



2013

Annual Security and
Fire Safety Report

Table of Contents

I. INTRODUCTION	4
II. LINFIELD COLLEGE PUBLIC SAFETY	4
A. Department of College Public Safety’s Mission Statement	4
B. Reporting Incidents and Emergencies	5
C. Voluntary Confidential Reporting	5
D. Sexual Misconduct and Relationship Violence Reporting	5
E. Missing Person Guidelines	6
F. Emergency and Non-Emergency Information.....	7
G. Notification of College Emergencies	7
H. Timely Warnings	8
I. Responding to Emergencies.....	8
J. Crime Log	10
K. Partnership with Local Law Enforcement	10
L. Crime Reduction Programs.....	10
M. Emergency Management and Preparedness	11
N. Access to College Facilities	11
O. Maintenance of College Properties.....	12
III. LINFIELD COLLEGE POLICIES.....	12
A. Alcohol Policy.....	12
B. Bias Incidents	12
C. Controlled Substance Policy	13
D. Harassment Policy	13
E. Sexual Misconduct and Relationship Violence Policy and Procedures.....	14
Definition of Terms	16
Options for Reporting and/or Pressing Charges	17
Title IX	17
Additional Information.....	18
F. Sex Offender Registration Information.....	25
G. Weapons Policy	26
IV. ANNUAL CRIME STATISTICS	27

V. FIRE SAFETY.....	32
A. Introduction	32
B. Fire Evacuation Procedure	32
C. Fire Detection and Alarm Systems.....	33
D. Fire Prevention Education	34
E. Policies on Portable Electric Appliances, Smoking and Open Flames.....	34
F. Fire Incident Reports	36
G. Helpful Telephone Numbers	37

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 College, and crime statistics. These security measures are designed to enhance the safety of all individuals at Linfield College. Further information on the Clery Act may be obtained at <http://clerycenter.org/summary-jeanne-clery-act>.

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

This report is prepared by the Linfield College Public Safety Department (“CPS”), 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/college-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 CPS, 900 SE Baker Street, McMinnville, Oregon 97128, or (503)-883-7233.

II. LINFIELD COLLEGE PUBLIC SAFETY

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

A. Department of College Public Safety’s Mission Statement

The mission of Linfield College Public Safety is to foster a safe and secure environment that supports an exceptional educational experience. CPS will establish partnerships with our campus communities based on mutual respect, cooperation, and a commitment to safety. We will 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 CPS staff members are certified by Oregon’s Department of Public Safety Standards and Training. The McMinnville Campus is staffed 24/7 by CPS. The Portland Campus is staffed 24/7 by Legacy Good

Samaritan Hospital Security with an assigned liaison officer from CPS. CPS patrol persons are not armed; they conduct foot, bike, alternative vehicle and vehicular patrols of campus areas regularly. In addition, a courtesy ride service is provided 24 hours a day. CPS patrol persons enforce college policies, rules and regulations. Local police departments are contacted for any arrest relating to violations of city or state laws. More information can be found on the CPS webpage at: <http://www.linfield.edu/college-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 CPS.

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

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 or a designee of CPS 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 of yourself and others. With such information, the College 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. They 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.

Any member of the College community may initiate a case by filing a complaint with one of the following people:

Susan Hopp, Title IX Coordinator/Dean of Students, Melrose 110, (503) 883-2278

Jeff Mackay, Deputy Title IX Coordinator/Assoc. Dean/Director of Residence Life, Melrose 110 (503) 883-2436

Brenda DeVore Marshall, Deputy Title IX Coordinator, Ford Hall 105 (503) 883-2290

Lisa Macy-Baker, Deputy Title IX Coordinator, HHPA 205C (503) 883-2710

Mary Ann Rodriguez, Deputy Title IX Coordinator, Melrose 105A (503) 883-2458

Ron Noble, Director of College Public Safety, Cozine 102, (503) 883-2602

The form at http://www.linfield.edu/assets/files/safety/misconductform_-_linfield.pdf can be used to report relationship violence or sexual misconduct on and around campus. It is not necessary for you to be the alleged victim to complete this information. Once completed, the form should be returned to one of the offices below.

