LINFIELD UNIVERSITY

2019

Annual Security and Fire Safety Report

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I. INTRODUCTION

Federal law (the "Clery Act") requires educational institutions to provide all current and prospective students and employees with the security policies and procedures of the University, and crime statistics. These security measures are designed to enhance the safety of all individuals at Linfield University. Further information on the Clery Act may be obtained at http://clerycenter.org/summary-jeanne-clery-act.

Observance of University policies, as well as federal, state, and local law is required in order to fulfill the purposes of the educational institution. Although the University strives to provide a safe environment, everyone must take responsibility for their own safety and personal belongings.

This report is prepared by the Linfield Public Safety Department ("LPS"), in cooperation with local law enforcement agencies, the Office of Student Affairs, and the Office of Environmental Health and Safety.

The Annual Security Report is available on the Internet to all current students and employees of the college at *http://www.linfield.edu/linfield-public-safety/annual-report/annual-report.html*. Prospective students may request a copy of the report at the Office of Admission; prospective employees may request a copy at the Office of Human Resources. You may also obtain a copy of this report by contacting LPS, 900 SE Baker Street, McMinnville, Oregon 97128, or (503)-883-7233.

For additional information on University policies and procedures, consult the Linfield University personnel policies and procedures documents and handbooks, available online at *http://www.linfield.edu/policy.html*.

This report is being compiled and reported under the institution's new name of Linfield University as of July 2020, but for the 2019 calendar year the institution name was Linfield College.

II. LINFIELD PUBLIC SAFETY

A. Department of College Public Safety's Mission Statement

The mission of Linfield Public Safety is to foster a safe and secure environment that supports an exceptional educational experience. LPS enjoys partnerships with our campus communities based on mutual respect, cooperation, and a commitment to safety. We do so with the following values:

- **Professionalism** – We will develop our skills, knowledge, and training to best serve the community as public safety professionals.
- **Integrity** –We will conduct ourselves in a manner that is fair, ethical, and legal. We will exhibit the duty and honor for the position entrusted to us, gaining and keeping the community's trust and confidence.
- **Communication** – We will always listen to the needs and the concerns of our community and follow through to make sure those needs and concerns are addressed.
- **Service** – We will always recognize the significance of serving the public. As such, we are committed to providing excellent service. We will employ processes, policies, and procedures that best serve students, faculty, staff and the public.

All LPS staff members are certified by Oregon's Department of Public Safety Standards and Training. The McMinnville Campus is staffed 24/7 by LPS. In 2019, Portland Campus was patrolled by daytime and evening LPS or contract security staff. LPS patrol persons are not armed; they conduct foot, bike and vehicular patrols of campus areas regularly. In addition, a courtesy ride service is provided 24 hours a day. LPS patrol persons make referrals for violations of university policies, rules and regulations. Local police departments are contacted for enforcement relating to violations of city or state laws. More information can be found on the LPS webpage at: *http://www.linfield.edu/linfield-public-safety.html*.

B. Reporting Incidents and Emergencies

Any person in immediate danger due to crime or emergency should contact local law enforcement IMMEDIATELY by dialing 911. When the emergency has subsided, the victim should also report the crime as soon as possible to LPS.

For non-emergency situations, any person who is a victim, witness or has knowledge of any criminal activity or other incidents on campus should report it immediately to LPS.

C. Voluntary Confidential Reporting

If you are the victim of a crime and do not want to pursue action within the College system or the criminal justice system, you may still want to consider making a confidential report. With your permission, the Director of LPS can file a report on the details of the incident without revealing your identity. A confidential report will preserve your privacy, while assisting the future safety efforts for yourself and others. With such information, the University can keep an accurate record of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the institution. Please note that campus Professional Counselors and Pastoral Counselors, when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion in annual crime statistics. Counselors are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion in annual crime statistics.

D. Sexual Misconduct and Relationship Violence Reporting

Every employee has a responsibility to report incidents of sexual harassment, discrimination and/or misconduct perpetrated against a Linfield student.

There are a variety of ways to report sexual misconduct and/or relationship violence. All of the following options are available to you, and can be pursued separately or simultaneously.

Formal Misconduct Reporting

A formal misconduct form may be submitted. This form is not anonymous and information contained in the form will be reviewed by Linfield University officials. With the formal misconduct report form, contact will be made and resources will be provided to the reporting party and responding party.

Completing this form does not constitute a police report. Formal reporting may be done through several university offices:

- **Linfield Public Safety** - 503-883-7233 (24/7)
- **Residence Life** - contact your residence hall RA or Residence Area Directors in Mahaffey 127 - 503-883-5433 (24/7)
- **On-Campus Advisors – 2019 policies** (Advisors are available to help students identify the services that will best serve them and guide them through the conduct process, if that reporting option is chosen)
    - Kristi Mackay, Career Services: 503-883-2606, Melrose 010
    - Stephen Bricher, Professor: 503-883-2260, Graf 110
- Sexual Misconduct Advisors – 2020 Policies (advisors are available to help students reporting or accused of sexual misconduct)
    - A
    - B
- **Title IX Officer** - Susan Hopp: 503-883-2588
- **Title IX Deputies**
    - Brenda Devore Marshall: 503-883-2290
    - Jeff Mackay: 503-883-2436
    - Jane Samuels: 503-883-2372
    - Mary Ann Rodriquez: 503-883-2458
- **Student Conduct and Community Standards Officer** – Adrian Hammond, 503-883-2349

Formal reports may also be submitted through several non-Linfield offices:

- McMinnville/Portland Police Department: 911
- Yamhill County Crime Victim Services: 503-434-7510
- Portland Women's Crisis Line: 503-235-5333
- Sexual Assault Resource Crisis Line: 503-640-5311

Formal Report online option – The report is called a public report form, because it is available to all students to file a report. It is not made public and is only viewed by the Dean of Students Office.

Anonymous Reporting – was available for the 2019 year, but is no longer available under recent policy changes (summer 2020).

An anonymous sexual misconduct form can be completed online. This option is applicable if you do not want any follow up regarding your specific case. Completing the anonymous report form does NOT constitute a police report or a student conduct report. Anonymous reports are used to gather and record information regarding the incidence of sexual assault on and around our campus, and to inform the community about the campus climate. You will not be asked for your name or contact information on this form.

Anonymous reporting may also be done through these non-Linfield agencies:

- Henderson House McMinnville: 503-472-1503
- Northwest Human Services Crisis Line: 844-842-8200

E. Missing Person Guidelines

If a person has reason to believe that an on-campus student is missing, efforts will be made to locate the student through the collaboration of the Office of Student Affairs and LPS. The local police department (in McMinnville or Portland), with assistance and cooperation of the University, will be the primary investigative unit in missing student cases.

Linfield students have the option to identify an individual to be contacted by the University in the event the student is determined to be missing. Students who wish to identify a confidential contact can do so through the Office of Student Affairs. The University will contact the student's emergency contact no later than 24 hours after the student is determined to be missing. If the missing student is under the age of 18 and is not an emancipated individual, the university will notify the student's parent or legal guardian no later than 24 hours after the student is determined to be missing.

If located, verification of the student's state of health and intention of returning to campus will be determined. When appropriate, a referral may be made to the Student Wellness and Counseling Center.

More information can be found at:
http://www.linfield.edu/linfield-public-safety/missing-person-guidelines.html.

F. Emergency and Non-Emergency Information

LPS may be contacted from McMinnville campus phones at extension 7233, and at (503) 883-SAFE (7233) from off-campus or cell phones. McMinnville officers are available 24 hours a day, 7 days a week, and will respond to all reports of crimes and emergencies. We ask that all crimes and suspicious circumstances be reported as soon as possible.

All McMinnville campus residence halls are equipped with a yellow Emergency call box. Blue Light Emergency call stations are located at various locations on campus. Pushing the "Emergency" button on either of these devices will connect you with LPS. To contact the McMinnville Police Department for non-emergencies, call (503) 434-7307.

The Portland campus community can contact Linfield LPS at 503-413-7210. If there is no security officer on duty in Portland, the call will be forwarded to the McMinnville CPS phone. The Portland Police Bureau can be reached by dialing 911 for life threatening situations, crimes in progress or situations where an officer is needed immediately. For non-emergency matters in the Portland metro area, call (503) 823-3333.

G. Notification of University Emergencies

The University has established an Emergency Notification System, CATALERT, which provides multiple notice methods to students, faculty and staff about situations that may pose a substantial threat to our community. Linfield community members registered on this system can be notified via email, phone call (land-line, cellular), and/or text message.

In case of an emergency on or near campus, Linfield University officers will authorize voice and/or text messaging and/or email communication through the emergency notification system. Registered

students, staff and faculty will receive the message very quickly – typically within minutes of transmission.

Depending upon the communication method used by the College (voice, text and/or email), registered individuals will receive the following: voice mail message at registered telephone numbers; email messages at campus and up to one additional email address if registered; and a text message on registered cell telephones that accept SMS messaging.

Emergency notifications will be limited to matters such as severe weather alerts, campus closures, delayed starts, emergency building concerns, or intruders. The system is tested yearly to ensure all three modes of notification (phone, email and text messaging) function properly. The system was successfully tested on both the McMinnville and Portland campuses, and notifications were made via phone, email and text messaging. These tests occurred on May 1st, 2019 and October 17th, 2019.

To register for the Emergency Notification System, log in to Web Advisor by going to *https://webadvisor.linfield.edu*. Click the "Log In" tab at the top right of the screen and use your CatNet ID and password to log in.
• Staff and Faculty: Click on the "Employees" or "Faculty" button. Select the "Emergency Notification System" link which is located under the "Employee Information" section. Follow the instructions on the page to update your information.
• Students: Click on the "Students" button. Select the "Emergency Notification Info" link which is located under the "Academic Profile" section. Follow the instructions on the page to update your information.

H. Timely Warnings

In the event that a situation arises, either on or off campus, that, in the judgment of law enforcement or the University, constitutes an ongoing or continuing threat, a campus wide "timely warning" will be issued. The warning may be issued through the college CATALERT system to students, faculty, and staff; in person notification by Linfield Public Safety and/or Residence Life staff; and/or the use of portable address systems. Timely warnings may also be posted on the Linfield website: *http://linfield.edu*.

The website is accessible via computer by all faculty, staff and students and printed copies of the notice may also be posted in each residence hall and/or at other conspicuous locations through the campus as the situation permits.

I. Responding to Emergencies

Linfield College has adopted a Standard Response Protocol that demands a specific vocabulary, but also allows for great flexibility. There are four specific actions that can be performed during an incident.

Lockout
This would be implemented when there is a threat or hazard outside of the building

- Get inside the building
- Recover students and staff from outside building
- Lock all outside doors if possible
- Increased situational awareness

- Account for students, friends and coworkers
- Business as usual inside the building

Lockdown

Lockdown is a room-specific protocol that involves hiding and preparing to defend yourself.

- Move away from sight
- Maintain silence
- Lock the door if possible
- Lights out if possible
- Wait for First Responders to open door
- Account for students, friends and coworkers

Evacuate

Evacuate to the announced location

- Bring your phone
- Follow announced instruction
- Leave personal possessions behind
- Help others get to the evacuation location
- Account for students, friends and coworkers
- Notify Emergency Personnel regarding any missing or injured persons

Shelter

For a Hazard using an announced shelter strategy

- Drop, Cover and Hold
- Seal as instructed (Hazmat situation)
- Remain silent
- Follow directions
- Assist others to appropriate shelter methods
- Account for students, friends and coworkers
- Notify Emergency Personnel regarding any missing or injured persons

The Standard Response Protocol is based not on individual scenarios but on the response to any given scenario. The protocol is simply a response enhancement for critical incidents, designed to provide consistent, clear, shared language and actions among all students, staff, faculty and first responders.

The following poster is prominently displayed in every residential and academic building on our campus:

EMERGENCY RESPONSE

LOCKOUT

There is a threat or hazard outside of the building.

Get inside.
Lock all outside doors.
Stay alert and aware.
Continue business as usual inside.

LOCKDOWN

Hide and prepare to defend yourself.

Get out of sight.
Stay quiet.
Turn out the lights if possible.
Wait for emergency responders to open the door.
Lock the door if possible.

ACTIVE SHOOTER

Choose the most reasonable action.

Run	Hide	Fight
Know your escape route.	Hide out of sight.	Last resort only.
Leave personal items.	Barricade entrances.	Incapacitate or disarm the shooter if possible.
Keep hands where they can be seen.	Turn tables sideways to act as a barrier.	Physical aggression.

EVACUATE

Evacuate to the announced location.

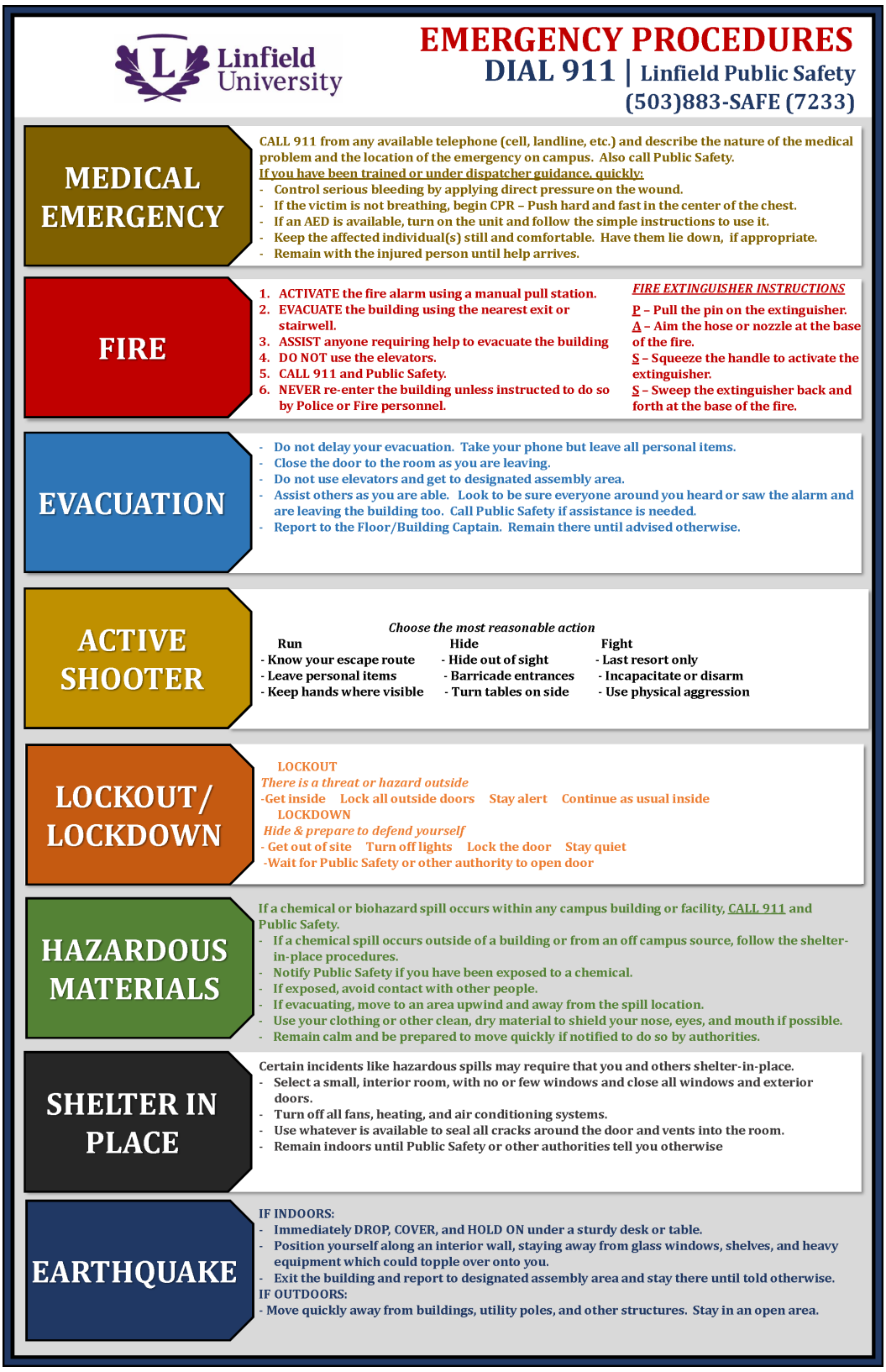
Bring your phone and leave everything else behind.
Help others get to the evacuation location.

