



EASTERN OREGON
UNIVERSITY

2025 Annual Security and Fire Safety Report
Crime and Fire Statistics for 2022, 2023, and 2024

Eastern Oregon University-La Grande main campus,
Blue Mountain Community College-Pendleton,
Chemeketa Community College,
Treasure Valley Community College-Ontario,
Umpqua Community College

Questions or inquiries regarding this report should be directed to the
Director of Campus Security (Loso 154, security@eou.edu, or call 541-962-3911).

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Introduction

This report provides information regarding Eastern Oregon University's (EOU) compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and the Violence Against Women Reauthorization Act (VAWA). These Acts are federal laws that require colleges and universities to disclose information about crime statistics and security policies to the current and prospective students and employees. The original law, known as the "Crime Awareness and Campus Security Act of 1990," and subsequent amendments were championed by the parents of Jeanne Clery, who was murdered by another student at Lehigh University in 1986. Amendments to the Act in 1998 renamed it in memory of Jeanne Clery.

The policies in this Annual Security and Fire Safety Report apply to the EOU campus in La Grande and EOU students at Blue Mountain Community College-Pendleton, Chemeketa Community College, Treasure Valley Community College-Ontario, and Umpqua Community College and reflect current practices.

Each year, an email notice is sent to university employees and students informing them of the availability of the report, which includes a link to the Security Report website at <https://www.eou.edu/student-affairs/security-report/>. Notifications are posted on university websites where prospective students and employees visit.

A printed copy of this report can be obtained from Campus Security (Loso 154) or the Office of Student Affairs (Inlow 115) or by calling Campus Security (541-962-3911) or the Office of Student Affairs (541-962-3635), or a digital copy is available at <https://www.eou.edu/student-affairs/security-report/>. Individuals may request a copy by sending an email to security@eou.edu or saffairs@eou.edu. All prospective employees may obtain a copy from Human Resources (Inlow 233) by calling 541-962-3548. Compliance with these provisions does not constitute a violation of section 444 of the General Education Provisions Act (20 U.S.C 1232g), commonly known as the Family Educational Rights and Privacy Act of 1974 (FERPA). Copies of the Annual Security and Fire Safety Report are provided at no cost.

Collecting and Preparing Crime Statistics

The Clery Act Compliance Team reviews reports of crimes and law violations from law enforcement agencies around the state of Oregon and abroad. More than 200 university designated CSAs, such as resident assistants, coaches, and advisors of recognized student organizations, also provide reports. The crime and fire statistics found in this report are provided by the EOU Campus Security Director and the Title IX Coordinator and Director of Student Relations. These reports, along with the data collected from a variety of additional sources, including partner campuses and reporting university offices, are compiled into the crime statistics for the EOU campus and are disclosed to the U.S. Department of Education.

The Campus Security Director and the Title IX Coordinator (TIX) are responsible for the collection, reporting, and dissemination of all crime statistics and other disclosures, including the Annual Campus Security and Fire Safety Report in conjunction with the annual Jeanne Clery Reporting requirements and VAWA.

This report includes campus crimes, arrest and referral statistics that are reported to, and prepared in cooperation with, local law enforcement agencies surrounding our main campus and alternate sites, the Residence Life Office, Student Relations, Campus Security, Student Affairs, the Counseling Center, University Advancement, Finance and Administration, the Title IX Coordinator, Risk Management, and University General Council. Counseling Center staff inform their clients of the procedures to report crimes to local law enforcement on a voluntary or confidential basis. A procedure is in place to anonymously capture crime statistics disclosed confidentially during such a session.

Reportable Crimes

The Clery Act specifies the standard set of crimes institutions of higher education must disclose in their annual statistics. These crimes must also have occurred within the Clery Act geography (Appendix A) of the university, as designated by the U.S. Department of Education. The uniform guidelines allow institutions throughout the United States to be compared by the same standard. Complete definitions of the Clery Act geographical categories may be found in Appendix B. It is important to note that the terms “victim” and “survivor” are used interchangeably throughout this report.

The Clery Act requires universities to disclose statistics for all **reported** Clery Act offenses. Therefore, even if a local law enforcement agency or district attorney chooses not to charge an individual because they believe there is insufficient evidence to reach a conviction, the reported Clery Act offense(s) will still be counted in the crime statistics, if the incident occurred within the Clery Act geography of the university. If sworn law enforcement personnel determine that an incident could not have occurred or did not occur, the crime may be “unfounded” and will be included in the unfounded crime category of the annual report.

The Clery Act requires universities to disclose statistics for the following offenses:

Primary Criminal Offenses

- **Murder and Non-Negligent Manslaughter:** the willful killing of one human being by another.
- **Manslaughter by Negligence:** the killing of another person by gross negligence.
- **Rape:** penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This definition includes any gender of victims or perpetrator.
- **Fondling:** the intentional touching of the private body parts of another person for the purpose of sexual gratification without consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or temporary or permanent mental or physical incapacity.
- **Incest:** sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape:** sexual intercourse with a person who is under the statutory age of consent.
- **Robbery:** the taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force, violence, and/or by putting the victim in fear.
- **Aggravated Assault:** an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury.