Sexual Assault Task Force
Linfield College
900 SE Baker St, Unit A611
McMinnville, OR 97128

Office of Student Affairs
110 Melrose Hall
900 SE Baker St, Unit A490
McMinnville, OR 97128

The two options with this form are as follows:

- Formally report the incident information to the Dean of Students by including the survivor AND offender names in the last section, allowing official contact to be made with the survivor and with the alleged offender.

—OR—

- Anonymously report the incident information to the Sexual Assault Response Team (SART) by leaving the names of the survivor and alleged offender blank in the last section; neither you nor any of the individuals involved will be contacted/provided resources

Please note: You will not be contacted by the College and no conduct report can be filed, unless you provide your contact information. Completing this form does NOT constitute a police report.

- To file an official report for criminal action, contact the Crime Victim Assistance Program at (503) 434-7510.

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 CPS. The local police department (in McMinnville or Portland), with assistance and cooperation of the College, will be the primary investigative unit in missing student cases.

Linfield students have the option to identify an individual to be contacted by the College 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 College 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 College 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 maybe made to the Student Wellness and Counseling Center.

More information can be found at:

<http://www.linfield.edu/college-public-safety/missing-person-guidelines.html>.

F. Emergency and Non-Emergency Information

CPS may be contacted from McMinnville campus phones at extension 7233, and at (503) 883-SAFE (7233) from off-campus or cell phones. 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 CPS. To contact the McMinnville Police Department for non-emergencies, call (503) 434-7307.

The Portland campus community can contact the Legacy Good Samaritan Security Department Dispatch, 24 hours per day, 7 days per week at (503) 413-7911, who will dispatch security officer(s). 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 College Emergencies

The College 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 College 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 periodically.

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 College, 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 College Public Safety and/or Residence Life staff; and/or the use of portable address systems. Timely warnings may also be posted on the College 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

Knowing what to do in case of an emergency is critical.

To evacuate:

1. Take personal belongings
2. Do not use elevators, use the nearest stairs
3. Evacuate the building using the nearest accessible exit
4. Follow directions given by college personnel
5. Go to designated evacuation point, and do not return to building until instructed to do so
6. Assist persons with disabilities
7. Every person must evacuate the building

To shelter in place:

1. Stay in the building and if possible, close and lock windows/doors
2. Move into an interior room away from windows
3. Remain in shelter until emergency personnel announce “all clear”.

Please see the following information on how to respond to other emergencies:

EVACUATION INFORMATION

- Take personal belongings (keys, books, wallet, etc.)
- Do not use elevators, use nearest stairs.
- Follow directions given by designated evacuator.
- Evacuate the building using the nearest accessible exit.
- Go to designated evacuation point, and do not return to building until instructed to do so.
- Assist persons with disabilities.
- Every person **MUST** evacuate the building.

SHELTER IN PLACE

- Stay in building, and if possible close and lock windows/doors.
- Move into an interior room away from windows.
- Make a list of who is there and call CPS at ext. 7233 to report this information.
- Remain in shelter until emergency personnel announce "ALL CLEAR."

BOMB THREAT OR SUSPICIOUS OBJECT

- Report all threatening calls to 911.
- If suspicious object is found, do NOT handle, call 911.
- Be sure to ask a caller:
 - *When is the bomb going to explode?*
 - *Where is the bomb?*
 - *What kind of bomb is it?*
 - *What does it look like?*
 - *Why did you place the bomb?*
- Be attentive to caller for recall when questioned by the police.

MEDICAL EMERGENCY

- Dial 911.
- Be ready to describe the nature and severity of medical problem, and provide estimated age/gender.
- Stay calm.
- Look for emergency medical ID.