SHELTER

Take shelter from a specific hazard using an announced strategy.

Remain silent.
Follow directions.
Assist others with shelter methods as directed.

The following “Emergency Procedures” poster is displayed in all classrooms



Linfield University

EMERGENCY PROCEDURES

DIAL 911 | Linfield Public Safety
(503)883-SAFE (7233)

MEDICAL EMERGENCY

CALL 911 from any available telephone (cell, landline, etc.) and describe the nature of the medical problem and the location of the emergency on campus. Also call Public Safety.

If you have been trained or under dispatcher guidance, quickly:

- Control serious bleeding by applying direct pressure on the wound.
- If the victim is not breathing, begin CPR – Push hard and fast in the center of the chest.
- If an AED is available, turn on the unit and follow the simple instructions to use it.
- Keep the affected individual(s) still and comfortable. Have them lie down, if appropriate.
- Remain with the injured person until help arrives.

FIRE

1. ACTIVATE the fire alarm using a manual pull station.
2. EVACUATE the building using the nearest exit or stairwell.
3. ASSIST anyone requiring help to evacuate the building
4. DO NOT use the elevators.
5. CALL 911 and Public Safety.
6. NEVER re-enter the building unless instructed to do so by Police or Fire personnel.

FIRE EXTINGUISHER INSTRUCTIONS

P – Pull the pin on the extinguisher.
A – Aim the hose or nozzle at the base of the fire.
S – Squeeze the handle to activate the extinguisher.
S – Sweep the extinguisher back and forth at the base of the fire.

EVACUATION

- Do not delay your evacuation. Take your phone but leave all personal items.
- Close the door to the room as you are leaving.
- Do not use elevators and get to designated assembly area.
- Assist others as you are able. Look to be sure everyone around you heard or saw the alarm and are leaving the building too. Call Public Safety if assistance is needed.
- Report to the Floor/Building Captain. Remain there until advised otherwise.

ACTIVE SHOOTER

Choose the most reasonable action

Run	Hide	Fight
- Know your escape route	- Hide out of sight	- Last resort only
- Leave personal items	- Barricade entrances	- Incapacitate or disarm
- Keep hands where visible	- Turn tables on side	- Use physical aggression

LOCKOUT/ LOCKDOWN

LOCKOUT

There is a threat or hazard outside

-Get inside Lock all outside doors Stay alert Continue as usual inside

LOCKDOWN

Hide & prepare to defend yourself

- Get out of site Turn off lights Lock the door Stay quiet
-Wait for Public Safety or other authority to open door

HAZARDOUS MATERIALS

If a chemical or biohazard spill occurs within any campus building or facility, CALL 911 and Public Safety.

- If a chemical spill occurs outside of a building or from an off campus source, follow the shelter-in-place procedures.
- Notify Public Safety if you have been exposed to a chemical.
- If exposed, avoid contact with other people.
- If evacuating, move to an area upwind and away from the spill location.
- Use your clothing or other clean, dry material to shield your nose, eyes, and mouth if possible.
- Remain calm and be prepared to move quickly if notified to do so by authorities.

SHELTER IN PLACE

Certain incidents like hazardous spills may require that you and others shelter-in-place.

- Select a small, interior room, with no or few windows and close all windows and exterior doors.
- Turn off all fans, heating, and air conditioning systems.
- Use whatever is available to seal all cracks around the door and vents into the room.
- Remain indoors until Public Safety or other authorities tell you otherwise

EARTHQUAKE

IF INDOORS:

- Immediately DROP, COVER, and HOLD ON under a sturdy desk or table.
- Position yourself along an interior wall, staying away from glass windows, shelves, and heavy equipment which could topple over onto you.
- Exit the building and report to designated assembly area and stay there until told otherwise.

IF OUTDOORS:

- Move quickly away from buildings, utility poles, and other structures. Stay in an open area.

J. Crime Log

LPS maintains a Crime Log that records, by date the crime was reported, all crimes and serious incidents that occur on campus, on non-campus properties, on public property adjacent to campus, and within the LPS patrol jurisdiction.

The Crime Log includes the nature, date, time, and general location of crimes reported to LPS, as well as the disposition of the complaint, if the information is known at the time the data is entered into the log. Specific incidents are entered within two business days of the initial report. LPS reserves the right to exclude reports or specific information from the Crime Log in certain circumstances.

The Crime Log is available for inspection by the general public online at *http://www.linfield.edu/linfielde-public-safety/annual-report/crime-log.html* or at the LPS Office in Cozine Hall, 900 SE Baker Street, McMinnville, Oregon.

K. Partnership with Local Law Enforcement

Linfield enjoys a close working relationship with several law enforcement agencies. The LPS Director works closely with members of local law enforcement agencies to review community crime trends and mitigate risks at Linfield, including off-campus locations where student organizations are active.

In addition, Linfield LPS has representatives that participate in the Yamhill County Threat Assessment Team and in the Yamhill County Sexual Assault Task Force. These teams provide a direct connection for real time updates of potential community hazards and sexual assault information.

The McMinnville Campus is under the jurisdiction of LPS, McMinnville Police Department, Yamhill County Sheriff Department and the Oregon State Police. The Portland campus is under the jurisdiction of LPS, Portland Police Bureau, Multnomah County Sheriff and the Oregon State Police.

In the event of a criminal incident, students may pursue redress through the criminal justice system and/or the University's conduct system. However, the University's conduct system cannot establish whether a criminal act has occurred. That system is designed to hear cases only when university regulations have been violated. When an individual believes that a crime has been committed, the University encourages that person to file charges with the appropriate civil authorities. For a complete discussion of the University's student conduct process and sanctions, please refer to the Linfield University student handbook available at: *http://www.linfield.edu/assets/files/policy/student-handbook.pdf*.

The University will, upon written request, disclose to the victim of a crime of violence, or a non-forcible sex offense, the results of any disciplinary hearing conducted by the University against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, the University will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

L. Crime Reduction Programs

Crime prevention is a proactive strategy designed to eliminate or minimize criminal opportunities before a crime actually occurs. LPS has developed programming and a webpage to give students, staff, faculty

and parents information about crime prevention, personal safety, and links to other resources. Below are some programs available from LPS.

LPS Courtesy Ride Program. The LPS Courtesy Ride Program provides a personal courtesy ride or walking escort for Linfield students, faculty, and staff who are concerned about their safety. The program is offered from one location to another on the McMinnville Campus seven days per week.

To request a ride or walking escort on the McMinnville campus, please call 503-883-7233. Portland campus community can request the same service when officers are available by calling (503) 413-7210.

Crime Prevention Presentations. Members of LPS are available to talk to any student or employee group on any of our campuses. These talks are designed to educate members of the campus communities about security and safety issues, and various techniques that can be used to prevent crime on campus.

Crime Prevention Through Environmental Design (CPTED) Surveys. Comprehensive safety and security audits of campus offices, buildings and grounds are conducted by the LPS Department on a continual basis utilizing current CPTED principles.

Operation Identification. Operation Identification, which is the engraving of serial numbers or owner-recognized numbers on items of value, is promoted and made available free-of-charge.

Personal Defense Class. Contact LPS for more information.

Community Emergency Response Team (CERT) Training. Linfield College LPS facilitates a CERT class for students, faculty and staff each semester. Contact LPS for more information.

If you would like more information about any of the crime prevention programs and services, please contact lPS at 503-883-7233, during regular business hours.

M. Emergency Management and Preparedness

The safety of every member of the college community is of utmost importance. Linfield engages in comprehensive emergency planning and response in accordance with the National Incident Management System. lPS and the Office of Environmental Health and Safety work together to ensure the emergency protocols and plan are updated as needed. Under the guidance of the Linfield University cabinet, several departments and offices work together to prepare for, prevent, respond to, and recover from emergency situations. In conjunction with local responding agencies, Linfield University is prepared to respond to a full range of emergencies.

N. Access to College Facilities

Academic Facilities - Linfield's academic buildings and facilities are open to students, staff, and faculty during normal business hours. Facilities are secured at all other times, unless for scheduled college approved events. Most academic facilities are equipped with a computerized card access system controlled by LPS. After-hours access to these facilities is granted to individuals with prior written authorization from the applicable academic departments.

Most facilities are secured by an automated system at all times. Access to these areas is granted to authorized faculty, staff, and students, and during class times only.

Residential Facilities - All Linfield residence halls are equipped with an automated card access control system. Residents and authorized staff have 24-hour access via this computerized system. All students have residence hall access during limited hours only. Guests and other visitors may visit residence halls as long as a member of the Linfield community has authorized their visit. Exterior doors to student residence halls remain locked 24 hours per day.

Only residents of the individual apartments and authorized staff have 24-hour access to residence halls. Residential housing facilities have standard locks and keys with the exception of the Hewlett Packard Apartments that are equipped with automated card access. Students are responsible for securing their individual rooms. The responsibility for securing individual residences falls to the student/renters.

O. Maintenance of University Properties

University facilities and landscaping are maintained so as to minimize hazardous conditions. LPS officers, as part of their general patrol procedure, will generate a work order to Facilities Services when they note any defective lighting or unsafe condition on campus. Students, faculty, and staff are also encouraged to report any safety or security concern to the Office of Environmental Health and Safety, ext. 2431 or LPS at ext. 7233.

For additional information on University policies and procedures, consult the Linfield University personnel policies and Student Policy Guide, available online at https://www.linfield.edu/assets/files/policy/student-policy-guide.pdf

III. LINFIELD UNIVERSITY POLICIES

A. Alcohol and Other Drugs

In keeping with the mission of the University, Linfield is committed to providing an environment which is safe and fosters excellence in learning for its students and in work performance for all of its employees. Therefore**,** the misuse and illegal use, possession, transportation, distribution, manufacture, or sale of alcohol and other drugs is not permitted on property owned or controlled by the university, or while representing the university on business or any university sponsored activity. The use of alcohol on University owned or controlled property or at events associated with Linfield programs is restricted to those of legal drinking age.

Those under 21 years of age may not consume alcohol (except in foreign locations with permission from the on-site director and within the laws of that location). Providing alcohol to minors or providing a location where minors can consume alcohol is prohibited and is a violation of the alcohol policy.

Students who have issues with alcohol consumption, or who develop a potential for such problems are encouraged to seek assistance in the Counseling Center in Walker Hall 105 or the Wellness Coordinator in Walker Hall 102. Employees should seek assistance through the EAP via the Human Resources Office.

Information can be found in the student handbook located at: *http://www.linfield.edu/policy.html*.

Drugs

Linfield University is a drug-free campus and community. Any member of the University community who uses, is under the influence of, manufactures, possesses, has under his/her control, sells, furnishes, or facilitates the use of a narcotic or dangerous drug or drug paraphernalia or misuses prescription medication, is subject to disciplinary action up to and including separation from the College.

Although the use of medical marijuana and recreational marijuana is legal in the State of Oregon in circumstances defined by law, any member of the University community who uses, is under the influence of, manufactures, possesses, has under his/her control, sells, furnishes, or facilitates the use of marijuana (including in marijuana oil, food products, candy, or any other form) on University property, whether in a residence hall, suburb housing, on college controlled property, at a college-sponsored function, either on or off campus, is in violation of University policy, and is subject to disciplinary action up to and including separation from the University.

Students who have a drug problem, or who develop a potential for such a problem are encouraged to seek assistance in the Counseling Center in Walker Hall 105 or the Wellness Coordinator in Walker Hall 102. Employees should seek assistance through the EAP via the Human Resources Office.

Drug Paraphernalia

Drug paraphernalia found in possession of persons under the age of 21 will be confiscated and destroyed by Linfield Public Safety, regardless of the value or suspected ownership. This includes, but is not limited to: bongs, grinders, pipes, vapes, bottles, or any other equipment, product, or accessory that is intended or modified for the use, consumption, or storage of federally illegal drugs. Drug paraphernalia found in possession of persons over 21 will be confiscated and held by Linfield Public Safety. At the discretion of the Director of Public Safety, confiscated items may be returned to the person as long as they are removed from Linfield property. A receipt for the returned item(s) will be issued to the student by Linfield Public Safety.

More information can be found in the Student Policy Guide available at:
https://www.linfield.edu/assets/files/policy/student-policy-guide.pdf

Medical Clemency Policy

Linfield University is strongly committed to the health, safety, and wellbeing of all its students. Students are encouraged to look out not only for their own health and wellbeing, but also for that of their peers. When someone's health or safety is threatened or appears to be at risk, students should take immediate action to prevent injury, illness, or danger. Medical Clemency is a policy that allows students to seek help for themselves or others, involved in a drug or alcohol-related emergency, without fear of being referred to the formal conduct process.