- **Burglary:** the unlawful entry of a structure to commit a felony or a theft.
- **Motor Vehicle Theft:** the theft or attempted theft of a motor vehicle.
- **Arson:** any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Hate Crimes

A primary criminal offense committed against a person or property motivated, in whole, or in part, by the offender's bias. Categories of bias are:

- **Race:** a preformed negative attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity, which distinguish them as a distinct division of humankind.
- **Religion:** a preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being.
- **Sexual Orientation:** a preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation.
- **Gender:** a preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender.
- **Gender Identity:** a preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals.
- **Ethnicity:** a preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry.
- **National Origin:** a preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth.
- **Disability:** a preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age, or illness.

In addition to the primary criminal offenses, the following crimes are also classified as hate crimes when there is evidence that the offense was committed with bias against one of the categories listed above.

- **Larceny/Theft:** the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.
- **Simple Assault:** an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
- **Intimidation:** to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
- **Vandalism:** to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

VAWA Offenses

- **Domestic Violence**

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

- **Dating Violence**

- Violence committed by
 - A person who is or has been in a social relationship of a romantic or intimate nature with the victim; and
 - Where the existence of such a relationship shall be determined based on the reporting party's statement and a consideration of the following factors:
 - The length of the relationship
 - The type of relationship
 - The frequency of interaction between the persons involved in the relationship.
 - Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 - Dating violence does not include acts covered under the definition of domestic violence.

- **Stalking**

- Engaging in a course of conduct directed at a specific person that would cause a reasonable person to
 - Fear for the person's safety or the safety of others; or
 - Suffer substantial emotional distress.
- For the purposes of this definition—

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

Liquor, Drug, and Weapon Offenses

For liquor, drug, and weapon offenses, the statistics are divided into two categories: individuals who were arrested and individuals who were referred to Oregon State University for disciplinary action as the result of a law violation.

- **Liquor Law Offenses:** the violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.
- **Drug Abuse Offenses:** the violation of state or local laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state and local law or ordinances, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.
- **Weapon Law Offenses:** the violation of state or local laws prohibiting the manufacture, sale, purchase, transportation, possession, concealment or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

Hierarchy Rule

The hierarchy rule states that when more than one primary criminal offense was committed during a single incident, institutions should only count the most serious offense. In accordance with the 2016 Department of Education Handbook for Campus Safety and Security Reporting, there are exceptions to the hierarchy rule, which apply to arson, sexual assaults, hate crimes, VAWA offenses, and liquor offenses, drug offenses, and weapons offenses.

- If arson is committed during the same incident as one or more offenses, it is always counted with the most serious offense.
- Sexual assaults will always be counted when occurring in the same incident as murder.
- All offenses committed in a multiple offense incident that are bias-motivated must be counted as hate crimes. No hierarchy is applied. For example, if a single incident involving both a rape and an aggravated assault that were also both hate crimes, only the

rape is counted in the primary criminal offense category, but both the rape and the aggravated assault are counted in the hate crimes category.

- If a VAWA offense is committed during the same incident as another crime, both will be counted.
- If multiple liquor, drug, and weapons offenses occur in the same incident, only the most serious offense will be counted. Liquor, drug, and weapons offenses are counted in addition to the most serious criminal offense in each category when occurring in a single incident. If offenses are equal in severity, EOU will count the liquor law offense because the institution has determined that there are more adverse impacts to the community from alcohol-related behaviors.

Crime Reporting

EOU treats violation of law on its premises as a serious matter. University officials report violations of the law to local and state law enforcement agencies and maintain a close working relationship with the La Grande Police Department, the Union County Sheriff's Office, and the Oregon State Police. There is no written memorandum of understanding with local law enforcement agencies. When a criminal action, life threatening incident or medical emergency occurs, all students, faculty and staff are instructed to call 911 before notifying Campus Security if possible. There are multiple blue push-to-talk security kiosks on campus which, with the push of a button, connects callers directly with the on-duty campus security officer. There are also push-to-talk kiosks at one entrance to each of the three resident halls and one push-to-talk button in the Loso Hall woodshop.

Students, faculty, and staff who are victims of a crime are encouraged to report to Campus Security or the Title XI Coordinator who will then assist with the process of reporting the crime to an appropriate agency or how to move forward with submitting an EOU Reporting Form. In most instances, crime reports are made to the La Grande Police Department. In the event of Sexual Harassment (harassment, rape, fondling, dating violence, domestic violence and/or stalking), all employees are required to report the matter to the Title IX Coordinator (titleix@eou.edu). To submit an anonymous report of a crime/incident/issue or concern to EOU, go to https://cm.maxient.com/reportingform.php?EasternOregonUniv&layout_id=0. In the event of a crime or emergency occurring at one of the EOU onsite locations such as Blue Mountain Community College-Hermiston, Blue Mountain Community College-Pendleton, Central Oregon Community College, Chemeketa Community College, Clackamas Community College-Harmony, Mount Hood Community College, Portland Community College, Southwestern Oregon Community College, Treasure Valley Community College-Ontario, or Umpqua Community College, local law enforcement agencies in the area are contacted.