EARTHQUAKE

- **DROP COVER HOLD.**
- Take cover under a table or desk or against an interior wall until shaking stops (do NOT stand in a door way).
- After shaking stops, check yourself and others for injuries.
- **EVACUATION IS NOT AUTOMATIC**, evacuate only if the fire alarm is sounding or if directed by emergency personnel.
- Do not use elevators.
- If you are outdoors, find a spot away from buildings, trees, streetlights and power lines.
- Be prepared for aftershocks!

LINFIELD COLLEGE EMERGENCY PROCEDURES

EMERGENCY NUMBER

911

ACTIVE SHOOTER

- Dial 911.
- Take cover and hide behind something that will hinder a bullet, play dead if needed.
- If safe to leave, escape through window or door.
- **REMEMBER** responding POLICE will not know who you are – **ALWAYS** show your hands and **FOLLOW** their commands.

FIRE

Fire extinguisher instructions:

P pull safety pin from handle.

A aim nozzle at base of fire.

S squeeze the trigger handle.

S sweep from side to side (watch for re-flash).

- Evacuate building, do not return until authorized by emergency personnel.

GENERAL HAZARDS

- If you discover a chemical spill, smell gas, observe down electrical power lines, etc.
Call 911 IMMEDIATELY.
- If you observe a safety hazard: flooding, ice on sidewalks/steps, building/room electrical issues, etc., contact Facility Services 8 a.m. - 5 p.m.

AFTER HOURS CONTACT CPS AT 503-883-7233

PHONE USE

- During an emergency avoid using the any phone service except for life safety and emergency calls.

J. Crime Log

CPS 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 CPS patrol jurisdiction.

The Crime Log includes the nature, date, time, and general location of crimes reported to CPS, 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. CPS 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/college-public-safety/annual-report/crime-log.html> or at the CPS 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 CPS 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.

The McMinnville Campus is under the jurisdiction of CPS, McMinnville Police Department, Yamhill County Sheriff Department and the Oregon State Patrol. The Portland campus is under the jurisdiction of the Legacy Good Samaritan Hospital Security Department, Portland Police Bureau, Multnomah County Sheriff and the Oregon State Patrol.

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

The College 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 College 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 College 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. CPS 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 CPS.

CPS Courtesy Program. The CPS Courtesy 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 from Legacy Good Samaritan Hospital Security by calling (503) 413-7911.

Crime Prevention Presentations. Members of CPS 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 CPS Department on a continual basis utilizing new generation 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. Linfield College CPS facilitates a self-defense class for students each semester. See Registrar's Scheduled Course Offering.

If you would like more information about any of the crime prevention programs and services, please contact CPS 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. CPS 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 Emergency Planning Committee, several departments and offices work together to prepare for, prevent, respond to, and recover from emergency situations. In conjunction with local responding agencies, Linfield College 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, faculty and guests 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 CPS. After-hours access to these facilities is granted to individuals with prior written authorization from the applicable academic departments.

Certain 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 College Properties

College facilities and landscaping are maintained so as to minimize hazardous conditions. CPS 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 CPS at ext. 7233.

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

III. LINFIELD COLLEGE POLICIES

A. Alcohol Policy

In keeping with the mission of the college, 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 college, or while representing the college on business or any college sponsored activity. The use of alcohol on College 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. Information can be found in the student handbook located at: <http://www.linfield.edu/policy.html>.

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. College 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 College 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 CPS, or Residence Life staff immediately.

C. Controlled Substance Policy

Linfield College is a drug-free workplace. Any member of the College community who manufactures, possesses, has under his/her control, sells, furnishes, or facilitates the use of a narcotic or dangerous drug or drug paraphernalia on College property, in a College residence hall, suburb housing, at a College-sponsored function, either on or off campus, is subject to disciplinary action up to and possibly including separation from the College. At a minimum, all non-alcohol drug infractions are reported to the police and are referred to the College Judicial Council. All drug violations fall under the same minimum sanctioning guidelines. Furthermore, a person who manufactures, possesses, sells, distributes, or facilitates the use of narcotics or dangerous drugs, or who is found under the influence of narcotics or dangerous drugs is in violation of the law and can be subject to severe penalty by a criminal court. More information can be found in the Student Handbook available at: <http://www.linfield.edu/assets/files/policy/student-handbook.pdf>.