Linfield University is deeply concerned that, in a medical emergency involving alcohol or other drugs, some students may consider refraining from calling for help because of fear that doing so might subject them to disciplinary action. To address this concern, any individual who seeks campus or medical assistance on behalf of another student during an alcohol or other drug related emergency will meet

with the appropriate college official(s) to discuss the incident, but will not be subjected to disciplinary proceedings through Linfield College's conduct review process for possession or consumption of alcohol or other drugs.

The recipient of medical clemency will not be required to resolve the matter through Linfield University's conduct review process if she/he agrees to participate in a referral to an appropriate campus or community resource, and to comply with any possible recommendations set forth by that resource. Because the safety and wellbeing of our students is such a concern, students with multiple Medical Clemencies may be asked to seek a professional evaluation regarding their alcohol and/or drug use.

B. Bias Incidents

Bias crimes, also known as hate crimes, are criminal activity motivated by the perpetrator's bias toward certain actual or perceived personal characteristics of the victim. University policy and federal and state law prohibit crimes motivated by bias on the basis of race, color, sex or gender, age, ancestry, national origin, religious belief or practice, disability, sexual orientation, or political persuasion. The University is required to report annually on the statistical incidence of bias crimes on or around campus under the Clery Act.

The Clery Act defines hate crimes as any of the crimes otherwise reportable under the Clery Act or any bodily injury to any person in which the victim is intentionally selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity or disability of the victim. Please report all bias incidents to LPS or Residence Life staff immediately.

C. Harassment Policy

It is the policy of Linfield University to maintain a work and academic environment free from harassment for its employees, students, visitors, and vendors. Discriminatory harassment, including sexual harassment, is a violation of state and federal law. No form of discriminatory harassment, including sexual harassment, will be tolerated by Linfield University. Any and all complaints or allegations of harassment will be investigated promptly. Appropriate, corrective action will be implemented based upon the result of the investigation in the event harassment in violation of this policy is found to have taken place.

As a University that prides itself on fostering academic freedom, including freedom of speech and freedom of conscience, Linfield especially recognizes these values insofar as the classroom and learning environment in concerned. Students and faculty should refer to the section "Anti-harassment Protection and Academic Freedom" in their respective policy handbooks for consideration of the importance of academic freedom, freedom of speech, and freedom of conscience.

The University recognizes that students may wish to seek counseling and discuss circumstances relating to possible harassment without initiating a complaint. Under these circumstances, students are encouraged to seek counseling in the Offices of Student Health, Wellness and Counseling in Walker 103 or the University Chaplain in Melrose 110. Portland Campus students may contact the PDX Counseling Center. Online students should utilize local resources in their community. State-licensed counselors, Student Health Center providers, and the University chaplain are immune from being compelled to

divulge confidences by state law. Any communication with a state-licensed counselor or the university chaplain is not a complaint to the college and will remain confidential and will not result in an investigation.

Title IX of the Education Amendments of 1972 prohibits discrimination based on gender in educational programs which receive federal financial assistance. Title IX can apply in areas such as athletics, student recruitment and admissions, financial aid, scholarships, course offerings and access, employment, and housing and residential services. Title IX also protects students and employees, both male and female, from unlawful sexual harassment in school programs and activities, as well as sexual assault, which are forms of unlawful discrimination under Title IX.

More information can be found in the Student Handbook available at: https://www.linfield.edu/assets/files/policy/student-policy-guide.pdf.

D. **Sexual Misconduct and Relationship Violence Policy and Procedures - 2019 Procedures**

In keeping with its mission, Linfield commits itself to providing an environment which is safe and which fosters excellence in learning for its students and in work performance for its employees. Linfield's expectations of civility among community members exceed those applied to the public at large. It is the policy of Linfield College that no member of the College community shall engage in sexual misconduct or relationship violence against another member of the College or larger community and that, should this occur, the College will, to the extent it is able, support the reporting party and pursue sanctions against the responding party. To this end, the College shall annually apprise its students, faculty, administrators and staff of this policy, and inform them about the meaning and effects of sexual misconduct and relationship violence. For the protection of the community, the College may take action against those who commit such misconduct. In taking action, the college will make every attempt to provide as much anonymity for the reporting party(s) and the responding party(s) as possible. In fulfilling this policy and its procedures, the College shall seek to avoid creating a climate or taking actions that could, in themselves, have the effect of further harming a reporting party. The Linfield College Sexual Misconduct and Relationship Violence Policy, while prohibiting offenses forbidden by Oregon law, also prohibits conduct that may not be a crime under Oregon law. As a result, Linfield requires a higher standard of conduct for members of the Linfield community than those applied to the public at large. Law enforcement agencies contacted about sexual misconduct or relationship violence at Linfield will follow Oregon law, not Linfield College's Sexual Misconduct Policy.

Linfield's Definition of Sexual Misconduct and Relationship Violence:

a. Non-consensual sexual contact:
    i. any intentional sexual touching,
    ii. however slight,
    iii. with any object or body part,
    iv. by any person upon any other person,
    v. without consent.
b. Non-consensual sexual intercourse:
    i. any sexual intercourse (anal, oral, or vaginal),
    ii. however slight,
    iii. with any object or body part,
    iv. by any person upon any other person,

v. without consent.

c. Forced sexual intercourse:
    i. any unwilling or non-consensual sexual intercourse (anal, oral or vaginal),
    ii. however slight,
    iii. with any object or body part,
    iv. that is committed either by force, threat, intimidation, or through exploitation of another's mental or physical condition.

d. Sexual Exploitation:

Sexual exploitation occurs when a student takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct or relationship violence offenses. Examples of sexual exploitation include, but are not limited to:

i. prostituting another student;
ii. non-consensual video or audio-taping of sexual activity;
iii. going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex);
iv. engaging in Voyeurism;
v. knowingly transmitting an STD or HIV to another.

e. Sexual Harassment:

Sexual harassment is unwanted sexual advances, requests for sexual favors, or visual, verbal, or physical conduct of a sexual nature when: (1) submission to such conduct is made a term or condition of employment or the educational relationship; (2) submission to or rejection of such conduct is used as a basis for employment or education decisions affecting the individual; or (3) such conduct has the effect of unreasonably interfering with a student's or employee's work performance or creating an intimidating, hostile, or offensive working, educational, or living environment. While sexual harassment encompasses a wide range of conduct, some examples of specifically prohibited conduct include:

i. Promising, directly or indirectly, a student or employee a reward, if the student or employee complies with a sexually oriented request.
ii. Threatening, directly or indirectly, retaliation against a student or an employee, if the student or employee refuses to comply with a sexually oriented request.
iii. Denying, directly or indirectly, a student or employee an employment or education related opportunity, if the student or employee refuses to comply with a sexually oriented request. Engaging in sexually suggestive conversation or physical contact or touching another student or employee.
iv. Displaying pornographic or sexually oriented materials.
v. Engaging in indecent exposure.
vi. Making sexual or romantic advances toward a student or employee and persisting despite the student or employee's

rejection of the advances.

vii. Physical conduct such as assault, touching, or blocking normal movement.

viii. Retaliation for making harassment reports or threatening to report harassment.

Sexual harassment can involve any person being harassed by another person. Although sexual harassment sometimes involves a person in a greater position of authority as the harasser, individuals in positions of lesser or equal authority also can be found responsible for engaging in prohibited harassment.

Sexual harassment can be physical and/or psychological in nature. An aggregation of a series of incidents can constitute sexual harassment even if one of the incidents considered separately would not rise to the level of harassment.

f. Domestic Violence

Domestic violence means a "felony or misdemeanor crime of violence committed by:

i. a current or former spouse or intimate partner of the victim,

ii. a person with whom the victim shares a child in common,

iii. a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner,

iv. a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies [under VAWA], or

v. any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction."

g. Dating Violence

Dating violence means "violence committed by a person

i. who is or has been in a social relationship of a romantic or intimate nature with the victim; and

ii. where the existence of such a relationship shall be determined based on a consideration of the following factors:

- the length of the relationship;
- the type of relationship; and
- the frequency of interaction between the persons
- involved in the relationship."

h. Stalking

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

i. fear for their safety or the safety of others; or

ii. suffer substantial emotional distress."

Definition of Terms

- Explicit Consent

Explicit consent is the basis of the analysis applied to unwelcome sexual contact. Lack of consent is the critical factor in any incident of Sexual Misconduct or Relationship Violence.

a. Explicit consent is informed, freely and actively given and requires clear communication between all persons involved in the sexual encounter
b. Consent is active, not passive. Consent can be communicated verbally or by actions. But in whatever way consent is communicated, it must be mutually understandable. Silence, in and of itself, cannot be interpreted as consent.
c. It is the responsibility of the initiator of sexual contact to make sure they understand fully what the person with whom they are involved wants and does not want sexually.
d. Consent to one form of sexual activity does not imply consent to other forms of sexual activity.
e. Previous relationships or consent does not imply consent to future sexual acts.
f. Consent cannot be procured by use of physical force, compelling threats, intimidating behavior, or coercion. Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another.
g. Effective consent cannot be given by minors, mentally disabled individuals or person's incapacitated as a result of drugs or alcohol.
h. If you have sexual activity with someone you know to be—or should know to be—mentally or physically incapacitated (by alcohol or other drug use, unconsciousness or blackout), you are in violation of this policy.
i. Incapacitation is a state where one cannot make a rational, reasonable decision because they lack the ability to understand the who, what, when, where, why or how of their sexual interaction.
j. This policy also covers someone whose incapacity results from mental disability, sleep, involuntary physical restraint, or from the taking of a so-called "date-rape" drug. Possession, use and/or distribution of any of these substances, including Rohypnol, Ketomine, GHB, Burundanga, etc. is prohibited, and administering one of these drugs to another student for the purpose of inducing incapacity is a violation of this policy.
k. Use of alcohol or other drugs will never function to excuse behavior that violates this policy.

- Penetration means any degree of insertion, however slight, of the penis or any other material object into the vagina, anus or any bodily orifice.
- Sexual Contact is any touching of the sexual or intimate parts of the body.
- Alcohol/Substance Incapacitation means that a person is rendered incapable of appraising or controlling one's own or the other's conduct at the time of the alleged offense due to the use of alcohol or other substances. All individuals need to answer the questions who, what, when, why and how.
- Mental Disorder means that a person suffers from a mental disease or disorder that renders the person incapable of appraising the nature of a situation or the conduct of the other person.
- Mental Incapacitation means that a person is incapable of understanding and acting with discretion in the ordinary affairs of life.
- Physical Helplessness means that a person is unconscious, or for some reason is physically unable to

communicate unwillingness to engage in an act.

OPTIONS FOR REPORTING AND/OR PRESSING CHARGES

- We encourage you to report this incident to one of the college staff members listed in this handbook whether you choose to involve the police or not. The counselors in the Linfield College Counseling Center, the College Chaplain or staff in the Student Health Center will keep your report confidential. These staff members will file an anonymous report with the Director of College Public Safety for statistical reporting.

- If the alleged respondent is a student of the College, you may choose to report this incident to one of the individuals listed below and ask them to investigate and take appropriate action based on that investigation. Specific procedures are listed below. While promptness in reporting is desirable, the case may be investigated as long as the respondent continues to be a student at the College.

- You can report what has happened to the local police. We strongly recommend that you provide all relevant information and evidence to the police as soon after the assault as possible. The police forward their report to the prosecutor's office. The prosecutor then determines whether or not there is sufficient evidence to proceed with the case. Their 24-hour number is 503-434-6500.

- The College's complaint procedure provides for immediate, thorough, and objective investigation of all claims of sexual misconduct or relationship violence. If sexual misconduct or relationship violence has occurred, the College will take appropriate remedial action that is commensurate with the severity of the offense.

- The College strictly prohibits retaliation against any person for using this reporting procedure, or for filing, testifying, assisting or participating in any manner in any investigation or proceeding involving allegations of discrimination or harassment. Any person who violates this policy will be subject to discipline, up to and including termination if they are an employee, and/or dismissal if they are a student.

Retaliation Defined:

Retaliation is any action by any person that is perceived as: intimidating, hostile, harassing, retribution, or violent that occurred in connection to the making and follow-up of the report.

Title IX

Title IX of the Education Amendments of 1972 prohibits discrimination based on gender in educational programs which receive federal financial assistance. Title IX can apply in areas such as athletics, student recruitment and admissions, financial aid, scholarships, course offerings and access, employment, and housing and residential services. Title IX also protects students and employees, both male and female, from unlawful sexual harassment in school programs and activities, as well as sexual assault, which are forms of unlawful discrimination under Title IX.

Linfield has established a committee, consisting of a Title IX Coordinator and Deputy Coordinators, each of whom have specific knowledge to respond to concerns in the areas described above. Inquiries related to this policy can be directed to the following:

ADDITIONAL INFORMATION

If you are the victim of sexual misconduct or relationship violence or know someone who has been subjected to sexual misconduct or relationship violence, the material in the following pages provides information about

- Who can help you and how to contact those individuals,
- Where to seek medical assistance and why,
- Your options regarding what type of report, if any, you may wish to file, and information about the Linfield University conduct review process.

WHAT TO DO IF YOU HAVE BEEN ACCUSED OF SEXUAL MISCONDUCT OR RELATIONSHIP VIOLENCE

Do not attempt to contact the reporting party(s)! The Dean of Students or the Associate Dean of Students will contact you and inform you about Linfield's Policy and Procedures. We encourage you to speak with a counselor in the Linfield University Counseling Center or the University Chaplain during this process.

LINFIELD UNIVERSITY SEXUAL MISCONDUCT AND RELATIONSHIP VIOLENCE REVIEW PROCEDURES

General Information

- Any member of the University community may initiate a case by filing a complaint with one of the following people:
  - Susan Hopp, Title IX Coordinator, VP Student Affairs, Melrose 110, (503-883-2278)
  - Jeff Mackay, Deputy Title IX Coordinator/Dean of Students/Director of Residence Life, Melrose 110, (503-883-2436)
  - Brenda DeVore Marshall, Deputy Title IX Coordinator, Ford Hall 105 (503-883-2290)
  - Mary Ann Rodriguez, Deputy Title IX Coordinator, Melrose 105A, 503-883-2458
  - Vacant Position – Pending rehire, Deputy Title IX Coordinator, HHPA Complex 205E (503-883-2372)
  - Dennis Marks, Director of Linfield Public Safety, Cozine, (503-883-2602)

- You may choose to have a friend, advisor, professor or administrator assist you in filing a complaint. Advisors have been designated by the college to provide information about procedures and resources

at Linfield and in the community. These individuals have been trained to assist you and can accompany you through the process should you choose to file a complaint. You may contact any of them directly. They are not protected by the legal definition of client/patient privilege, which does apply to professional counselors and clergy, but can give you information in person or over the phone. These individuals are listed in this policy guide.