Security and Law Enforcement Contact Information All Emergencies: Dial 911	
On-Campus EOU	Campus Security Loso 154, La Grande, OR 97850 Non-emergency Line: 541-962-3911
On-Campus/Off Campus La Grande Non-emergencies:	La Grande Police Department 1109 K Avenue, La Grande, OR 97850 Non-emergency Line: 541-963-1017

Off Campus Union County Non-emergencies:	Union County Sheriff's Office 1109 K Avenue, La Grande, OR 97850 Non-emergency Line: 541-963-1017
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Crimes can also be reported to individuals who have been identified as a Campus Security Authority (CSA). A CSA is required to report the allegations of crimes they receive and to provide resources to the reporting party. Please see Appendix B for the official definition of a CSA and the list of resources.

If a victim reports a Clery Act offense to a CSA, but chooses to not report the incident to law enforcement, the CSA is still obligated by federal law to report the offense to the university. A CSA is required to accurately and promptly report ongoing criminal incidents to Campus Security or the Title IX Coordinator so the university can determine if a Timely Warning or an Emergency Notification should be sent to the campus community through the EOU Alert system. Although students and employees may report crimes to a Campus Security Authority, here is a list of the **preferred Campus Security Authorities** on the EOU Campus.

Preferred Campus Security Authorities	
Vice President for Student Affairs	Phone: 541-962-3635 Email: saffairs@eou.edu Address: Inlow Hall 113C, One University Blvd., La Grande, OR
Interim Director of Student Relations	Phone: 541-962-3237 Email: tgallego@eou.edu Address: Inlow Hall 113B, One University Blvd., La Grande, OR
Director of Residence Life	Phone: 541-962-3058 Email: jwithers@eou.edu Address: Inlow 113A, One University Blvd., La Grande, OR
Director of Human Resources and Deputy Title IX Coordinator	Phone: 541-962-3516 Email: cjmclaughlin@eou.edu Address: Inlow 233 , One University Blvd., La Grande, OR
Athletics Deputy Title IX Coordinator	Phone: 541-962-3687 Email: kmorehead@eou.edu Address: Quinn 113D, One University Blvd., La Grande, OR
Assistant Director of Student Relations and Interim Title IX Coordinator	Phone: 541-962-3081 Email: tksmith@eou.edu Address: Loso 234D
Counseling Center Director	Phone: 541-962-3524 Email: mweaver@eou.edu Address: 6 th and L Avenue, La Grande, OR
Student Health Center Director	Phone: 541-962-3524 Email: reisele@eou.edu Address: 6 th and L Avenue, La Grande, OR
Campus Security	Phone: 541-962-3911 Email: security@eou.edu Address: Loso 154, One University Blvd., La Grande, OR

Most members of the EOU campus including staff and faculty are responsible employees, which means that if they receive a disclosure of gender-based violence they must report the information to the Title IX Coordinator who may follow up with the student or staff member. This report to

the Title IX Coordinator could result in an on-campus Title IX investigation.

The University encourages the accurate and prompt reporting of all crimes to the appropriate police agencies, the EOU Title IX Coordinator, or Campus Security when the victim of a crime elects to, or is unable to, make such a report.

If you are a victim of a crime and do not want to pursue action with EOU or the criminal justice system, you may still want to consider making an anonymous report online using the following link https://cm.maxient.com/reportingform.php?EasternOregonUniv&layout_id=0. With such information, the University can keep an accurate record of the number of incidents involved, 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 crime statistics for the institution.

The institution, upon written request, will disclose to the alleged 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/respondent of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, EOU will provide the results of the disciplinary hearing to the victim's next of kin, if requested.

Reportable Crimes Report

In compliance with the 2009 amendments of the Higher Education Opportunity Act and the Crime Awareness and Campus Security Act of 1990, EOU compiles an annual summary of criminal incidents that have occurred on its campus during the preceding academic year.

- **Clery Reporting Geography (Appendix A):** Any building or property owned or controlled by EOU within the same reasonably contiguous geographic area of the core campus, and used by EOU in direct support of, or in a manner related to EOU's educational purposes, including student housing facilities; and any building or property that is within or reasonably contiguous to the core campus that is owned by EOU, but controlled by another person, is frequently used by students and supports institutional purposes, such as a food or other retail vendor. Additionally, locations within one mile of EOU's core campus are considered for inclusion in the On-Campus group reporting. Before these locations are included, their functions and relationship to the university are evaluated.
- **Outside Clery Reporting Geography:** Any incident or crime that is reported to Campus Security or the Title IX Coordinator that has occurred beyond the one-mile location criteria for Clery Reporting Geography (i.e., sexual assault may have occurred in an apartment in Union involving an EOU student).
- **Non-campus Remote Site:** Any office location on a college campus controlled by EOU that is used in direct support of, or in relation to, the university's education purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Main Campus: EASTERN OREGON UNIVERSITY – La Grande

Clery Compliance Officer

Jim Hoffman, Director
Campus Security/Safety
One University Boulevard
La Grande, OR 97850
541-962-3241