D. Harassment Policy

It is the policy of Linfield College 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 College. Any and all complaints or allegations of harassment, including sexual 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 College 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. More information can be found in the Student Handbook available at: <http://www.linfield.edu/policy.html>.

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.

E. Sexual Misconduct and Relationship Violence Policy and 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 complainant and pursue sanctions against the respondent. 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 complainant(s) and respondent(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 complainant. 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 a man or a woman upon a man or a woman,
 - 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 a man or woman upon a man or a woman,
 - 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 males or females being harassed by members of either sex. 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 his or her 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:

Title IX Coordinator:

Susan Hopp, Vice President of Student Affairs and Athletics/Dean of Students

Title IX Deputies:

Brenda De Vore Marshall, Professor Theatre & Communication Arts

Mary Ann Rodriguez, Vice President for Finance and Administration/CFO

Lisa Macy-Baker, Women's Tennis/NCAA Compliance Officer

Jeff Mackay, Associate Dean of Students/Director of Residence Life

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 College conduct review process.

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

Do not attempt to contact the complainant(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 College Counseling Center or the College Chaplain during this process.

LINFIELD COLLEGE SEXUAL MISCONDUCT AND RELATIONSHIP VIOLENCE REVIEW PROCEDURES

General Information

- Any member of the College community may initiate a case by filing a complaint with one of the following people:
 - Susan Hopp, Title IX Coordinator/Dean of Students, Melrose 110, (503-883-2278)
 - Jeff Mackay, Deputy Title IX Coordinator/Assoc. Dean/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
 - Lisa Macy-Baker, Deputy Title IX Coordinator, HHPA Complex 205C (503-883-2710)
 - Ron Noble, Director of College Public Safety, Cozine, (503-883-2602)
- You may choose to have a friend, advisor, professor or administrator assist you in filing a complaint. Sexual Misconduct Response 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 handbook.

- If you wish, the College will attempt, where it is reasonably possible, to change the living and/or academic situation of the complainant or respondent to avoid a continuation of contact between the individuals.
- Sexual Misconduct and Relationship Violence Review Procedures are the same as noted in the Student Handbook, which apply to other alleged infractions of the Student Code of Conduct.

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

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 College Public Safety (CPS): 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 College Public Safety (CPS): 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.

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.

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):
 - Sarah Burkhardt-Beckley: 503-883-5297, Mahaffey
 - Andy Frei: 503-883-5356, Mahaffey
 - Delane Hein: 503-883-5388, Mahaffey
 - Esperance Ibuka: 503-883-5390, Mahaffey
 - For immediate response call the AD Cell Phone 503-883-5433 (LIFE)
- **On Campus Sexual Misconduct Advisors**
 - Stephen Bricher: 503-883-2260, Graf 110
 - Brenda DeVore Marshall: 503-883-2290, Ford T105
 - Dan Ferguson: 503-883-2435, Riley 301
 - Dawn Graff-Haight: 503-883-2641, HHPA 214
 - Kristi Mackay: 503-883-2606, Melrose Hall
- **Misconduct Report Form**
 - Print: <http://www.linfield.edu/campussafety/safety-forms.html>
 - Copies available at: Cozine Hall, Melrose 110, Riley CIC, Walker 124 and Withnell Commons

Portland Resources

- **Legacy Security** 503-413-7911
- **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
- **Sexual Misconduct Advisors**
 - Lisa Burch: 503-413-7561, Loveridge Hall, 1st floor
 - Mindy Cowan: 503-413-7832, Loveridge Hall, 1st floor
 - Josh Merrick: 503-413-7212, Loveridge Hall, 1st floor
- **Free & Confidential Counseling Sessions**
 - 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 in Peterson Hall 302

Adult Degree Resources

- Northwest Human Services Crisis Line (anonymous) 1-800-560-5535
- Dean of Students Office 503-883-2278
- Local Police Department
- County Victim Services Department

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).