- If you wish, the College will attempt, where it is reasonably possible, to change the living and/or academic situation of the reporting party or the reporting party to avoid a continuation of contact between the individuals.

- Sexual Misconduct and Relationship Violence Review Procedures are the same as noted in the policy guide, which apply to other alleged infractions of the Student Code of Conduct.

• Standard for Determining Responsibility

The standard used to determine accountability will be by a preponderance of the evidence: whether it is more likely than not that the alleged perpetrator has violated the Sexual Misconduct and Relationship Violence Policy. All members of the College community found to have violated this policy will be disciplined up to dismissal from the College. Sanctions will not be lessened because the offense was committed with an acquaintance or while on a date.

• The General Rights of the Reporting Party and the Responding Party

The Reporting Party's Rights:

a. An explanation of available options for redress,
b. Freedom from harassment by the responding party (or the supporters),
c. Use of all available internal and external support services in dealing with the aftermath of the offense,
d. Ability to speak on their own behalf during the conduct proceedings, including making a "survivor impact" statement to a University Conduct Board,
e. The presence of one advisor from the University community and/or a support person during the hearing, or the presence of one non-campus advisor who can observe and support the complainant but cannot speak for the reporting party and may not question the board, witnesses or other participants,
f. The opportunity to present witnesses who can speak about the charges, character witnesses excluded,
g. Attend the entire conduct hearing except for the deliberation phase,

h. Testify on their own behalf,
i. Freedom from having irrelevant sexual history discussed during the conduct hearing,
j. Information about the outcome of the conduct hearing, and
k. Opportunity to appeal the outcome of the hearing.

The Responding Party's Rights:

a. An explanation of the charge(s),
b. Freedom from harassment by the reporting party (or supporters),
c. An explanation of the University conduct system,
d. The presence of one advisor from the University community, or the presence of one non-campus advisor who can observe and support the responding party but cannot speak for the responding party and may not question the board, witnesses or other participants,
e. Testify on their own behalf,
f. Present witnesses who can speak about the charges, character witnesses excluded,
g. Attend the entire conduct hearing except for the deliberation phase,
h. Freedom from having irrelevant sexual history discussed during the conduct hearing,
i. Information about the outcome of the conduct hearing, and
j. Opportunity to Appeal the outcome of the hearing.

The Office of the Dean of Students is responsible for:

a. Ensuring that both the reporting party and the responding party accused of misconduct, harassment, or retaliation are aware of the seriousness of the complaint.
b. Explaining the University's sexual misconduct and relationship violence policy and investigation procedures.
c. Making referrals to the Counseling Center for counseling and referral services, if appropriate.
d. Discussing with the reporting party the option of notifying the police if criminal activities are alleged.
e. Conducting or arranging for an investigation of the alleged prohibited conduct.
f. Preparing or overseeing any reports, recommendations, or remedial action(s) that are needed or warranted to resolve any prohibited conduct.

g. Assuring that each complaint will be assessed and resolved individually.

The Hearing Process

If a complaint is filed with the Dean of Students Office, the process for adjudication is as follows. This procedure applies to reporting parties of sexual misconduct or relationship violence as well as responding parties of sexual misconduct or relationship violence.

1. The responding party(s) shall be notified by an appropriate official of the University that they are accused of violating the sexual misconduct and relationship violence policy.
2. The student(s) shall be notified that they may elect one of three courses of action:
    a. The student(s) may admit the alleged violation and request that the Dean of Students take whatever action seems appropriate.
    b. The student(s) may admit the alleged violation, and request a hearing before the University Conduct Board.
    c. The student may deny the alleged violation, in which case a hearing will be held by the University Conduct Board.
3. During the hearing, the reporting party(s) and the responding party(s) may be separated physically. Typically, a physical barrier may be used to eliminate any visual contact if requested by any party. Video conferencing may also be used as a way to attend the hearing electronically.
4. Both reporting party and responding party shall be entitled to an expeditious hearing of the case.
5. The hearing shall be of an informal nature and need not adhere to formal rules of procedure or technical rules of evidence followed by courts of law.
6. Following notification prior to the hearing both the reporting party and the responding party shall be entitled to the following:
    a. written notification of the time and place of the hearing,
    b. written statement of the charges of sufficient specificity to enable the respondent(s) to prepare a defense,
    c. a copy of the procedures as outlined here.
7. Both the reporting party(s) and the responding party(s) shall be entitled to appear in person, to present their view of what took place to the University Conduct Board, and may call witnesses in their behalf. Either of these persons may also elect not to appear before the University Conduct Board. Should they elect not to appear, the hearing shall be held in their absence.
8. Both the reporting party(s) and the responding party(s) shall be entitled to assistance from one member of the University community

(faculty, staff, or student) or one off-campus advisor who may observe and support but cannot speak for the responding party or the reporting party and may not question the board, witnesses or other participants.

9. Both the reporting party(s) and the responding party(s) or their on-campus advisor shall be entitled to ask questions of the conduct review body or any witness.
10. Both the complainant(s) and the respondent(s) shall be entitled to refuse to answer questions.
11. An audio record of the hearing shall be made and provided to the Dean of Students, for the purpose of hearing appeals and will be destroyed following all appeals
12. Both parties and all other non-members of the conduct review body shall be excused when the Board deliberates on its decision. That decision will be presented in writing to the Dean of Students, who will in turn notify both parties in writing of the conduct review decision. Notification of decision shall be accomplished by requesting that each party appear separately at an appointed time at the Dean's office. If either party does not appear at the appointed time, notification will be accomplished by mail.

Sexual Misconduct Appeals

Any student having been accused of sexual misconduct or relationship violence and having had a hearing before the University Conduct Board may appeal the decision. The reporting party may also appeal the decision. Any student wishing to appeal must lodge a statement in writing to the Dean of Students. Such an appeal must be lodged within seven days of notification of the original decision. The written appeal should present specific information as to the reason for the appeal. Appeals maybe submitted under two conditions.

1. The conduct procedures outlined in the Student Handbook were not followed during the student's original hearing, or

2. New and significant evidence is available which was unknown and could not have been known at the time of the hearing.

The severity of sanction is not considered a legitimate ground for an appeal. Only one appeal is allowed per student involved. The Dean of Students will review the written appeal and other pertinent information and will notify the student in writing of the Dean's decision.

Guidelines for the Sexual Misconduct and Relationship Violence Hearings

In order to provide equity and efficiency in the administration of conduct review procedures, the following guidelines have been created. These guidelines should be interpreted in light of the philosophy and procedures stated

above. If there is more than one reporting party or more than one responding party for a specific incident, the cases may be considered separately.

The hearing shall be conducted in accordance with the following general format.

1. The chairperson shall inform all parties involved of the procedure to be followed at the hearing.

2. The chairperson shall then read the charges against the respondent and shall ask that individual if they understand the charges and whether or not they concur with them. If the responding party concurs, the University Conduct Board shall then consider the charges as accurate and hear any information that the respondent may present in mitigation or explanation.

3. If the responding party does not concur, the University Conduct Board shall then hear the evidence in support of the charges. The reporting party may present these or may ask an Advisor to do so in their behalf. After presentation of the evidence in support of the charges the responding party shall have the opportunity to:

    a. present evidence in refutation of any or all the charges,

    b. present any other relevant information,

    c. question witnesses testifying in support of the charges.

4. Both the reporting party (or their proxy) and the responding party may ask questions of the University Conduct Board members. Members may ask questions of the student charged as well as of any witness testifying at the hearing. Off-campus advisors may not enter into discussion, ask questions or make comments during the hearing.

5. The students and all other non-members of the University Conduct Board will be excused, except the Dean of Students or designee who is to be consulted concerning penalty.

6. The University Conduct Board will deliberate and formulate its findings and recommendations.

<u>Findings and Recommendations</u>

The standard of proof required in student discipline cases is based on the preponderance of the evidence.

After hearing a case, the University Conduct Board may decide as follows:

1. Not responsible for a violation: No violation of a regulation has been proved.
2. Responsible for a violation: A violation of a regulation has been proved. In this case, the Board may impose a number of sanctions, individually or in a combination, including:
    a. warning: an official reprimand in writing, delivered to the accused student and placed in the student's file;
    b. probation: a condition that stipulates that any further violations of regulations may result in a suspension. Length of probation will be specified;
    c. probation with terms: a condition that adds to regular probation stipulations that may deny the accused student certain privileges or requires certain action of the student;
    d. recommendation for suspension: separation from the College for a definite or indefinite period of time;
    e. recommendation for dismissal: permanent separation from the University; and/or
    f. other action that may seem appropriate for any given case. Sanctions against groups include those listed above in a-f, and also deactivation, loss of all privileges, including college recognition, either temporarily or permanently.

Responsibilities of the Chairperson

The chairperson of the University Conduct Board or the Dean of Students' designee has the following responsibilities:

1. To notify both the reporting party and the responding party of charges brought and to provide each party with a copy of the University's Sexual Misconduct and Relationship Violence Policy and Procedures;

2. To make all arrangements for the hearing, including time, place, notification of persons involved, and a record of the hearings (Secretarial support will be provided by the executive assistant to the Dean of Students);

3. To decide all procedural matters during the hearing in accordance with established written guidelines and normal due process;

4. To control the conduct of the hearing with authority to exclude any person who refuses to comply with the rules or determinations of the chairperson;

5. To prepare or cause to be prepared in writing the findings and recommendations of the University Conduct Board, and to deliver them to the Dean of Students within 72 hours of the hearing.

Post Hearings

The findings and recommendations of the University Conduct Board will be presented in writing to the Dean of Students within 72 hours.

Confidentiality

- Both the content and the outcome of a hearing shall be considered confidential and no member of the University Conduct Board shall discuss a student's role in an incident except with other members of the University Conduct Board.
- The right of the College community to have knowledge of the work of the Board shall be met through the releases of summary outcomes of cases that do not mention the names of individuals.
- In certain cases, the public nature of the violation of regulations or the student's own public admission of guilt may bring attention to a case, but this does not alter the confidentiality of the conduct review proceedings.

Presidential Prerogative

As the final administrative authority for the University, the President has and must have the authority to act without consultation with any other person or conduct board and to suspend or expel any student who is acting in a manner which the President feels is contrary to and of a dangerous character to the University as an institution or to persons belonging to or associated with the University Community.

The Office of Student Affairs shall provide for the adequate, reliable, and impartial investigation of all complaints.

E. **Sexual Misconduct and Relationship Violence Policy and Procedures - 2020 Procedures**

Policy Statement

In keeping with its mission, Linfield University commits itself to creating an environment which aims to be violence free and fosters excellence in learning for its students and in work performance for its employees. Linfield University's expectations of civility among community members exceed those applied to the public at large. The Linfield University Sexual Misconduct and Relationship Violence Policy, while prohibiting offenses forbidden by Oregon law, also prohibits conduct that may not be a crime under Oregon law. As a result, Linfield also requires a higher standard of conduct for members of the Linfield community than those applied to the public at large.

No member of the University community shall engage in sexual misconduct or relationship violence against another member of the University or larger community. To this end, the University shall annually

apprise its students, faculty, administrators, and staff of this policy, and inform them about the meaning, effects and consequences of sexual misconduct and relationship violence.

For the protection of the community, the University may take action against those who commit such misconduct. In taking action, the University will make every attempt to provide as much privacy for the reporting party(s) and the responding party(s) as possible. In fulfilling this policy and its procedures, the University shall seek to mitigate further harm experienced by a reporting party while balancing the need for appropriate procedural protections for a responding party. Should sexual misconduct or relationship violence be found to have occurred, the University will, to the extent it is able, identify and implement appropriate remedies and sanctions.

Notice of Non-Discrimination

Linfield University does not discriminate on the basis of sex in education programs or activities it operates including admissions and employment. Inquiries about the application of Title IX and this policy may be referred to the University's Title IX Coordinator.

Title IX & Sexual Misconduct and Relationship Violence Coordinator Contact Information

For inquiries about the Notice of Non-Discrimination or this policy in general please contact

Susan Hopp, Title IX Coordinator, Vice President of Student Affairs & Athletics, & Admission

Office: 108 Melrose Hall, 900 SE Baker Street, McMinnville, Oregon 97128

Phone: 503.883.2278

E-mail: shopp@linfield.edu

Applicable Federal Law and State Law

A. This policy has been written to comply with the requirements of all applicable Federal and State laws. To the extent that this policy is inconsistent with those laws or the laws change before the policy has been updated, state and federal law supersedes this policy.

B. If any provision of this policy is found to be invalid, illegal, unconstitutional, or unenforceable, that finding shall not affect or undermine the validity of any other provision.

Scope

A. Title IX Sexual Misconduct and Relationship Violence Procedures apply to complaints that name responding parties over whom Linfield University exercises substantial control. This may include students, staff, faculty, volunteers, contractors and others brought into University business to participate in or execute University programs or activities.

B. Linfield University's Extended Sexual Misconduct and Relationship Violence Procedures apply to cases that name responding parties that include all students, staff, faculty, volunteers (including trustees), contractors and others brought into University business to participate in or execute University programs or activities.

Jurisdiction

A. Title IX Sexual Misconduct and Relationship Violence Procedures apply in all instances in which the University has actual knowledge of potential Title IX Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, or Stalking as defined by these policies that occur in an educational program and activity of the University against a person in the United States.

B. Linfield University's Extended Sexual Misconduct and Relationship Violence Procedures apply to all potential instances of Sexual Harassment, Sexual Exploitation, Sexual Assault, Sexual Misconduct, Domestic Violence, Dating Violence, or Stalking as defined by these policies that occur on Linfield University premises; during any Linfield University educational programs and activities regardless of location; and off-campus when the conduct has a rational nexus to Linfield University and/or the pursuit of its objectives or that poses a potential threat to the health, safety, or culture of non-discrimination the University or any person associated with the

University or substantially impacts any person's ability to continue their University-related pursuits.

Determination of the Appropriate Procedure

Where a potential instance of Title IX Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, or Stalking falls under the scope and jurisdictional requirements of the Title IX Sexual Misconduct and Relationship Violence Procedures, those procedures must be followed. However, if a complaint is dismissed from the Title IX Sexual Misconduct and Relationship Violence Procedure, it may then be brought under the Linfield University Extended Sexual Misconduct and Relationship Violence Procedures.