CRIMINAL OFFENSES

Offense	Year	Campus Property	In Residence Halls	On Non-Campus Remote Sites	On Public Property	Reported by Local Police	Outside Clery Reporting Geography
Murder/Non-negligent Manslaughter	2022	0	0	0	0	0	0
	2023	0	0	0	0	0	0
	2024	0	0	0	0	0	0
Manslaughter by Negligent	2022	0	0	0	0	0	0
	2023	0	0	0	0	0	0
	2024	0	0	0	0	0	0
Rape	2022	3	3	0	0	0	6
	2023	2	2	0	0	0	10
	2024	0	0	0	0	0	4
Fondling	2022	0	0	0	0	0	1
	2023	0	0	0	0	0	1
	2024	1	1	0	0	0	1
Incest	2022	0	0	0	0	0	0
	2023	0	0	0	0	0	0
	2024	0	0	0	0	0	0
Statutory Rape	2022	0	0	0	0	0	0
	2023	0	0	0	0	0	0
	2024	0	0	0	0	0	0
Robbery	2022	0	0	0	0	0	0
	2023	0	0	0	0	0	0
	2024	0	0	0	0	0	0
Aggravated Assault	2022	0	0	0	0	0	0
	2023	1	0	0	0	0	1
	2024	0	0	0	0	0	0
Burglary	2022	0	0	0	0	0	0
	2023	3	0	0	0	0	3
	2024	0	0	0	0	0	0
Motor Vehicle Theft	2022	0	0	0	0	0	0
	2023	1	0	0	0	0	0
	2024	0	0	0	0	0	0
Arson	2022	0	0	0	0	0	0
	2023	0	0	0	0	0	0
	2024	0	0	0	0	0	0

HATE CRIMES

There were no reported Hate Crimes for the years 2022, for 2023, there was one Hate Crime of vandalism-sexual orientation that occurred in the residence halls. There were two reported Hate Crimes for 2024 that occurred on campus in the residence halls.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT (VAWA) ON CAMPUS

Offense	Year	Campus Property	In Residence Halls	On Non-Campus Remote Sites	On Public Property	Reported by Local Police	Outside Clery Reporting Geography
Domestic Violence	2022	0	0	0	0	0	5
	2023	0	0	0	0	0	2
	2024	0	0	0	0	0	4
Dating Violence	2022	0	0	0	0	0	5
	2023	0	0	0	0	0	4
	2024	0	0	0	0	0	2
Stalking	2022	2	0	0	0	0	1
	2023	3	1	0	0	0	1
	2024	1	0	0	0	0	2

ARRESTS AND DISCIPLINARY REFERRALS

Offense	Year	Campus Property	In Residence Halls	On Non-Campus Remote Sites	On Public Property	Reported by Local Police
Arrest: Weapons/Carrying/Possessing/Etc.	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0
Disciplinary Referrals: Weapons/Carrying/Possessing/Etc.	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0
Arrest: Drug Abuse Violations	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0
Disciplinary: Drug Abuse Violations	2022	2	2	0	0	0
	2023	1	0	0	0	0
	2024	3	3	0	0	0
Arrest: Liquor Law Violation	2022	0	0	0	0	0
	2023	0	0	0	0	0
	2024	0	0	0	0	0
Disciplinary: Liquor Law Violation	2022	16*	16*	0	0	0
	2023	10**	10**	0	0	0
	2024	20	20	0	0	0

*reduction of residence hall staff and monitoring during 2022

**reduction in residence hall staff and monitoring during 2023

UNFOUNDED CRIMES

There were no unfounded crimes for the years 2022, 2023, or 2024
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MISCELLANEOUS CAMPUS INFORMATION

During the past year, the number of other incidents that were reported to the EOU Title IX Coordinator on or off-campus related to the following were:

Offense	Year	On Campus	Off Campus
Harassment – general	2022	2	1
	2023	2	0
	2024	5	1
Harassment – sexual	2022	4	1
	2023	12	0
	2024	5	0
Discrimination	2022	1	0
	2023	1	0
	2024	0	1
Retaliation	2022	0	0
	2023	0	0
	2024	0	0
Bias	2022	4	0
	2023	7	0
	2024	2	0
Intimidation	2022	0	1
	2023	0	0
	2024	0	0
Theft	2023	10	0
	2024	11	

Note: Multiple EOU campus locations are now being reported as separate campuses instead of being combined with the Main campus. The following information reflects each campus independently.

Campus: EOU @ BLUE MOUNTAIN COMMUNITY COLLEGE - PENDLETON**Campus Security Information**

Pat Sisneros, Chief Operating Officer
2411 NW Carden
Pendleton, OR 97801
541-278-5850

EOU Occupies:

1 office (Morrow 200)
1 classroom specific to CUESTE

CRIMINAL OFFENSES

Offense	Year	Campus Property	Public Property
Murder/Non-negligent Manslaughter	2022	0	0
	2023	0	0
	2024	0	0
Manslaughter by Negligent	2022	0	0
	2023	0	0
	2024	0	0
Rape	2022	0	0
	2023	0	0
	2024	0	0
Fondling	2022	0	0
	2023	0	0
	2024	0	0
Incest	2022	0	0
	2023	0	0
	2024	0	0
Statutory Rape	2022	0	0
	2023	0	0
	2024	0	0
Robbery	2022	0	0
	2023	0	0
	2024	0	0
Aggravated Assault	2022	0	0
	2023	0	0
	2024	0	0
Burglary	2022	0	0
	2023	0	0
	2024	0	0
Motor Vehicle Theft	2022	0	0
	2023	0	0
	2024	0	0
Arson	2022	0	0
	2023	0	0
	2024	0	0

HATE CRIMES

There were no reported Hate Crimes for the years 2022, 2023 . or 2024

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT (VAWA) ON CAMPUS

Offense	Year	Campus Property	Public Property
Domestic Violence	2022	0	0
	2023	0	0
	2024	0	0
Dating Violence	2022	0	0
	2023	0	0
	2024	0	0
Stalking	2022	0	0
	2023	0	0
	2024	0	0