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 Complainants and Respondents

The Complainant’s Rights:

- a. An explanation of available options for redress,
- b. Freedom from harassment by the accused (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 College Conduct Board,
- e. The presence of an advisor from the College 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 complainant 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 his/her 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 Respondent's Rights:

- a. An explanation of the charge(s),
- b. Freedom from harassment by the complainant (or supporters),
- c. An explanation of the College conduct system,
- d. The presence of an advisor from the College community, or the presence of one non-campus advisor who can observe and support the respondent but cannot speak for the complainant and may not question the board, witnesses or other participants,
- e. Testify on his/her 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 complainant and the respondent accused of misconduct, harassment, or retaliation are aware of the seriousness of the complaint.
- b. Explaining the College'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 complainant 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 College Conduct Board, the process for adjudication is as follows. This procedure applies to complainants of sexual misconduct or relationship violence as well as respondents of sexual misconduct or relationship violence.

1. The respondent(s) shall be notified by an appropriate official of the College that s/he is accused of violating the sexual misconduct and relationship violence policy.
2. The student(s) shall be notified that s/he 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 College Conduct Board.
 - c. The student may deny the alleged violation, in which case a hearing will be held by the College Conduct Board.

3. During the hearing, the complainant(s) and the respondent(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 complainant and respondent 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 complainant and the respondent 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 complainant(s) and the respondent(s) shall be entitled to appear in person, to present his/her/their view of what took place to the College Conduct Board, and may call witnesses in his/her/their behalf. Either of these persons may also elect not to appear before the College Conduct Board. Should she/he elect not to appear, the hearing shall be held in his/ her/their absence.
8. Both the complainant(s) and the respondent(s) shall be entitled to assistance from any member of the College community: faculty, staff, or student. Both the complainant(s) and the respondent(s) may bring one off-campus advisor who may observe and support but cannot speak for the respondent or complainant and may not question the board, witnesses or other participants.
9. Both the complainant(s) and the respondent(s) or his/her/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 College Conduct Board may appeal the decision. The complainant 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 may be 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 complainant or more than one respondent 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 s/he understands the charges and whether or not s/he concurs with them. If the respondent concurs, the College 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 respondent does not concur, the College Conduct Board shall then hear the evidence in support of the charges. The complainant may present these or may ask a Sexual Misconduct Response Advisor to do so in her/his behalf. After presentation of the evidence in support of the charges the respondent 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 complainant (or her/his proxy) and the respondent may ask questions of the College 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 College Conduct Board will be excused, except the Dean of Students or designee who is to be consulted concerning penalty.
6. The College Conduct Board will deliberate and formulate its findings and recommendations.

Findings and Recommendations

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

After hearing a case, the College 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 him/her;
 - 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.

Responsibilities of the Chairperson

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

1. To notify both the complainant and the respondent of charges brought and to provide each party with a copy of the College'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 secretary 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 College Conduct Board, and to deliver them to the Dean of Students within 48 hours of the hearing.

Post Hearings

The findings and recommendations of the College Conduct Board will be presented in writing to the Dean of Students within 48 hours unless the decision is a recommendation of suspension of the accused, which must be made within a 24-hour period.

Confidentiality

- Both the content and the outcome of a hearing shall be considered confidential and no member of the College Conduct Board shall discuss a student's role in an incident except with other members of the College 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 College, 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 College as an institution or to persons belonging to or associated with the College Community.

F. Sex Offender Registration Information

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

For additional information about sex offender registration, you may wish to contact: Oregon State Police, Sex Offender Registration Unit, 400 Public Service Bldg., Salem, OR 97310, 503-378-3720. In addition, a searchable Internet database is available at <http://sexoffenders.oregon.gov>.