Definitions

"Actual Knowledge" means notice of sexual harassment or allegations of sexual harassment to the University's Title IX Coordinator or any official of the University who has authority to institute corrective measures on behalf of the recipient. Constructive notice is insufficient to constitute actual knowledge.

"*Process Navigator*" means a person of a party's choosing who can accompany them to any hearings, investigative interviews, or other meetings related to this procedure. If a party does not have a process navigator during a hearing, the process navigator may be of the institution's choosing. In some instances, pursuant to this policy, a process navigator may be an attorney.

"Alcohol or Substance Induced Incapacitation" means that a person is rendered incapable of appraising or controlling one's own or the other's conduct at the time of the alleged offense due to the use of alcohol or other substances. Whether the individual chose to use the alcohol or substance, was coerced into using the alcohol or substance, or was tricked into or unknowingly used the alcohol or drugs is irrelevant to a determination of capacity.

"Consent" / "Explicit consent". For the purposes of this policy, all consent must meet explicit consent. Explicit consent means:

A. Informed, freely and actively given consent. It is active, not passive. It cannot be procured by use of physical force, compelling threats, intimidating behavior, or coercion.

B. It requires clear communication between all persons involved in the sexual encounter. It can be communicated verbally or nonverbally, but in whatever way it is communicated, it must be mutually understood. Silence, in and of itself, cannot be interpreted as explicit consent.

C. Explicit Consent means that it is the responsibility of the initiator of sexual contact to make sure they understand fully what the person with whom they are involved wants and does not want sexually. This includes knowledge of somebody's mental or physical state and corresponding ability to consent. An incapacitated individual is incapable of providing explicit consent.

D. Explicit Consent to one form of sexual activity does not imply consent to other forms of sexual activity. Previous relationships or previous instances of consent do not imply consent to future sexual acts.

"Constructive Notice" means notice of sexual harassment that the University should have reasonably known through exercise of reasonable care.

"Disclosure" means sharing information related to an alleged incident of Title IX Sexual Harassment, Sexual Harassment, Sexual Exploitation, Sexual Assault, Sexual Misconduct, Domestic Violence, Dating Violence, or Stalking to any staff, faculty, student, volunteer or other person association with the University without the intent to trigger a University response.

"Educational Program and Activity" includes

A. locations, events, or circumstances over which Linfield University exercised substantial control over both the responding party and the context in which the sexual harassment occurs.

B. any building owned or controlled by a student organization that is officially recognized by Linfield University.

"Forcable Sex Offense" means any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent. (forcible rape; forcible sodomy, sexual assault with an object; and forcible fondling).

"Formal Report" means a document filed by a reporting party or signed by the Title IX Coordinator alleging sexual harassment against a responding party and requesting that Linfield University investigate the allegation of Title IX Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, or Stalking under the Title IX Sexual Misconduct and Dating Violence Procedure.

"Incapacitation" / "Incapacitated" means a state where a reporting party cannot make a rational, reasonable decision because they lack the ability to understand the who, what, when, where, why or how of their sexual interaction. Incapacity may:

A. be alcohol or substance induced incapacitation, or

B. be the result of a mental disorder or physical helplessness.

"Mental Disorder" means that a person suffers from a mental disease or disorder that leaves the individual rendering them incapable of appraising the nature of a situation or communicate unwillingness to engage in an act.

"Physical Helplessness" means that a person is unconscious, or for some other reason physically unable to communicate unwillingness to engage in an act.

"Nonforcable Sex Offense" means unlawful, non-forcible sexual intercourse. (incest, statutory rape)

" Report" means a report of an alleged incident of Title IX Sexual Harassment, Sexual Harassment, Sexual Exploitation, Sexual Assault, Sexual Misconduct, Domestic Violence, Dating Violence, or Stalking to the Title IX Coordinator or an official of the University with authority to institute corrective measures on behalf of the University with the intent to trigger the Linfield University Extended Sexual Misconduct and Dating Violence procedure.

"Responding party" means an individual who is alleged to be the actor of conduct that could constitute Title IX Sexual Harassment, Sexual Harassment, Sexual Exploitation, Sexual Assault, Sexual Misconduct, Domestic Violence, Dating Violence, or Stalking.

"Reporting party" means an individual who is alleged to be the victim of conduct that could constitute Title IX Sexual Harassment, Sexual Harassment, Sexual Exploitation, Sexual Assault, Sexual Misconduct, Domestic Violence, Dating Violence, or Stalking.

"*Reporter*" means an individual who discloses conduct that could constitute Title IX Sexual Harassment, Sexual Harassment, Sexual Exploitation, Sexual Assault, Sexual Misconduct, Domestic Violence, Dating Violence, or Stalking but is not alleged to be the victim of the conduct.

"Supportive Measures" means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the reporting party or the responding party before or after the filing of a formal report or where no formal report has been filed. Such measures are designed to restore or preserve equal access to the University's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the University's educational environment, or deter sexual harassment.

"Unwelcome sexual advances" / "Unwelcome sexual conduct" / "Unwelcome sexual contact" means any sexual conduct, advance or contact without explicit consent.

Prohibited Conduct

The following behaviors constitute prohibited conduct under this code. After the appropriate procedures have been followed, if a responding party has been found responsible for any of these forms of conduct, they will be subject to sanctions and a reporting party will be eligible to receive appropriate remedies as described in this policy:

A. “Title IX Sexual Harassment” which includes conduct on the basis of sex that satisfies one or more of the following:

    1. An employee of the University conditioning the provision of an aid, benefit, or service of the University on an individual’s participation in unwelcome sexual conduct;

    2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University’s education program or activity; or

    3. Sexual Assault

B. “Sexual Harassment” which includes unwelcome conduct of a sexual nature. Sexual harassment can include:

    1. 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.

    2. An employee of the University conditioning the provision of an aid, benefit, or service of the University on an individual’s participation in unwelcome sexual conduct;

    3. Sexual Assault

C. “Sexual Exploitation” which includes when an individual takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct or relationship violence offenses.

D. “Sexual Misconduct” which includes sexual conduct, or the threat of such conduct, that is predatory in nature and that a reasonable person in the circumstances would consider offensive or likely to be harmful to others. Sexual misconduct may include, but is not limited to, the exposure of one's sexual organs or the display of sexual behavior.

E. “Sexual Assault” which includes any offense classified as a forcible or nonforcible sex offense.

F. “Domestic Violence” which includes any felony or misdemeanor crime of violence committed by:

    a. a current or former spouse or intimate partner of the victim,

    b. a person with whom the victim shares a child in common,

    c. a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner,

    d. a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies under VAWA, or

    e. any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction

G. “Dating Violence” which includes violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

H. “Stalking” which includes engaging in a course of conduct directed at a specific person that would cause a reasonable person to (1) Fear for the person’s safety or the safety of others; or (2) Suffer substantial emotional distress.

I. “Retaliation” which includes any action to intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this

policy. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal report of sexual harassment, for the purpose of interfering with any right or privilege secured this policy constitute retaliation.

Substance Clemency

A student's safety comes first. A student will not be disciplined for violations of the University's drug and alcohol policies that occurred in connection with the disclosed prohibited conduct that were discovered as a result of a prohibited conduct disclosure or investigation unless the student gave another person alcohol or drugs without the person's knowledge and with the intent of causing the person to become incapacitated and vulnerable to the prohibited conduct.

Title IX Sexual Misconduct and Relationship Violence Procedures

These procedures apply to disclosures and formal reports that meet the scope and jurisdiction of the Title IX Sexual Misconduct and Relationship Violence Procedures as defined in the relevant provisions (Scope and Jurisdiction) of this policy.

Disclosures

A. Any person may disclose sex discrimination, including Title IX sexual harassment, dating violence, domestic violence or stalking to the Title IX Coordinator in one of the following ways:

   1. mail
   2. telephone
   3. electronic mail
   4. any other means that results in the Title IX Coordinator receiving the person's verbal or written disclosure.

B. The disclosing person does not need to be the reporting party

C. A disclosing person may disclose an alleged instance of Title IX Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, or Stalking to the Title IX Coordinator without initiating a formal University response.

D. After a disclosure is made, the University will contact and offer to provide process counseling about available supportive measures, formal and informal procedures, which procedure is appropriate and how to file a formal complaint to the reporting party.

E. All disclosure will be reviewed by the University to identify whether the conduct falls within the scope of this policy or other related policies.

Formal Reports

A. formal report is required to initiate the Title IX Sexual Misconduct and Dating Violence Procedures.

   1. Only individuals who are participating in or attempting to participate in the education program or activity of the University with which the formal report is filed may file a formal complaint.
   2. Linfield University must investigate the allegations in a formal report.

B. Dismissal of a formal report:

   1. If the conduct alleged in a formal report would not constitute Title IX sexual harassment, dating violence, domestic violence or stalking as defined in this procedure or did not occur within the scope or jurisdiction of this procedure, the University must dismiss the formal report for purposes of Title IX

2. The University may dismiss a formal report at any time during the investigation or hearing stages for the following reasons:
    a. reporting party notifies the Title IX Coordinator in writing that the reporting party would like to withdraw the formal report
    b. the responding party is no longer enrolled or employed by Linfield University
    c. circumstances prevent Linfield University from gathering evidence sufficient to reach a determination.
3. Upon dismissal of a formal report, the University will promptly send written notice of the dismissal and reason(s) therefor to parties.
4. Any formal report dismissed under these procedures will be reviewed by the Title IX coordinator to determine whether it is appropriate to commence a proceeding under the Linfield University Sexual Misconduct and Dating Violence Procedures.

C. The University may consolidate formal reports where the allegations of Title IX Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, or Stalking arise out of the same facts or circumstances.

Rights of Parties

After the filing of a formal report, reporting party and responding party, have the right to:

A. written notice of date, time, location, participants and purpose of all hearings, investigative interviews, or other meetings related to this procedure

B. a process navigator of their choosing who can be, but is not required to be an attorney, to accompany them to any hearings, investigative interviews, or other meetings related to this procedure

C. inspect and review evidence obtained as part of the investigation that is directly related to the allegations raised in a formal report

D. equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence to the investigator and at the hearing

E. confidentiality of any records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional in connection with the provision of treatment to the reporting party or responding party, unless the reporting party or responding party provides voluntary, written consent for their use.

F. access to process counseling and supportive services promptly after a disclosure is made and/or a formal report is filed.

G. with regard to the responding party, no disciplinary remedies or sanctions being taken until there is a finding of responsibility after the completion of these procedures. This does not preclude the University from taking separate interim measures related to campus safety as described herein.

Responsibilities of the University

During the Title IX Sexual Misconduct and Dating Violence Procedure, the University has the responsibility to:

A. promptly contact a reporting party and offer process counseling.

B. provide the parties the range of available supportive measures.

C. to the extent possible, provide confidentiality surrounding supportive measures.

D. take the reporting party's wishes into consideration when identifying supportive measures and University response.

E. follow these procedures as outlined when formal reports are filed.

F. establish the extent to which the process navigator of a reporting party or responding party's choosing may participate in hearings, investigative interviews, or other meetings related to this procedure.

G. evaluate whether any person designated to facilitate this procedure has a conflict of interest or bias in any given case.

H. preliminary review and investigate all formal reports that allege conduct that falls under this procedure.

I. promptly and equitably determine if a formal report is not covered by this procedure and dismiss it.

J. follow timeframes and ensure the reasonably prompt resolution of each case and provide written notice to parties of delays or extensions and reasons for delays or extensions.

K. when a finding of responsibility has been determined, determine when appropriate, remedies for a reporting party and sanctions for a responding party.

Formal Report Process

Upon receipt of a formal report:

A. The University will provide written notice to all responding parties and reporting parties that includes:

1. notice of this procedure and any available informal resolution process
2. notice of the allegations of prohibited conduct and sufficient details of the Formal Report

B. The University will provide on-going notice of any additional allegations included within the scope of the investigation that arise during the course of these procedures.

C. The University will initiate an investigation into the allegations in the Formal Report.

D. Interim measures may be taken by the University that include:

1. removal of the responding party from the University's education program or activity on an emergency basis, if a safety and risk analysis has determined that there is an immediate threat to the physical health or safety of any student or other individual arising from the allegations of prohibited conduct
    a. Responding party must be provided notice of removal and an opportunity to challenge the University's decision
2. any other interim measure intended to protect the physical health or safety of any student or other individual arising from the allegations of prohibited conduct.

Investigations

A. The investigative process must

1. presume that the responding party is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of this procedure.
2. presume that all complaints are made in good faith.
3. include an objective evaluation of all relevant evidence.

B. The burden to gather evidence rests on the University.

1. The University must gather documents and evidence and conduct fact-finding interviews with parties and witnesses.
2. The University must ensure that parties have an opportunity to participate in interviews with the investigator, provide witnesses and provide evidence to be reviewed.

i. The University must provide written notice to a party of their scheduled investigative interviews including the date, time, and location of the interview

C. At the conclusion of an investigation, and after reviewing all relevant evidence and performing all relevant interviews, the investigator will draft a written investigative report that includes the factual findings as well as any evidence or interviews upon which those findings were determined.

1. The University will provide parties 10 academic calendar days to review the draft report, inspect any evidence obtained by the investigator, and submit a written response to the investigative report draft.
2. The investigator must review and consider the written responses to the draft report prior to finalizing it.
3. The University will provide parties with the final report to review and allow for parties to submit a final written response.
4. The University will provide the report and all final written responses to the Decision-maker(s) prior to the commencement of the hearing.

Hearing Processes

Hearings provide an opportunity for the reporting party and responding party to respond to the allegations through statements to the decision-maker, cross-examination of other parties and witnesses to the alleged conduct, challenging any evidence gathered or presented, and presenting additional evidence for consideration.

Timing

1. The University must provide parties with notice of a hearing date within 15 academic calendar days of the submission of the final investigative report.
    a. Notice must include the date, time, and location of the hearing.
2. The hearing is not to take place less than 10 academic calendar days after the submission of the final investigative report.

Hearing Procedure

1. The decision-maker(s) will oversee the hearing process.
2. All hearings must be live hearings and audio, audiovisual or transcript recordings of the hearing must be created and made available for all parties to review upon request.
3. Parties may request to be located in separate rooms during the hearing.
4. Parties may have a process navigator of choice present at the hearing who may observe, support and participate in cross-examination, this may be a process navigator different from the process navigator the responding party or reporting party uses at other stages through this procedure.