ARRESTS AND DISCIPLINARY REFERRALS

Offense	Year	Campus Property	Public Property
Arrest: Weapons/Carrying/Possessing/Etc.	2022	0	0
	2023	0	0
	2024	0	0
Disciplinary Referrals: Weapons/Carrying/Possessing/Etc.	2022	0	0
	2023	0	0
	2024	0	0
Arrest: Drug Abuse Violations	2022	0	0
	2023	0	0
	2024	0	0
Disciplinary: Drug Abuse Violations	2022	0	0
	2023	0	0
	2024	0	0
Arrest: Liquor Law Violation	2022	0	0
	2023	0	0
	2024	0	0
Disciplinary: Liquor Law Violation	2022	0	0
	2023	0	0
	2024	0	0

UNFOUNDED CRIMES

There were no unfounded crimes for the years 2022, 2023 or 2024.

Campus: EOU @ CHEMEKETA COMMUNITY COLLEGE**Campus Safety Information**

Tony Moore, Public Safety Director
4000 Lancaster Dr. NE
Salem, OR 97309
503-399-6505

EOU Occupies:

2 offices in Building 5
(Rooms 255 and 256)

CRIMINAL OFFENSES

Offense	Year	Campus Property	Public Property
Murder/Non-negligent Manslaughter	2022	0	0
	2023	0	0
	2024	0	0
Manslaughter by Negligent	2022	0	0
	2023	0	0
	2024	0	0
Rape	2022	0	0
	2023	0	0
	2024	0	0
Fondling	2022	0	0
	2023	0	0
	2024	0	0
Incest	2022	0	0
	2023	0	0
	2024	0	0
Statutory Rape	2022	0	0
	2023	0	0
	2024	0	0
Robbery	2022	0	0
	2023	0	0
	2024	0	0
Aggravated Assault	2022	0	0
	2023	0	0
	2024	0	0
Burglary	2022	0	0
	2023	0	0
	2024	0	0
Motor Vehicle Theft	2022	0	0
	2023	0	0
	2024	0	0
Arson	2022	0	0
	2023	0	0
	2024	0	0

HATE CRIMES

There were no reported Hate Crimes for the years 2022, 2023 or 2024.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT (VAWA) ON CAMPUS

Offense	Year	Campus Property	Public Property
Domestic Violence	2022	0	0
	2023	0	0
	2024	0	0
Dating Violence	2022	0	0
	2023	0	0
	2024	0	0
Stalking	2022	0	0
	2023	0	0
	2024	0	0

ARRESTS AND DISCIPLINARY REFERRALS

Offense	Year	Campus Property	Public Property
Arrest: Weapons/Carrying/Possessing/Etc.	2022	0	0
	2023	0	0
	2024	0	0
Disciplinary Referrals: Weapons/Carrying/Possessing/Etc.	2022	0	0
	2023	0	0
	2024	0	0
Arrest: Drug Abuse Violations	2022	0	0
	2023	0	0
	2024	0	0
Disciplinary: Drug Abuse Violations	2022	0	0
	2023	0	0
	2024	0	0
Arrest: Liquor Law Violation	2022	0	0
	2023	0	0
	2024	0	0
Disciplinary: Liquor Law Violation	2022	0	0
	2023	0	0
	2024	0	0

UNFOUNDED CRIMES

There were no unfounded crimes for the years 2022, 2023 or 2024.
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**Campus: EOU @ TREASURE VALLEY COMMUNITY COLLEGE – ONTARIO
CAMPUS**

Campus Safety Information

Travis McFetridge, Title IX and Clery Coordinator
676 SW 5th Avenue
Ontario, OR 97914

EOU Occupies:

A room in the Four Rivers Cultural
Center and the Griggs A Classroom

CRIMINAL OFFENSES

Offense	Year	Campus Property	Public Property
Murder/Non-negligent Manslaughter	2022	0	0
	2023	0	0
	2024	0	0
Manslaughter by Negligent	2022	0	0
	2023	0	0
	2024	0	0
Rape	2022	0	0
	2023	0	0
	2024	0	0
Fondling	2022	0	0
	2023	0	0
	2024	0	0
Incest	2022	0	0
	2023	0	0
	2024	0	0
Statutory Rape	2022	0	0
	2023	0	0
	2024	0	0
Robbery	2022	0	0
	2023	0	0
	2024	0	0
Aggravated Assault	2022	0	0
	2023	0	0
	2024	0	0
Burglary	2022	0	0
	2023	0	0
	2024	0	0
Motor Vehicle Theft	2022	0	0
	2023	0	0
	2024	0	0
Arson	2022	0	0
	2023	0	0
	2024	0	0

HATE CRIMES

There were no reported Hate Crimes for the years 2022, 2023 or 2024.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT (VAWA) ON CAMPUS

Offense	Year	Campus Property	Public Property
Domestic Violence	2022	0	0
	2023	0	0
	2024	0	0
Dating Violence	2022	0	0
	2023	0	0
	2024	0	0
Stalking	2022	0	0
	2023	0	0
	2024	0	0