G. Weapons Policy

In keeping with its mission, Linfield College 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 in the below link) is prohibited on any College property, in any vehicle on a College property, and at any College sponsored event at any location. This policy also applies to anyone possessing a valid permit to carry a concealed weapon. 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:

McMinnville Campus Clery Reportable Incidents	On Campus									Non Campus			Public Property		
	Student Housing			Other			Total			2013	2012	2011	2013	2012	2011
	2013	2012	2011	2013	2012	2011	2013	2012	2011						
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
Forcible Sex Offense	5	1	9	0	0	0	5	1	9	0	1	1	0	0	0
Non-Forcible Sex Offense	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	1	0	0	1	0	0	2	0	0	0	0	0	0	0
Aggravated Assault	1	1	0	0	0	0	1	1	0	0	0	0	0	0	0
Burglary	11	3	2	2	3	1	13	6	3	0	0	0	0	1	0
Motor Vehicle Theft	0	0	0	0	3	0	0	3	0	0	0	0	0	0	0
Arson	1	0	0	0	0	0	1	0	0	0	0	0	0	0	0
Liquor Law Arrests	6	11	13	7	4*	0	13	15*	13	0	0	1	0	1	1
Drug Law Arrests	2	9	1	2	2	1	4	11	2	0	0	0	0	0	2
Illegal Weapons Possession Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Referrals	134	94	61	32	20	9	166	114	70	0	0	0	0	0	1
Drug Law Referrals	34	32	14	3	0	5	37	32	19	0	0	0	0	0	0
Illegal Weapons Possession Referrals	4	3	0	0	0	0	4	3	0	0	0	0	0	0	0

* Indicates the data has been edited from the 2012 report

Violence Against Women Act (VAWA) Crimes:

McMinnville Campus	On Campus									Non Campus			Public Property		
	Student Housing			Other			Total			2013	2012	2011	2013	2012	2011
	2013	2012	2011	2013	2012	2011	2013	2012	2011						
Domestic Violence	0	ND	ND	0	ND	ND	0	ND	ND	0	ND	ND	0	ND	ND
Dating violence	0	ND	ND	1	ND	ND	1	ND	ND	0	ND	ND	0	ND	ND
Stalking	1	ND	ND	0	ND	ND	1	ND	ND	0	ND	ND	0	ND	ND

ND: No data collected prior to 2013

Portland Campus:

Portland Campus Clery Reportable Incidents	On Campus									Non Campus			Public Property		
	Student Housing			Other			Total			2013	2012	2011	2013	2012	2011
	2013	2012	2011	2013	2012	2011	2013	2012	2011						
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
Forcible Sex Offense	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	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	0	0	0	0	0	0	2
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	1	0	0	0	0	0	1	0	0	0	0	0	0

No bias motivated crimes were reported for 2010, 2011, or 2012. Bias crimes include race, gender, gender identity, religion, sexuality, ethnicity, national origin, and disability.

Violence Against Women Act (VAWA) Crimes:

Portland Campus VAWA Crimes	On Campus									Non Campus			Public Property		
	Student Housing			Other			Total			2013	2012	2011	2013	2012	2011
	2013	2012	2011	2013	2012	2011	2013	2012	2011						
Domestic Violence	0	ND	ND	0	ND	ND	0	ND	ND	0	ND	ND	0	ND	ND
Dating violence	0	ND	ND	0	ND	ND	0	ND	ND	0	ND	ND	0	ND	ND
Stalking	0	ND	ND	0	ND	ND	0	ND	ND	0	ND	ND	0	ND	ND

ND: No Data collected prior to 2013

V. FIRE SAFETY

A. Introduction

It is the goal of Linfield College 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 are 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 College 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 CPS has already responded, the community member should immediately notify CPS (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, Blaine Street, and Legacy. 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 CPS. 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:

http://www.linfield.edu/assets/files/reslife/guidetoliving_2013.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 Yamhill County 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 College 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 College 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
Blenders and coffee makers*	Rice cookers*
Bikes stored in common areas or by doors	Sun lamps
Motorized scooters	Toasters*
Grills, including George Forman	Toaster ovens
Halogen lamps	Incense burners
Hot plates	
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 the following policies* (**2011-2012 Student Rights and Responsibilities Handbook*). 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 College.