Evidence

1. Parties or their process navigator may make a statement to the Decision-maker(s), provide witnesses, provide evidence, and ask questions of the Decision-maker(s).
2. Parties' process navigator may cross examine witnesses and other parties.
3. All evidence considered by the investigator, discussed in any party's final response or that any party intends to present at the hearing must be made available to all parties at the hearing.

Cross-Examination

1. A party's process navigator of choice is permitted to cross-examine the other party and any witnesses.

a. If a party does not have a process navigator present the University will provide an process navigator.

b. Parties are prohibited from conducting cross-examination.

2. Cross-examination must be conducted directly, orally, and in real time

3. Cross-examination is limited to relevant questions.

    a. Questions and evidence about the reporting party's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the reporting party's prior sexual behavior are offered to prove that someone other than the responding party committed the conduct alleged by the reporting party, or if the questions and evidence concern specific incidents of the reporting party's prior sexual behavior with respect to the responding party and are offered to prove consent.

    b. The decision maker determines whether the question is relevant and must explain any decision to exclude a question as not relevant.

4. If a party or witness does not submit to cross-examination the decision-maker may not rely on any statement of that party or witness in reaching a determination.

Determinations

1. The decision-maker(s) must determine by a preponderance of the evidence, whether the responding party is responsible for the prohibited conduct alleged in the formal report.

2. If the responding party is found responsible:

    a. The decision-maker(s) must determine what remedies are appropriate for the reporting party given the determination of responsibility and prohibited conduct.

    b. The decision-maker must determine what sanctions are appropriate for the responding party given the determination of responsibility and prohibited conduct.

3. The decision-maker's determination of responsibility, remedies and sanctions must be memorialized in a written determination and provided to parties.

4. The determination is considered final either:

    a. If an appeal is not filed, on the date the University provides parties with the written determination as of the result of the appeal,

    b. If no appeal is filed, on the date on which an appeal would no longer be considered timely

Remedies

1. Potential remedies must be designed to restore or preserve equal access to the University's education program or activity, and include:

    a. Housing adjustments

    b. Academic course adjustments

    c. Class registration priority

    d. Housing registration priority

    e. Non-academic restrictions for use of campus facilities

Sanctions

Potential sanctions may be disciplinary, punitive or burden responding party, and include:

a. warning: an official reprimand in writing, delivered to the accused student and placed in the student's file;

b. probation: a condition that stipulates that any further violations of regulations may result in a suspension. Length of probation will be specified;

c. probation with terms: a condition that adds to regular probation stipulations that may deny the accused student certain privileges or requires certain action of the student;

d. recommendation for suspension: separation from the College for a definite or indefinite period of time;

e. recommendation for dismissal: permanent separation from the College; and/or

f. other action that may seem appropriate for any given case.

Sanctions against groups include those listed above in a-f, and also deactivation, loss of all privileges, including college recognition, either temporarily or permanently.

Appeals Process

A. Any party may appeal the following:

   a. Determination regarding responsibility

   b. University's dismissal of a formal report

B. Any party wishing to appeal must file their request to appeal in writing with the Title IX Coordinator within 5 academic calendar days after being provided a written copy of the Decision-maker's determination or notice of University's dismissal of a formal report. The request to appeal must include a description of the basis for appeal.

   a. Title IX Coordinator must provide a written notice and copy of the request to appeal to all parties and allow 5 academic calendar days for non-appealing parties to respond.

   b. Responses to the request to appeal must be in writing

C. The following are available bases for appeal:

   a. Procedural irregularity that affected the outcome of the matter

   b. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter

D. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against reporting parties or responding parties generally or the individual reporting party or responding party that affected the outcome of the matter

E. The Decision-maker(s) for the appeal may not be the same person who reached the initial determination regarding responsibility or dismissal of the formal report, the investigator, or the Title IX Coordinator.

F. The appellate Decision-maker(s) will issue a written determination describing the outcome of the appeal and the rationale for the result to all parties within 72 hours after receiving the responses of non-appealing parties.

Confidentiality

The University will keep confidential the identity of any individual who has made a disclosure or complaint of sex discrimination, including any individual who has made a disclosure or filed a formal report of prohibited conduct, any reporting party, any individual who has been disclosed as be the perpetrator of sex discrimination, any responding party, and any witness, except as may be permitted by the FERPA statute, 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder.

Linfield University's Extended Sexual Misconduct and Relationship Violence Procedures

These procedures apply to disclosures and complaints that meet the scope and jurisdiction of the Linfield University Extended Sexual Misconduct and Relationship Violence Procedures as defined in the relevant provisions (Scope and Jurisdiction) of this policy.

Reporting Disclosures

A. A person may make a disclosure of any prohibited conduct under this policy to the Title IX Coordinator or any of the following individuals:

- Brenda De Vore Marshall, Professor Theatre & Communication Arts
- Mary Ann Rodriguez, Vice President for Finance and Administration
- Jane Samuels, Assistant Athletic Director/Senior Woman Administrator
- Jeff Mackay, Dean of Students

B. The disclosing person does not need to be the reporting party.

C. A disclosing person may disclose an alleged instance of prohibited sexual misconduct or relationship violence without initiating a formal University response.

D. After a disclosure is made, the University will contact the reporting party and offer to provide process counseling about available supportive measures, formal and informal procedures, potential interim measures.

E. An individual may pursue a formal University response procedure independently of any off-campus processes, such as reporting to law enforcement or pursuing other non-campus-based civil reporting options.

F. All disclosures will be reviewed by the University to identify whether the conduct falls within the scope of this policy or other related policies.

Initiation of the Procedure

A. After receiving a disclosure, the Title IX coordinator or any other individuals authorized to receive a disclosure, may initiate this procedure, if, after consultation with the reporting party, they find that prohibited conduct may have occurred and further investigation is appropriate for the safety of the individual or community.

B. To initiate this procedure, the Title IX coordinator must write up a report, or another individual authorized to receive a disclosure must write and submit a report to the Title IX coordinator, at which point the Title IX coordinator will initiate these procedures and ensure that they are executed.

C. If a disclosing person asks that an informal report be written and the Title IX coordinator or any other individuals authorized to receive a disclosure determines that no prohibited conduct may have occurred and/or further investigation is not needed for the safety of the individual or community then the Title IX Coordinator or any other individual authorized to receive a disclosure must provide notice to the reporting person that a complaint was not written including reasons for this decision.

D. The University must provide written notice, including a copy of the report, to any party promptly after the Title IX coordinator writes or receives it.

E. The University must also notify the responding party that they may elect one of four courses of action:

a. They may choose to opt into any available an informal resolution process included in this policy, if the reporting party agrees to that process.

b. They may admit the alleged violation and request that the University determine appropriate remedy and sanction.

c. They may admit the alleged violation and request a hearing before a Decision-maker(s) to determine appropriate remedy and sanction.

d. They may deny the alleged violation, in which case the procedure outlined in this policy will be executed.

F. After this procedure has been initiated, interim measures may be taken by the University to ensure the reporting party, other parties, or the larger campuses safety and the ability to access education programs or activities are remedied or continued.

a. The University will determine the appropriateness of interim measures through a risk and safety analysis. Interim measures may include but are not limited to no-contact orders, temporary suspensions, or emergency removal.

b. Written notice of any interim measures taken will be provided to all parties

Rights of Parties

After a disclosure is made and it is determined that the complaint will be investigated, reporting party and responding party, have the right to:

A. written notice of date, time, location of hearings and investigative interviews

B. a process navigator of their choosing who cannot be an attorney, to accompany them to any hearings, investigative interviews, or other meetings related to this procedure

C. equal opportunity for the parties to present witnesses and evidence to the investigator and at the hearing

D. confidentiality of any records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional in connection with the provision of treatment to the reporting party or responding party, unless the reporting party or responding party provides voluntary, written consent for their use.

E. access to process counseling and supportive services promptly after a report is made

F. with regard to the responding party, no disciplinary remedies or sanctions being taken until there is a finding of responsibility after the completion of these procedures. This does not preclude the ability of the University to take interim measures as described herein.

Responsibilities of the University

After a report is made and it is determined that the complaint will be investigated, the University has the responsibility to:

A. follow the procedures as described within this policy

B. promptly contact reporting party and provide process counseling on rights and options for reporting and receiving supportive measures without engaging a formal procedure

C. provide an overview to responding parties of their rights and process options.

D. provide a range of supportive measures.

E. coordinate individualized and appropriate supportive measures for parties while maintaining confidentiality to the extent possible.

F. establish the extent to which the process navigator of a reporting party or responding party's choosing may participate in hearings, investigative interviews, or other meetings related to this procedure.

G. evaluate whether any person designated to facilitate this procedure has a conflict of interest or bias in any given case.

H. follow timeframes and ensure the reasonably prompt resolution of each case and provide written notice to parties of delays or extensions and reasons for delays or extensions.

I. when a finding of responsibility has been determined and when appropriate, provide remedies to a reporting party and sanctions to a responding party.

Investigation

A. The University shall provide for the adequate, reliable, and impartial investigation of all complaints.

B. In conducting investigations, the University must:

   a. gather documents and evidence and conduct fact-finding interviews with parties and witnesses

   b. ensure that parties have an opportunity to participate in interviews with the investigator(s), provide witnesses and provide evidence to be reviewed.

   c. provide written notice to a party of their scheduled investigative interviews including the date, time, and location of the interview.

C. At the conclusion of an investigation, and after reviewing all relevant evidence and performing all relevant interviews, the investigator must draft a written investigative report that includes factual findings, but not determinations of responsibility, as well as any evidence or interviews upon which those findings were determined.

   a. The University will provide parties 5 academic calendar days to review the draft report and submit a written response to the draft report.

   b. The investigator must review and consider the written responses to the draft report prior to finalizing it.

D. The University will provide the finalized investigative report and all final written responses will be provided to the Decision-maker(s) prior to the commencement of the hearing.

Hearing Process

Hearings provide an opportunity for the reporting party and responding party to respond to the allegations through statements to the decision-maker, challenging any evidence gathered or presented, and presenting additional evidence for consideration.

Timing

1. The University must provide parties with notice of a hearing date within 15 academic calendar days of the submission of the final investigative report.

   a. Notice must include the date, time, and location of the hearing.

Hearing Procedure

1. The Decision-maker(s) will oversee the hearing process.
2. All hearings must be live hearings.
3. Parties shall be entitled to appear in person or virtually, to present their view of what took place to the Decision-maker(s), and may call witnesses on his/her/their behalf.

   a. Parties may request to be located in separate rooms during the hearing.

   b. Parties may also elect not to appear before the Decision-maker (s). Should a party elect not to appear, the hearing shall be held in their absence.

   c. Parties may refuse to answer questions asked by the Decision-maker(s).

   d. Parties may have a process navigator of choice present at the hearing who may observe and support but cannot speak for the responding party or the reporting party and may not

question the board, witnesses or other participants, this may be a process navigator different from the process navigator the responding party or reporting party uses at other stages through this procedure.

Evidence

1. Parties may make a statement to the Decision-maker(s), provide witnesses, and ask questions of the Decision-maker(s).

Cross-Examination

1. Cross-examination of parties and witnesses by parties or their process navigator of choice is not allowed during the hearing.
2. Parties may refuse to answer cross-examination-type questions asked by the Decision-maker(s

Determinations

1. The Decision-maker(s) must determine by a preponderance of the evidence, whether the responding party is responsible for the prohibited conduct alleged in the complaint
2. If the responding party is found responsible:
    a. The Decision-maker(s) must make a recommendation as to what remedies are appropriate for the reporting party given the determination of responsibility and prohibited conduct.
    b. The decision-maker must make a recommendation as to what sanctions are appropriate for the responding party given the determination of responsibility and prohibited conduct.
3. The Decision-maker's determination of responsibility, remedies and sanctions must be memorialized in a written determination and provided to parties.
4. The determination is considered final either:
    a. If an appeal is not filed, on the date the University provides parties with the written determination as of the result of the appeal,
    b. If no appeal is filed, on the date on which an appeal would no longer be considered timely

Remedies

1. Potential remedies must be designed to restore or preserve equal access to the University's education program or activity, and include:
    a. Housing adjustments
    b. Academic course adjustments
    c. Class registration priority
    d. Housing registration priority
    e. Non-academic restrictions for use of campus facilities

Sanctions

1. Potential sanctions may be disciplinary, punitive or burden responding party, and include:
    a. warning: an official reprimand in writing, delivered to the accused student and placed in the student's file;
    b. probation: a condition that stipulates that any further violations of regulations may result in a suspension. Length of probation will be specified;

c. probation with terms: a condition that adds to regular probation stipulations that may deny the accused student certain privileges or requires certain action of the student;

d. recommendation for suspension: separation from the College for a definite or indefinite period of time;

e. recommendation for dismissal: permanent separation from the College; and/or

f. other action that may seem appropriate for any given case.

2. Sanctions against groups include those listed above in a-f, and also deactivation, loss of all privileges, including college recognition, either temporarily or permanently.

Appeals process

A. Any party may appeal the following:

1. Determination regarding responsibility

2. University's failure to initiate this procedure

B. Any party wishing to appeal must file their request to appeal in writing with the Title IX Coordinator within 5 academic calendar days after being provided a written copy of the decision-maker's determination or notice of the University's failure to initiate a complaint. The request to appeal must include a description of the basis for appeal.

1. The Title IX Coordinator must provide a written notice and copy of the request to appeal to all parties and allow 5 academic calendar days for non-appealing parties to respond.

2. Responses to the request to appeal must be in writing

C. The following are available basis for appeal:

1. Procedural irregularity that affected the outcome of the matter

2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter

3. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against reporting party(s) or responding party(s) generally or the individual reporting party or responding party that affected the outcome of the matter

D. The Decision-maker(s) for the appeal may not be the same person who reached the initial determination regarding responsibility or dismissal of the formal report, the investigator, or the Title IX Coordinator.

E. The appellate decision-maker(s) will issue a written determination describing the outcome of the appeal and the rationale for the result to all parties within 72 hours after receiving the responses of non-appealing parties.

Confidentiality

Both the content and the outcome of a hearing shall be considered confidential and no Decision-maker(s) shall discuss a student's role in an incident beyond the requirements of this procedure. The right of the University community to have knowledge of the work of the decision-maker shall be met through the releases of summary outcomes of cases that do not mention the names of individuals.

In certain cases, the public nature of the violation of regulations or the student's own public admission of guilt may bring attention to a case, but this does not alter the confidentiality of the conduct review proceedings.