ARRESTS AND DISCIPLINARY REFERRALS

Offense	Year	Campus Property	Public Property
Arrest: Weapons/Carrying/Possessing/Etc.	2022	0	0
	2023	0	0
	2024	0	0
Disciplinary Referrals: Weapons/Carrying/Possessing/Etc.	2022	0	0
	2023	0	0
	2024	0	0
Arrest: Drug Abuse Violations	2022	0	0
	2023	0	0
	2024	0	0
Disciplinary: Drug Abuse Violations	2022	0	0
	2023	0	0
	2024	0	0
Arrest: Liquor Law Violation	2022	0	0
	2023	0	0
	2024	0	0
Disciplinary: Liquor Law Violation	2022	0	0
	2023	0	0
	2024	0	0

UNFOUNDED CRIMES

There were no unfounded crimes for the years 2022, 2023 or 2024.
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Campus: **EOU @ UMPQUA COMMUNITY COLLEGE**

Campus Safety Information

Mary Flaherty, Clery Compliance Officer
College Road
Roseburg, OR 97470
541-440-7794

EOU Occupies:

1 office in the Educational 1140 Umpqua
Support Building

CRIMINAL OFFENSES

Offense	Year	Campus Property	Public Property
Murder/Non-negligent Manslaughter	2022	0	0
	2023	0	0
	2024	0	0
Manslaughter by Negligent	2022	0	0
	2023	0	0
	2024	0	0
Rape	2022	0	0
	2023	0	0
	2024	0	0
Fondling	2022	0	0
	2023	0	0
	2024	0	0
Incest	2022	0	0
	2023	0	0
	2024	0	0
Statutory Rape	2022	0	0
	2023	0	0
	2024	0	0
Robbery	2022	0	0
	2023	0	0
	2024	0	0
Aggravated Assault	2022	0	0
	2023	0	0
	2024	0	0
Burglary	2022	0	0
	2023	0	0
	2024	0	0
Motor Vehicle Theft	2022	0	0
	2023	0	0
	2024	0	0
Arson	2022	0	0
	2023	0	0
	2024	0	0

HATE CRIMES

There were no reported Hate Crimes for the years 2022, 2023 or 2024.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT (VAWA) ON CAMPUS

Offense	Year	Campus Property	Public Property
Domestic Violence	2022	0	0
	2023	0	0
	2024	0	0
Dating Violence	2022	0	0
	2023	0	0
	2024	0	0
Stalking	2022	0	0
	2023	0	0
	2024	0	0

ARRESTS AND DISCIPLINARY REFERRALS

Offense	Year	Campus Property	Public Property
Arrest: Weapons/Carrying/Possessing/Etc.	2022	0	0
	2023	0	0
	2024	0	0
Disciplinary Referrals: Weapons/Carrying/Possessing/Etc.	2022	0	0
	2023	0	0
	2024	0	0
Arrest: Drug Abuse Violations	2022	0	0
	2023	0	0
	2024	0	0
Disciplinary: Drug Abuse Violations	2022	0	0
	2023	0	0
	2024	0	0
Arrest: Liquor Law Violation	2022	0	0
	2023	0	0
	2024	0	0
Disciplinary: Liquor Law Violation	2022	0	0
	2023	0	0
	2024	0	0

UNFOUNDED CRIMES

There were no unfounded crimes for the years 2022, 2023 or 2024.

Retaliation Safeguards

Individuals complying with the Clery Act are protected from retaliation by the University. Individuals who report a complaint of alleged sexual harassment may not be reprimanded or discriminated against in any way for initiating an inquiry or complaint in good faith. Further, the laws pertaining to sexual harassment make it unlawful to retaliate or to take reprisal in any way against anyone who has articulated a concern about sexual harassment or has participated or cooperated in the investigation of a complaint.

Privileged and Confidential Resources

The following resources on campus are confidential resources and are privileged in the communication they can have with students.

Privileged and Confidential Resources	
Privileged Campus Advocate	Privileged Campus Advocate Inlow 113A, La Grande, OR 97850 541-962-3381 or 24-hr. Hotline: 541-963-9261 advocate@eou.edu
Counseling Center	Marianne Weaver, Director 6 th and L Avenue, La Grande, OR 97850 541-962-3524 mweaver@eou.edu
Student Health Center	Raylene Eisele, Director 6 th and L Avenue, La Grande, OR 97850 541-962-3524 reisele@eou.edu

Confidential vs. Non-confidential Resources

Under federal law and university policy, EOU takes seriously all reports of sexual harassment, rape, fondling, dating violence, domestic violence, and stalking that are brought to its attention. The extent of the investigation will depend on the amount of information that is shared about the incident. We believe it is the right of the victim/survivor of interpersonal violence to decide if they wish to report an incident, and how much information they wish to share about the incident.

Most faculty, staff and some students are required by university policy to report incidents of interpersonal violence of which they become aware. However, some staff have been designated as "Confidential Resources" meaning that they are not required under university policy or the law to divulge information about interpersonal violence. Students who are uncertain about reporting their assault may find comfort in first meeting with a Confidential Resource to explore all options available to them, and to receive information about campus and community support.

At EOU, Confidential Resources include professional counselors in the Counseling Center, medical providers in the Student Health Center and the Privileged Campus Advocate. If you are uncertain whether an individual is a Confidential Resource, please ask them.