F. Fire Incident Reports

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

Residence Living Fires						
	McMinnville Campus			Portland Campus		
Year	2013	2012	2011	2013	2012	2011
Total Fires	2	1*	3	0	0	1
Damages	\$0-\$200	\$0-\$99	\$0.00	\$0.00	\$0.00	\$0.00
Injuries	0	0	0	0	0	0
Fatalities	0	0	0	0	0	0

*indicates edited from 2012 report

2013 Residence Area Fires

Linfield College Residential Facilities	Total Fires	Fire ID	Date	Time	Cause	Injuries Treated and Medical	Deaths related to Fire	Value of Property Damage	Case #
540 Apts	0	N/A	N/A	N/A	N/A	0	0	\$0.00	N/A
Anderson Hall	0	N/A	N/A	N/A	N/A	0	0	\$0.00	N/A
Blaine St. Apts	0	N/A	N/A	N/A	N/A	0	0	\$0.00	N/A
Campbell Hall	0	N/A	N/A	N/A	N/A	0	0	\$0.00	N/A
College Ave. Apts	1	N/A	10/20/2013	1621	Roasting Pumpkin Seeds	0	0	\$0-\$99	2013-000367
Dana Hall	0	N/A	N/A	N/A	N/A	0	0	\$0.00	N/A
Elkinton Hall	0	N/A	N/A	N/A	N/A	0	0	\$0.00	N/A
Emmaus House	0	N/A	N/A	N/A	N/A	0	0	\$0.00	N/A
Frerichs Hall	0	N/A	N/A	N/A	N/A	0	0	\$0.00	N/A
Grover Hall	0	N/A	N/A	N/A	N/A	0	0	\$0.00	N/A
Hewitt Hall	0	N/A	N/A	N/A	N/A	0	0	\$0.00	N/A
HP Park Apts	0	N/A	N/A	N/A	N/A	0	0	\$0.00	N/A
Jane Failing Hall	0	N/A	N/A	N/A	N/A	0	0	\$0.00	N/A
Larsell Hall	0	N/A	N/A	N/A	N/A	0	0	\$0.00	N/A
Latourette Hall	0	N/A	N/A	N/A	N/A	0	0	\$0.00	N/A
Legacy Apts	0	N/A	N/A	N/A	N/A	0	0	\$0.00	N/A
Loveridge Hall (PDX)	0	N/A	N/A	N/A	N/A	0	0	\$0.00	N/A
Mahaffey Hall	0	N/A	N/A	N/A	N/A	0	0	\$0.00	N/A
Memorial Hall	0	N/A	N/A	N/A	N/A	0	0	\$0.00	N/A
Miller Hall	0	N/A	N/A	N/A	N/A	0	0	\$0.00	N/A
Newby Hall	0	N/A	N/A	N/A	N/A	0	0	\$0.00	N/A
Pioneer Hall	0	N/A	N/A	N/A	N/A	0	0	\$0.00	N/A
Potter Hall	0	N/A	N/A	N/A	N/A	0	0	\$0.00	N/A
Terrell Hall	0	N/A	N/A	N/A	N/A	0	0	\$0.00	N/A
Whitman Hall	0	N/A	N/A	N/A	N/A	0	0	\$0.00	N/A
Kappa Sigma Fraternity	1	N/A	1/1/2013	220	Arson	0	0	\$0-\$99	2013-000001
Delta Psy Delta Fraternity	0	N/A	N/A	N/A	N/A	0	0	\$0.00	N/A
Theta Chi Fraternity	0	N/A	N/A	N/A	N/A	0	0	\$0.00	N/A
Pi Kappa Alpha Fraternity	0	N/A	N/A	N/A	N/A	0	0	\$0.00	N/A

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
Legacy Apts	Alarm Central		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:

Police Department (Non-Emergency) 503-435-5800

Fire Department (Non-Emergency) 503-435-5800

Linfield College 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

Legacy Security ext. 37911 or 503-413-7911