General Provisions

The following provisions apply to both Title IX Sexual Misconduct and Dating Violence Procedures and Linfield University Sexual Misconduct and Dating Violence Procedures.

Retaliation

A. Retaliation is prohibited under the policy.

B. A person may file a report of retaliation with the Title IX Coordinator under this policy. That report shall be handled in the same manner as any other report of retaliation under relevant provisions of the student conduct code.

Recordkeeping

A. For any formal report or report that resulted in a proceeding under this policy, the University will maintain for a period of 7 years records of:

1. Investigations including determination regarding responsibility
2. Audio, audiovisual or transcript of hearings
3. Any disciplinary sanctions imposed on the responding party
4. Remedies provided to the reporting party
5. Any appeal and the result therefrom
6. Any informal resolution and the result therefrom

B. For any disclosure that did not result in a proceeding under this policy, the University will maintain for a period of 7 years records of:

1. any actions, including any supportive measures taken in response to a report including the University's basis for its conclusion that its response was not unreasonable in the light of known circumstances and steps taken to restore or preserve equal access to the University's education program or activity.
2. if supportive measures were not provided, the University will maintain a record of the reasons why its response was not clearly unreasonable in the light of known circumstances.

C. The University will maintain for a period of 7 years the general records of all materials used to train Title IX Coordinators, investigators, Decision-maker(s), and any person who facilitates an informal resolution process.

WHAT TO DO IF YOU HAVE EXPERIENCED SEXUAL MISCONDUCT OR RELATIONSHIP VIOLENCE

If you have been sexually assaulted, IT IS NOT YOUR FAULT!
YOU ARE NOT ALONE! YOU HAVE OPTIONS

Medical Clemency: If alcohol or any other drugs are involved with a sexual misconduct incident, the safety and well-being of students comes first and policy violations will not be issued.

WHO CAN HELP

The following people will assist and support you.

• If you are in immediate danger, need immediate assistance and help making additional contacts,

Crisis Response (24 hours):

- Linfield Area Director on Duty: 503-883-LIFE (5433)
- Linfield Public Safety (LPS): 503-883-SAFE (7233)
- Yamhill County Crime Victim Services: 503-434-7510
- Medical Emergency/Police: 911

• If you choose to **Report with Total Confidentiality On Campus:**

- Linfield Counseling Center, Walker 103: 503-883-2535 (8AM-5PM, Mon-Fri)
- Linfield Student Health Center, Walker 103: 503-883-2535 (8AM-5PM, Mon-Fri)
- Linfield Chaplain, Melrose 110: 503-883-2259 (8AM-5PM, Mon-Fri)

• If you choose to **Report with Total Confidentiality Off Campus:**
- Northwest Human Services Crisis Line (Anonymous): 1-800-560-5535
- Henderson House Crisis Line (Anonymous): 503-472-1503

• If you choose to **File a Police Report*:**
- Linfield Public Safety (LPS): 503-883-SAFE (7233) for assistance contacting police

OR

- McMinnville Police – 911 Emergency or 503-434-6500

OR

- Yamhill County Victim Assistance Program 503-434-7510 (M-F 8AM–5PM) or 503-434-6500 (Evenings/Weekend)

***Note:** If you choose to have evidence collected for the police report, you must go to the hospital for a FREE forensic medical exam from a trained Sexual Assault Nurse Examiner (SANE Nurse), if the rape or sexual misconduct occurred within the past 84 hours. If it has been longer than 84 hours, contact one of the people listed above or on the next page for additional information and assistance.

ADDITIONAL INFORMATION ABOUT WHO CAN HELP

If you have been sexually assaulted, IT IS NOT YOUR FAULT! You are not alone! You have options!
It's important that you find someone you trust to talk with for support, understanding, and to connect with resources. You may be feeling stunned and confused. Even after you've received medical attention and reported the misconduct (if you choose to do so), it's still important for your healing process to have someone to talk with.

Medical Clemency: If alcohol or any other drugs are involved with a sexual misconduct incident, the safety and well-being of students comes first and policy violations will not be issued.

In addition to the individuals listed previously, the following people have been trained to assist and support you.

McMINNVILLE RESOURCES

• **On Campus Area Directors** (All Area Directors are trained as Sexual Misconduct Advisors):
- Kathleen Jensen: 503-883-5388, Mahaffey 127
- Kristen Andersen: 503-883-5356, Mahaffey 127
- Lainie Sowell: 503-883-5297, Mahaffey 127
- Robert Sharp: 503-883-5390, Mahaffey 127
- For immediate response call the AD Cell Phone 503-883-5433 (LIFE)

• **Process Navigators** (Campus trained staff members):
- Brenda Rivera briverav@linfield.edu
- Araceli Cruz acruz@linfield.edu
- Matt Hodges mhodges@linfield.edu
- Kristi Mackay kmackay@linfield.edu
- Michelle Tomseth mtomseth@linfield.edu

- Deborah Herlocker dherlocker@linfield.edu
- Sharon Bailey Glasco sglasco@linfield.edu

• **Misconduct Report Form**
- Copies available at: Cozine Hall, Melrose 110, Riley CIC, Walker 124 and Withnell Commons

PORTLAND RESOURCES

• **LPS – Portland Office** 503-413-7210

• **24 Hour, Off Campus Reporting Options**
- Non Emergency Police/Fire: 503-823-3333
- Portland Police Sexual Assault Detail: 503-823-0434
- Portland Women's Crisis Line: 1-888-235-5333
- Sexual Assault Resource Crisis Line: 503-640-5311

• **Process Navigators**
- Matthew Hiller: Loveridge Hall, 1st floor
- Mackenzie Larson: Loveridge Hall, 1st floor

• **Free & Confidential Counseling Sessions** (8 per student)
- Counseling Center: 503-413-7873, Peterson Hall 319
- Off Campus: 503-352-2400

• **Misconduct Report Form**
- Print: http://www.linfield.edu/campussafety/safety-forms.html
- Copies available at: Student Life in Loveridge Hall, Campus Operations

ONLINE AND CONTINUING EDUCATION RESOURCES

• **Northwest Human Services Crisis Line (anonymous)** 1-800-560-5535
• **Dean of Students Office** 503-883-2278

SEEK MEDICAL ASSISTANCE

We urge you to consider seeking medical assistance. You may do this at the Hospital Emergency Room or at the Linfield Student Health Center (see hours listed above). For your physical well-being, it is important that you undergo a medical examination as soon as possible after the assault! This will include tests for HIV, STIs, and pregnancy. The forensic medical exam is also important to gather evidence in support of a charge of rape or sexual assault. If you think you were drugged, tell the person completing your medical exam. While your first desire may be to "clean up," you are encouraged not to douche, bathe, eat, drink, smoke, or change clothes before you go for an exam. Bring a change of clothing with you. The Emergency Room has a specific protocol to follow called a SAFE (Sexual Assault Forensic Examination) Kit that includes semen collection, saliva samples, hair combings and other tests (as appropriate), which will help you if you decide to take legal action against your assailant. If any clothing worn during the sexual assault is removed, place it in a paper bag and take it with you to the hospital.

OFF-CAMPUS McMINNVILLE RESOURCES

Henderson House: ALL SERVICES ARE CONFIDENTIAL. We provide a 24-hour crisis line, information and referrals, crisis counseling, hospital accompaniment, safe shelter, court advocacy, and support groups. YOU DO NOT NEED TO FILE A REPORT TO RECEIVE SERVICES. Call 503.472.1503 (24-hour).

Yamhill County Victim Assistance Program: You may call our office anonymously or come into the office and tell us your story. We will believe you and offer you emotional support and information regarding the options available to you. We will explain what may happen depending on what you choose to do with the information regarding the sexual assault. We offer advocacy throughout the legal process if and when a police report is filed. We do not offer legal advice, we offer empowerment. Call 503.434.7510 (M - F, 8:00 am - 5:00 pm).

REPORTING TO THE McMINNVILLE POLICE

McMinnville Police Department has implemented the "You Have Options Program" as a more effective tool for dealing with sexual assault victims. We have chosen this program and believe it is another step forward in ensuring that victims are cared for and supported rather than being re-traumatized by the criminal justice process.

The **You Have Options** program was developed by Detective Carrie Hull of Ashland Police Department. She presented the information at the Oregon Chief's Conference in the Spring of 2014. The primary premise of the program is that if we do the following action points, we can enhance our service to victims, improve our sexual assault investigations, and focus on dealing more effectively with the small number of serial sexual perpetrators that commit the majority of these crimes and often do so with impunity.

1. We enhance our services to victims by giving them options in how they report and how much they report. We intentionally give victims the chance to take control and make choices since one of the greatest injuries in sexual assaults is the loss of control by the victim. By giving the victim the opportunity to exercise control over the level of participation they provide (anonymous report, partial investigation, and a complete investigation) the victim is allowed to determine the pace at which the investigation is conducted, they are allowed to remain anonymous and to protect their confidential information. This allows them to build a more trusting relationship with police officers and investigators, take a break if needed as traumatic memories or fears are dealt with and overcome, and gives them back control, confidence and strength.

    1. In order to protect the rights of potential suspects and maintain objectivity in our investigations, we do not list alleged assailants as suspects until the victim allows a complete investigation or we develop probable cause evidence from some other source.

    2. The most common goal of victims in reporting their assault (according to Ashland PD's research) was that they be believed and not blamed for the assault they were a victim of, not always seeking prosecution of their assailant. Note – this is partly a law enforcement issue in general and a societal issue as a whole.

2. We improve our sexual assault investigations by utilizing the Forensic Experiential Traumatic Interview (FETI) techniques developed and taught by the US Army. These recognize the cognitive issues created by a traumatic incident such as a sexual assault, shooting, or other critical events. It encourages investigators to interview with more open ended questions, at a slower pace if needed, and with much more listening and much less questioning. There are some specific types of question that are avoided as they put victims on the defensive and there are some more sensory response or experience questions that help obtain information and understanding without passing judgment.

3. We will improve our identification and prosecution of serial sexual offenders by obtaining better information from victims, checking the history of named offenders

in other communities (we already found a local case that immediately connected with a previous sexual assault case we had received, but were unable to prosecute), and hopefully by getting more victims willing to report or partially report as this program increases the trust between law enforcement and victims, advocates, and institutions within our community. McMinnville Police Department has generally had positive interactions with victims and advocates and this program is intended to enhance our service level to victims and our community, not to address a problem or failure at the police department. We anticipate that this program is likely to increase the number of sexual assault reports. Based on Ashland's observations, while they have doubled their reporting, the number of active cases has not increased beyond the resources of their investigators because a portion of that increase are cases that are waiting for victim input before they proceed further. We anticipate that this will be an increase in our investigative responsibilities, but not that we will need immediate assistance to maintain this program. Most importantly, we are adopting this program because it requires us to treat all victims the way we would want one of our friends or relatives treated if they had a sexual assault to report. Despite the potential for greater work, it is the right thing to do and a critical improvement in how we deal with victims of sexual assaults.

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Weapons Policy

In keeping with its mission, Linfield University wants to provide a safe environment to foster excellence in learning for students and work performance for employees. Therefore, the possession or use of any firearm or other weapon (including but not limited to those listed below) is prohibited on any University Property, in any vehicle on University property, and at any university sponsored event at any location. This policy also applies to anyone possessing a valid permit to carry a concealed weapon.

Authorized law enforcement officials, in the performance of their duties, are exempt from this policy. Off duty law enforcement officials are required to notify Linfield Public Safety if they are carrying a concealed weapon while not on duty. Prohibited weapons include: ammunition; explosives in any form; propellant guns of any kind, including bb guns, pellet guns, Air Soft guns, paint ball guns, 'potato guns' and others; knives (folding or pocket knives of no more than 7 inches in length when fully open are permitted), swords, hatchets and axes; 'fighting sticks', 'nunchuks,' 'throwing stars' and other martial arts weapons; brass knuckles, tasers, or any other weapon, as determined by Linfield University except as they may be used in the education process as authorized by Linfield Faculty. Any student or employee found in possession of a prohibited weapon will have it confiscated by Linfield Public Safety. Confiscated weapons will be retained in locked storage by Linfield Public Safety pending an appropriate disposition and adjudication by either the Office of Student Services (for students) or the

Office of Human Resources (for employees). Any student who violates this policy is subject to disciplinary action up to and including suspension. Any Linfield employee who violates this policy is subject to disciplinary action up to and including termination of employment.

Visitors or other persons found in possession of a prohibited weapon will be asked to leave campus (or University sponsored event) and not to return with the prohibited object. In some instances, such person(s) may be directed not to return to campus under any circumstance. Failure to comply with this policy will result in Linfield University engaging the assistance of local police authorities.

For more information about the weapons policy, refer to: *http://www.linfield.edu/policy.html*.

IV. ANNUAL CRIME STATISTICS

Definitions of reportable crimes under the Clery Act can be found at the following Department of Education webpage: *http://ope.ed.gov/security/glossaryPopup.aspx*

McMinnville Campus Reportable Crime:

McMinnville Campus	**On Campus**									**Non Campus**			**Public Property**		
Clery Reportable Incidents	Student Housing			Other			Total								
	2019	2018	2017	2019	2018	2017	2019	2018	2017	2019	2018	2017	2019	2018	2017
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses: Rape	1	1	2	0	0	0	1	1	2	0	0	1	0	0	0
Sex Offenses: Fondling	0	0	0	0	0	0	0	0	0	1	1	0	0	0	0
Sex Offenses: Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Non-Forcible Sex Offense	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0
Burglary	1	0	2	1	1	2	2	1	4	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	1	0	0	1	0	0	0	0	0	0	0
Arson	0	1	0	0	0	0	0	1	0	0	0	0	0	0	0
Liquor Law Arrests	1	0	0	0	1	0	1	1	0	0	0	0	0	0	0
Drug Law Arrests	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0

Illegal Weapons Possession Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Referrals	84	48	119	79	15	14	163	63	133	0	2	1	0	0	0
Drug Law Referrals	36	28	56	4	2	7	40	30	46	0	0	1	0	0	0
Illegal Weapons Possession Referrals	0	5	0	0	0	0	0	5	0	0	0	0	0	0	0

McMinnville Campus Bias Crimes:

No bias motivated crimes were reported for 2017, 2018, or 2019. Bias crimes include race, gender, gender identity, religion, sexuality, ethnicity, national origin, and disability.