Security and Campus Access

EOU is open to the public. Campus buildings are open to the public during stated business hours and for specially arranged times for scheduled events. Some facilities are restricted to persons who have paid user fees (e.g., fitness center). Once buildings are secured, access may be gained by authorized personnel or by contacting Campus Security. Unauthorized entry or use of university facilities is viewed as criminal trespass and violators will be subject to arrest and loss of campus privileges. Persons committing a crime on EOU property, or during its sponsored events and activities, will be subject to arrest and may be prohibited from future use of campus facilities or participation in its events and activities.

There are trained staff members living on campus. Residence halls are locked 24 hours a day, accessible to residents of the building via electronic card-key locks. Residents are expected to comply with all residence hall security policies and practices. It is important that residents lock doors and report to hall staff and/or Campus Security any unusual incidents or unfamiliar persons on premises. Residents are reminded to be cognizant of the information in the Residence Hall Contract regarding safety and security procedures and issues. EOU uses several methods to increase the safety of on-campus residents, including:

- The installation of one-way peepholes in residence hall doors
- Electronic access to outside doors as well as locking hardware on all suite/room doors
- Campus telephones at the main entrance of each residence hall
- Emergency blue Light phones in major thoroughfares on campus
- Trained staff members living in each residence hall
- On-duty resident assistants are on call at night during academic terms and available in each hall office between 7pm and 11pm, Sunday through Thursday, and 7pm and 1am, Fridays and Saturdays
- 24/7 on-call professional staff members
- The ability for students to restrict access to their directory information

Law Enforcement and Jurisdiction

The La Grande Police Department provides law enforcement services to the EOU campus and may enforce municipal, state, and federal statutes on-campus. The La Grande Police Department

has primary jurisdiction within the La Grande city limits. Oregon Revised Statutes (ORS) 133.310 gives police officers with the La Grande Police Department the authority to make arrests without a warrant, and ORS 133.235 (Arrest by Peace Officer) gives La Grande police officers the authority to arrest someone for a crime at any hour of any day or night.

Campus Security enforces policies and standards established by EOU. Campus Security officers do not have police arrest authority, but they do have private person (citizen) arrest authority as defined in ORS 133.225. The statute states a private person may arrest another person for any crime committed in the presence of the private person if the private person has probable cause to believe the arrested person committed the crime.

EOU Campus Security officers patrol campus grounds, buildings, and other EOU properties. Campus Security officers cooperate with local and state authorities in criminal investigations and respond to emergency incidents and reports of crimes occurring on campus property. Campus Security officers will also provide safe escorts at any time upon request and they provide emergency access to campus buildings. During their patrol and enforcement activities, security officers have the authority to ask persons for identification and inquire about their business on campus.

EOU has a very good working relationship with the La Grande Police Department, which is located next to campus. At this time, no recognized student organizations control non-campus property. Therefore, criminal activity that occurs on non-campus property controlled by officially recognized student organizations is not monitored or recorded through local police agencies.

Missing Students: On-Campus Student Housing

The Missing Student policy, with its accompanying procedures, has been developed as a framework for establishing cooperation among members of the EOU (University) community aimed at locating and assisting currently enrolled students who are reported missing. A student shall be deemed missing when they are absent from the University and/or has been reported missing, without any known reason, by another individual.

This policy is intended to comply with the requirements of the U.S. Department of Education, 34 CFR 662.46(h).

To report a student missing, contact:

1. Campus Security at 541-962-3911 or security@eou.edu; **(24/7)**
 - a. “*” indicates those that Campus Security has direct contact information to reach after hours (VPSA, DSR and DRL).
2. *Vice President for Student Affairs (VPSA) 541-962-3635, saffairs@eou.edu; (8-5,M-F)
3. *Director of Student Relations (DSR) 541-962-3476 or saffairs@eou.edu (8-5, M-F) or
4. *Director of Residence Life (DRL): 541-962-3177 or reslife@eou.edu; (8-5,M-F)

This policy is applicable to students attending classes at the La Grande Main Campus or at an onsite program sponsored by the University.

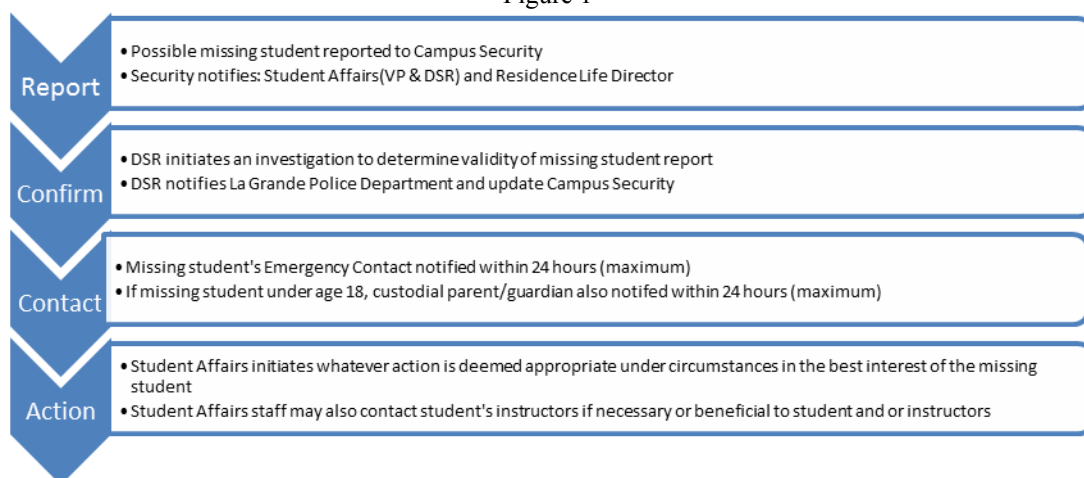
All reports of missing students shall be directed to the Director of Student Relations (DSR) in the Office of Student Affairs who shall investigate each report and notify the La Grande Police Department when appropriate.

