and/or a person's intimate parts.

## **B. 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.

### **C. 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 they have 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 complainant 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.

### **D. 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 they lack 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 complainant 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 complainant 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 out 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; unable 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.

#### **E. 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 in section IV below);
- 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 in section IV below);
- 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 in section IV below);
- 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 in section IV below).
- Sexual misconduct or sexual assault (as defined in Section III of 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.

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

#### **F. 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; and

- 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.

### **G. 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).

### **H. Negative conduct (such as intimidation, retaliation, threats, harassment, or bribes) 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.

### **I. 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.

### **J. 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.

## **IV. CLARIFICATIONS**

### **A. Strangers and Non-Strangers.**

Sexual or gender-based harassment, misconduct, and violence can involve strangers, friends, acquaintances, intimate partners, or others.

### **B. Intoxication or impairment is not a defense.**

Being intoxicated or impaired by drugs or alcohol is never an excuse for sexual or gender-based harassment, misconduct, or violence.

### **C. Use of 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.

#### **D. 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. (Contact information for these offices is in Section V, below.)

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

## **V. SUPPORT AND RESOURCES**

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 a disability 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.

### **A. 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 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.

A complete list of supports, including confidential resources, resources for complainants, and resources for respondents, is listed at [www.up.edu/titleix](http://www.up.edu/titleix).

## **VI. HOW TO REPORT AND WHAT TO EXPECT AFTER A REPORT OR A UNIVERSITY-INITIATED PROCESS**

**Reports.** 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 at [www.up.edu/titleix](http://www.up.edu/titleix).

**How to make a report.** 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. In-person reports can be made in the Title IX Office (Waldschmidt Hall, 2<sup>nd</sup> floor), the Residence Life Office (Tyson Hall 123), the Student Conduct Office (Tyson Hall 123), or Campus Safety (Haggerty Hall 100).

**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.

**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 in Section VII 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 in Section VII below)

**Important note.** *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. The police report can be made at Campus Safety or directly to the Portland Police Bureau.

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	Contact Information
Portland Police Bureau	<ul style="list-style-type: none"> <li>- Emergency: 911- Non-Emergency: (503) 823-3333</li> <li>- portlandoregon.gov/police</li> </ul>
Campus Safety Office- All staff at Campus Safety Office including the Director of Campus Safety, Campus Safety Officers, and Dispatchers, and any other Campus Safety staff member	<ul style="list-style-type: none"> <li>- (503) 943-7161</li> <li>- campussafety@up.edu</li> <li>- up.edu/campussafety</li> </ul>

## **VII. MORE INFORMATION ABOUT INVESTIGATIONS, CONDUCT HEARINGS, AND APPEAL**

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.

### **A. Investigation prior to student conduct hearing.**

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.

### **B. Student conduct hearing.**

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 for Community Standards) 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 “C. 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.

### **C. Appeal.**

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.

### **D. 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.

# ADDENDUM 1 - STATEMENTS OF STUDENT FREEDOMS AND RESPONSIBILITIES

## Statements of Student Freedoms and Responsibilities

### **Access to Higher Education**

Within the limits of its facilities, the University of Portland is open to all students who are qualified according to the University's standard of admission. In all admissions processes, the University adheres to its Equal Opportunity and Nondiscrimination Policy.

### **Freedom to Associate**

Students are free to join off-campus organizations and to organize and join campus associations that promote their common interests. Campus clubs, organizations, and associations that involve the University community must comply with the regulations set forth by the Office of Student Activities with regard to membership, policies, and actions. In accord with laws prohibiting certain forms of discrimination, campus organizations must generally be open to all students without respect to race, age, national origin, sex, sexual orientation, disability, or other legally protected status.

### **Freedom of Inquiry and Expression**

Students and student organizations are free to examine and discuss all questions of interest to them and to express their opinions publicly and privately, so long as they do so in a manner that does not disrupt educational or other University functions. It is the responsibility of students and student groups to not represent themselves as speaking or acting on behalf of the University. Any conduct by a student which restrains either the freedom of expression or the freedom of movement of others who may not agree, or which is any way disruptive of University operations, is unacceptable. If such conduct should occur, University officials will request the individual or group to cease and disperse.

As members of the academic community, students are free individually and collectively to express their views on institutional policy. To provide formal means for student participation in the formulation and application of institutional policies, students selected by a process approved by the ASUP shall have membership on the Academic Senate and on designated University committees.

# ADDENDUM 2 - FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

## Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. These rights include:

**The right to inspect and review the student's education records within 45 days of when the University receives a request for access.** A student should submit to the registrar, dean, head of the academic department, or other appropriate official, a written request that identifies the record(s) the student wishes to inspect. The University official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the University official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

**The right to request the amendment of the student's education records that the student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.** A student who wishes to ask the University to amend a record should write the University official responsible for the record, clearly identify the part of the record the student wants changed, and specify why it should be changed. If the University decides not to amend the record as requested, the University will notify the student in writing of the decision and the student's right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

**The right to provide written consent before the University discloses personally identifiable information from the student's education records, except to the extent that FERPA authorizes disclosure without consent.** The University discloses education records without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests or in compliance with a judicial order or other lawfully issued subpoena.

**The right to file a complaint with the U.S. Department of Education concerning alleged failures by the University to comply with the requirements of FERPA.** The name and address of the Office that administers FERPA is:

Family Policy Compliance Office

U.S. Department of Education

400 Maryland Avenue, SW

Washington, DC 20202-5901

### Directory Information

FERPA allows the University to provide "directory information" to others without a student's consent. Directory information is information that is generally not considered harmful or an invasion of privacy if released.