McMinnville Campus Violence Against Women Act (VAWA) Crimes:

McMinnville Campus	**On Campus**									**Non Campus**			**Public Property**		
VAWA Crimes	Student Housing			Other			Total								
	2019	2018	2017	2019	2018	2017	2019	2018	2017	2019	2018	2017	2019	2018	2017
Dating violence	0	0	0	0	0	1	0	0	1	0	0	0	0	0	0
Domestic violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	1	2	1	2	0	1	3	1	0	0	0	0	0	0

Portland Campus Reportable Crime:

Portland Campus	**On Campus**									**Non Campus**			**Public Property**		
Clery Reportable Incidents	Student Housing			Other			Total								
	2019	2018	2017	2019	2018	2017	2019	2018	2017	2019	2018	2017	2019	2018	2017
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses: Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses: Fondling	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses: Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses: Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Non-Forcible Sex Offense	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	1	0	0	1	0	2	1
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Illegal Weapons Possession Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Referrals	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Referrals	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Illegal Weapons Possession Referrals	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Portland Campus Bias Crimes:

No bias motivated crimes were reported for 2017, 2018, or 2019. Bias crimes include race, gender, gender identity, religion, sexuality, ethnicity, national origin, and disability.

Portland Campus Violence Against Women Act (VAWA) Crimes:

Portland Campus	**On Campus**									**Non Campus**			**Public Property**		
VAWA Crimes	Student Housing			Other			Total								
	2019	2018	2017	2019	2018	2017	2019	2018	2017	2019	2018	2017	2019	2018	2017
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dating violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	1	0	0	1	0	0	0	0	0	0	0

V. FIRE SAFETY

A. Introduction

It is the goal of Linfield University to provide a safe and healthy environment for all students, employees, and visitors.

Linfield seeks to recognize hazardous conditions and take appropriate action before such conditions result in an emergency, which includes fires. These efforts include timely fire evacuations, effective fire detection and alarm systems, fire prevention education and proactive fire hazard reduction.

B. Fire Evacuation Procedure

All students and their guests must evacuate immediately whenever a fire alarm is sounded. Use the nearest available exit to evacuate the building. Ignoring a fire alarm is grounds for severe disciplinary action to be determined by the Director of Residence Life or the Peer Community Standards Board. Students who may not be able to evacuate safely must contact college officials to make alternative arrangements.

You are expected to observe the building evacuation guidelines:

1) Leave room lights on
2) Close room door and windows
3) Leave blinds open
4) Wear shoes and carry/wear a coat
5) Move quickly to the designated assembly area
6) Once there, check in with a Residence Life Staff or CPS and wait for further instructions
7) Do not enter the building until directed to do so by Residence Life Staff or CPS.

Gather outside at the evacuation point identified below. This information is also provided on the building's Emergency Information/Exiting card.

Residence Hall	**Evacuation Point**
Anderson	Parking lot north of Anderson
Campbell	Open area just south of Campbell
Elkinton	Renshaw Field
Frerichs	Grassy area next to softball field
Grover	Intramural field
Hewitt	Grassy area next to softball field
Jane Failing	Intramural field
Larsell	Parking lot north of Larsell
Latourette	Intramural field
Mahaffey	Grassy area next to softball field
Memorial	Field between Anderson and Frerichs
Miller	Fire pit next to HHPA
Newby	East end of Oak Grove clear of trees

Pioneer	East end of Oak Grove clear of trees
Potter	East parking lot by White Apartments
Terrell	Renshaw Field
Whitman	Open area south of Campbell

If no alarm is sounding, notify emergency services by dialing 9-911 from a landline phone or 911 from any cell phone.

When a fire alarm is activated, the elevators will automatically recall to a pre-designated fire safe floor. Occupants should use the stairs to evacuate the building. If you are caught in the elevator, push the emergency phone button. The emergency phones in elevators on campus ring to a monitoring center and Linfield will be notified.

McMinnville Fire Department will alert Linfield Public Safety. If a member of the Linfield community finds evidence of a fire that has been extinguished, and the person is not sure whether LPS has already responded, the community member should immediately notify LPS (7233 or 503-883-7233) to investigate and document the incident.

C. Fire Detection and Alarm Systems

On the McMinnville campus, all residence halls (Anderson, Campbell, Elkinton, Frerichs, Grover, Hewitt, Jane Failing, Larsell, Latourette, Mahaffey, Memorial, Miller, Newby, Pioneer, Potter, Terrell, Whitman, Dana, and the HP apartments) have integrated automatic sprinkler and fire detection and alarm systems throughout, which is monitored 24 hours per day, seven days per week. Monitored fire detection and alarms systems are present in the following apartments: 540 Quad, College Avenue, and Blaine Street. The systems are monitored 24 hours per day, seven days per week.

The fire safety sprinkler systems in each building are integral to the safety of each resident. Under no circumstances should anything be tied to, hung from, or in any way obstruct a sprinkler head. If broken off, a sprinkler will expel 50 gallons of water a minute, resulting in considerable damage to surrounding areas. Also, balls, Frisbees, etc., should never be thrown inside of buildings, for risk of general damage, but also due to the fact that these items can break off a sprinkler head. Students causing such damage will be held responsible for damage to all College property and all personal property of residents, as well as cleaning and associated charges.

Annually, a contractor tests the fire alarm systems and detectors and all issues are corrected. Residence Life and Facilities Services also perform inspections at least once a year of every residence. The inspections are also used to identify safety issues as well as conditions that may be detrimental to the health or wellbeing of the wider residential community. The inspections include a visual examination of sprinkler heads, smoke detectors and other life safety systems. Facilities Services staff or an appropriate outside contractor correct any issues found.

Each residence room is equipped with smoke detectors. If yours malfunctions, contact the Resident Advisor so that it can be repaired. It is against the law to unplug or tamper with the smoke alarm. Doing

so jeopardizes the safety of all residents and you may be fined up to $500. It is wise to periodically check your smoke detector to be sure it is functioning properly. To do so, simply push the button. If it is working correctly, you will hear a loud beep. Misuse of fire and/or other safety equipment (fire escapes, fire-fighting equipment, sprinkler heads or pipes, exit signs, alarms) is strictly prohibited.

D. Fire Prevention Education

Fire drills are conducted at a minimum once during fall semester and spring semester, and are coordinated by Residence Life and LPS. Every residence hall has emergency evacuation maps installed in hallways and other common areas. On Linfield's Portland campus, fire drills in the residence hall, Peterson Hall, are conducted quarterly following the hospital's standard procedures.

Residence hall staff receives intensive and comprehensive fire safety training at the beginning of each year. Each first year resident is given a hard copy of the 'Guide to Living at Linfield', which includes information on fire safety and what appropriate action to take during a fire alarm or fire emergency. All returning students are directed to the online booklet available at:
https://www.linfield.edu/assets/files/policy/student-policy-guide.pdf

Fire safety training is also available to students, faculty and staff. This typically includes how to use a fire extinguisher and a demonstration of a simulated dorm room fire.

E. Policies on Portable Electric Appliances, Smoking and Open Flames

Because of the threat posed (i.e., personal safety and property), violation of any fire safety regulations may result in a fine of up to $500, damage charges, and possible disciplinary action.

Open flames, including such items as candles, incense burners; laboratory burners, camp stoves, and torches may not be used in any campus residence. Due to the potential hazard, all fireplaces have been closed off and are not to be used. The only exception to this are the gas fireplaces located in Terrell and Elkinton. Residents in those must use the gas fireplaces safely. In accordance with McMinnville Fire Department fire marshal directive, no BBQ grills may be used on any deck, landing, walkway or stairs connected to a college owned residence hall or apartment property or within 15 feet of any building.

Explosives, including firecrackers or other fireworks, and highly flammable and/or combustible materials may not be taken into residence halls or other University housing. This includes gas cans, motorbikes, motorcycles, and scooters. Students are also prohibited from hanging string, rope or neon lights, neon signs or any other decorative lights (Christmas, Halloween, etc.) on their walls.

The following items are specifically prohibited from University housing areas (for a complete list, please refer to the Guide to Living at Linfield College booklet.)

Prohibited Items:

Air conditioners	Illegal drugs
Any propellant guns (air soft, BB, paint ball)	Candles or candle warmers
Bikes stored in common areas or by doors	Rice cookers*
Motorized scooters	Sun lamps
Grills, including George Forman	Toasters*
Halogen lamps	Toaster ovens
Hot plates	Incense burners
Extension cords, except for the heavy-duty kind with circuit breakers	
Decorative lights (Christmas lights, neon lights, rope lights, etc.	
Explosives, fireworks, volatile chemicals or dangerous materials of any kind	

**not allowed in rooms, but are allowed in the common kitchen areas only or apartment kitchens.*

Smoking of any kind is prohibited inside all residence halls, apartments, and within 30 feet of building entrances and windows, out of courtesy for the community in keeping with Oregon Clean Air laws. Ashtrays are provided outside of each residence hall, and students are asked to use them to keep the campus clean.

In an attempt to assist privately owned fraternity houses maintain acceptable living conditions and safety standards, fraternities are required to comply with Linfield University's "*Guide to Living at Linfield*" and the "*Student Policy Guide*". It is the responsibility of each fraternity to ensure that its members maintain acceptable living conditions. As part of this responsibility, each fraternity should take all necessary steps to maintain its property in a safe, clean, and sanitary condition. This includes meeting all applicable fire codes. The fraternities are also required to have a fire safety walk through with the McMinnville Fire Department each year. Failure to comply with these policies could result in various penalties and sanctions, including closure by the University.

F. Fire Incident Reports

Statistics as reported to LPS and the Office of Environmental Health and Safety:

Residence Living Fires						
	McMinnville Campus			Portland Campus		
Year	2019	2018	2017	2019	2018	2017
Total Fires	3	2	1	0	1	0
Damages	$0.00	$0-200	$0.00	$0.00	<$99.00	$0.00
Injuries	0	0	0	0	0	0

2019 Residence Area Fires

Linfield College Residential Facilities	Total Fires	Date	Time	Cause	Injuries Treated at Medical Facilities	Deaths related to Fire	Value of Property Damage
540 Apts	0	N/A	N/A	N/A	0	0	$0.00
Anderson Hall	1	01/25/2019	6:55 PM	Cooking	0	0	$0.00

Blaine St. Apts	0	N/A	N/A	N/A	0	0	$0.00
Campbell Hall	0	N/A	N/A	N/A	0	0	$0.00
College Ave. Apts	1	02/19/2019	10:30 PM	Cooking	0	0	$0.00
Dana Hall	0	N/A	N/A	N/A	0	0	$0.00
Elkinton Hall	0	N/A	N/A	N/A	0	0	$0.00
Emmaus House	0	N/A	N/A	N/A	0	0	$0.00
Frerichs Hall	0	N/A	N/A	N/A	0	0	$0.00
Grover Hall	0	N/A	N/A	N/A	0	0	$0.00
Hewitt Hall	0	N/A	N/A	N/A	0	0	$0.00
HP Park Apts	0	N/A	N/A	N/A	0	0	$0.00
Jane Failing Hall	0	N/A	N/A	N/A	0	0	$0.00
Larsell Hall	1	05/05/2019	9:25 PM	Human	0	0	$0.00
Latourette Hall	0	N/A	N/A	N/A	0	0	$0.00
Loveridge Hall (PDX)	0	N/A	N/A	N/A	0	0	$0.00
Mahaffey Hall	0	N/A	N/A	N/A	0	0	$0.00
Memorial Hall	0	N/A	N/A	N/A	0	0	$0.00
Miller Hall	0	N/A	N/A	N/A	0	0	$0.00
Newby Hall	0	N/A	N/A	N/A	0	0	$0.00
Pioneer Hall	0	N/A	N/A	N/A	0	0	$0.00
Potter Hall	0	N/A	N/A	N/A	0	0	$0.00
Terrell Hall	0	N/A	N/A	N/A	0	0	$0.00
Whitman Hall	0	N/A	N/A	N/A	0	0	$0.00
Kappa Sigma Fraternity	0	N/A	N/A	N/A	0	0	$0.00
Delta Psi Delta Fraternity	0	N/A	N/A	N/A	0	0	$0.00
Theta Chi Fraternity	0	N/A	N/A	N/A	0	0	$0.00
Pi Kappa Alpha Fraternity	0	N/A	N/A	N/A	0	0	$0.00

Fire Safety by Residence Building

Linfield College Residential Facilities	Fire Alarm Monitoring by:	Sprinkler System	Smoke Detection	Fire Extinguisher	Posted Evacuation Plans	Number of Evacuation Drills
540 Apts	Alarm Central		X	X		2
Anderson Hall	Alarm Central	Full	X	X	X	2
Blaine St. Apts	Alarm Central		X	X		2
Campbell Hall	Alarm Central	Full	X	X	X	2
College Ave. Apts	Alarm Central		X	X		2
Dana Hall	Alarm Central	Full	X	X	X	2
Elkinton Hall	Alarm Central	Full	X	X	X	2
Emmaus House	Alarm Central		X	X		2
Frerichs Hall	Alarm Central	Full	X	X	X	2
Grover Hall	Alarm Central	Full	X	X	X	2
Hewitt Hall	Alarm Central	Full	X	X	X	2
HP Park Apts	Alarm Central	Full	X	X		2
Jane Failing Hall	Alarm Central	Full	X	X	X	2

Larsell Hall	Alarm Central	Full	X	X	X	2
Latourette Hall	Alarm Central	Full	X	X	X	2
Loveridge Hall (PDX)	Honeywell	Full	X	X	X	2
Mahaffey Hall	Alarm Central	Full	X	X	X	2
Memorial Hall	Alarm Central	Full	X	X	X	2
Miller Hall	Alarm Central	Full	X	X	X	2
Newby Hall	Alarm Central	Full	X	X	X	2
Pioneer Hall	Alarm Central	Full	X	X	X	2
Potter Hall	Alarm Central	Full	X	X	X	2
Terrell Hall	Alarm Central	Full	X	X	X	2
Whitman Hall	Alarm Central	Full	X	X	X	2

G. Helpful Telephone Numbers

EMERGENCY AT ANY CAMPUS LOCATION: 9-911

McMinnville Campus:
YCOM – County Dispatch center – Emergency 911, non Emergency 503-434-6500
Police Department (Non-Emergency) 503-434-7307
Fire Department (Non-Emergency) 503-435-5800
Linfield Public Safety ext. 7233 (SAFE) or 503-883-7233
Office of Environmental Health and Safety ext. 2431 or 503-883-2431

Portland Campus:
Police Department (Non-Emergency) 503-823-3333
Fire Department (Non-Emergency) 503-823-3700
Portland LPS 503-413-7210