If you do not want the University to disclose some or all directory information without your prior consent, you must notify the Registrar in writing by the end of the first week of classes. In the event that such written notification is not filed, the University assumes that the student does not object to the release of the directory information.

Directory information includes:

- Name
- Address
- Telephone number
- E-mail address
- Name(s) and address(es) of parent(s)
- Major field of study

- Participation in recognized activities and sports
- Weight and height of members of athletic teams
- Photographs
- Dates of attendance
- Degrees, honors, and awards received
- Class-year in school
- Previous educational institutions attended

### Student Conduct Records

All records of student conduct proceedings are maintained through the Division of Student Affairs. Such records are destroyed seven years after the last entry into the student's record (In compliance with the Clery Act (20 USC § 1092 (f)). Information in these records is not made available to persons other than the President of the University, the Vice President for Student Affairs, the General Counsel, and Student Affairs staff on a need-to-know basis, and as allowed or required in compliance with Federal Law 20 USC §1092, and USC § 1232 or other state or federal law.

### Counseling Records

In accordance with state and federal statutes and regulations, counseling records are privileged and confidential. Generally, and unless legally permitted or required, information may not be disclosed to another person or agency outside of the Health and Counseling Center (including parents, faculty, or Residence Life staff) without the written consent of the student.

### Medical Records

In accordance with state and federal statutes and regulations, medical records are privileged and confidential. Generally, and unless legally permitted or required, information may not be disclosed to another person or agency outside of the Health and Counseling Center (including parents, teachers, or Residence Life staff) without the written consent of the student. Medical records may be released to necessary personnel to appropriately respond in the event of an emergency.

### Records Not Available to Students or Third Parties

The University does not generally make non-education records available to students or outside parties, including: alumni giving records; campus safety and security records for law enforcement purposes; parents' financial information; personal records kept by individual staff members; score reports of standardized tests; student employment records; and transcripts of grades sent by other educational institutions.

### Ordering Transcripts

A transcript is a complete and faithful copy of the student's University academic record. Official transcripts bear the seal of the University and the signature of the Registrar.

Current students and alumni who have attended since 2010 may order their transcripts securely online via their Self-Serve accounts on PilotsUP. Detailed instructions on using the online order form to request a paper or electronic transcript may be found at the Registrar.

For those not able to order online, transcript requests can be made by submitting a written letter or using the request form that can be printed from the Registrar. Your request must be signed (electronically generated signatures are not accepted). If you would like a printed transcript, please provide the full address to which the transcript is to be sent. If you would like an electronic transcript, please provide the e-mail address to which the transcript is to be sent.

Please include in your written request the following information to assist us in finding your record:

- Name(s) under which you may have attended
- UP ID number
- Date of birth
- Dates you attended the University of Portland

Please note that if you are requesting an electronic transcript to be sent to yourself, it will be marked as “Issued to Student” and will be an unofficial transcript. We are only able to provide one copy of your electronic transcript if it is issued to yourself.

Your request can be submitted in person to the Office of the Registrar in Waldschmidt Hall, room 100. The office hours are Monday-Friday, 8:30 a.m. to 4:30 p.m. If you are unable to visit the office, please mail your request to:

University of Portland

Office of the Registrar MSC 165

5000 N Willamette Blvd

Portland, OR 97203

Or fax your request to (503) 943-7979.

Transcripts may be ordered for pickup or to be mailed or delivered electronically. Please note: an electronic transcript is not available for students who attended prior to 1984. If mailed, transcripts are sent free of charge to the requested address through USPS first class mail. If you choose to have your transcripts held for pickup, photo ID will be required at the time of pickup. Most requests are processed within 2-3 business days of receiving your request; however, students who attended prior to 1984 should allow at least one week for processing. There is no charge for regularly processed transcripts.

If you require your transcript requests processed on the same day on which they are received, there is a \$10 Rush charge. (Please note that this option is not available for students who attended prior to 1984.) Please specify “Rush” on your request. Payment must occur prior to processing.

If you need your Rush transcript mailed to its destination, please note that the University’s last mail pickup is 3 p.m. Rush requests for mailed transcripts received at or after this time will not be able to be mailed until the next business day. If you require expedited shipping through USPS or UPS in addition to the same-day Rush service, there will be additional charges for this service. (Charges are dependent on shipping address.) We do not ship via FedEx. Payment for these additional charges must occur in advance of shipping.

A signature or secure login is required to release your transcript; we are not able to accept telephone or e-mail requests.

As the transcript is printed on security paper, official copies cannot be faxed.

Current students can view their unofficial transcripts through Self-Serve Banner on PilotsUP.

The University will not issue transcripts for anyone with outstanding account balances or obligations. For transcripts from previous educational institutions attended, students must contact each institution directly.

If you have any further questions, please call the Office of the Registrar at 503-943-7321 or 1-800-227-4568.

# ADDENDUM 3 - OREGON REVISED STATUTE DEFINITION FOR INTERPERSONAL VIOLENCE

## Oregon Revised Statute Definition for Interpersonal Violence

### Domestic Violence (including Dating Violence)

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:

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

### Stalking

The Oregon Revised Statutes defines stalking in ORS 163.732.

(1) A person commits the crime of stalking if:

(a) The person knowingly alarms or coerces another person or a member of that person’s immediate family or household by engaging in repeated and unwanted contact with the other person;

(b) It is objectively reasonable for a person in the victim’s situation to have been alarmed or coerced by the contact; and

(c) The repeated and unwanted contact causes the victim reasonable apprehension regarding the personal safety of the victim or a member of the victim’s immediate family or household.

(2)

(a) 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:

(A) Stalking; or

(B) 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].



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