The University offers periodic informational sessions for its students and employees about campus security and personal safety. Such sessions are presented during Week of Welcome, in campus residence halls, and at other times and places as interest and circumstances warrant.

In the event of a possible missing student, the following procedures are to be followed:

1. Anyone who suspects a student may be missing should notify Campus Security, the Residence Life Office, or the Office of Student Affairs immediately.
 - a. Reporting party may also choose to provide information via the “Report a Crime” feature on the Campus Security website.
2. Any report of a missing student will be forwarded to the Office of Student Affairs (see Figure 1).
3. When a student is reported missing, Student Affairs staff (the DSR or designee) shall:
 - a. Initiate an investigation to determine the validity of the missing student report.
 - b. Notify the La Grande Police Department and update Campus Security after determining that the student **is** missing.
 - c. Notify the individual identified as Emergency Contact of the missing student.
 - d. Contact will occur within 24 hours (maximum) of making the determination that the student is missing.
 - e. If a missing student is under the age of 18, contact with the student’s custodial parent or guardian, as contained in the records of the University, will occur within 24 hours (maximum) of the determination that the student is missing.
4. The DSR, or designee, shall initiate whatever action he or she deems appropriate under the circumstances in the best interest of the missing student.
5. The Office of Student Affairs staff may also contact the student’s instructors if necessary or beneficial to the student and/or instructors.

Figure 1



Timely Warning and Emergency Notification

EOU will issue a timely warning to the campus community about crimes considered to be a threat to students and employees which have occurred on or near the campus. The timely warning information will be provided in an appropriate manner to protect the personal safety of students and employees and prevent similar crimes from occurring. Timely warning notifications will include the reported offense, suspect(s) description(s), precautionary measures to take, date of timely notice, and contact information of the department responsible for the posting/notice. Classroom announcements, website postings, e-mail postings, posted notices, and text messaging are possible means that may be used to convey such information. Each incident is evaluated on a case-by-case basis keeping in mind the type and location of the crime, and whether or not the incident is an ongoing or serious threat to the campus community. In the annual request for crime statistics, EOU asks local law enforcement agencies for their cooperation in informing the institution about situations reported to them that may warrant a Timely Warning.

Anyone with information warranting a Timely Warning should report the circumstances to either Campus Security at 541-962-3911 or security@eou.edu, the Vice President for University Advancement at 541-962-3740 or tseydel@eou.edu, the Vice President for Student Affairs at 541-962-3635 or saffairs@eou.edu, or the Title IX Coordinator and Director of Student Relations at 541-962-3476 or titleix@eou.edu.

If an emergency or dangerous situation is reported, university officials, such as Campus Security, or local officials, such as the La Grande Police Department or the La Grande Fire Department, will determine if there is a legitimate threat by either responding to the scene or through the report of a credible witness. To report any significant emergency or dangerous situation on the EOU campus, dial 911.

Upon confirming there is a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus, EOU will, while taking into account the safety of the community, determine the content of the Emergency Notification and initiate the notification system, unless issuing a notification will, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

Here are the procedures at EOU for issuing alerts regarding emergencies, dangerous situations, or crimes considered to be a threat to the campus community:

1. Anyone with information warranting an Emergency Notification should report the circumstances to either Campus Security at 541-962-3911 or security@eou.edu, the Vice President for University Advancement (VP-UA) at 541-962-3740 or tseydel@eou.edu, the Vice President for Student Affairs (VP-SA) at 541-962-3635 or saffairs@eou.edu, or the Title IX Coordinator and Director of Student Relations (DSR) at 541-962-3476 or titleix@eou.edu.
2. Immediate response: law enforcement, the fire department, emergency unit, and/or a Vice President will be called.
3. The Vice President will contact the President, VP-UA, and Director of Facilities and Planning (as needed).
4. The President will convene the crisis/critical issues management team, which:
 - a. Gathers and clarifies details to establish an information baseline
 - b. Identifies a spokesperson

- c. Identifies contact for family of faculty/staff/students directly involved
 - d. Assigns specific responsibilities for team members as needed
- 5. The VP-UA drafts a response and contacts and responds to other publics as assigned by the president, including the university community, local and/or specific media outlets and regional media.
- 6. The VP-UA and UA staff contacts include a broad range of internal and external constituencies, including print and broadcast media, community and political resources, alumni and parents. The UA office also serves as liaison with other university units during a crisis.
- 7. In a crisis, the VP-UA and UA staff will provide public and university constituents with basic information about an emergency or threatened emergency via news media and other available resources including EOU Alert, website, email, and hotlines.
 - a. These officials determine the content of the notification by evaluating the details of the incident. The content of an Emergency Notification will include a description of the incident and recommended measures the campus community can take to protect themselves. Situations are evaluated on a case-by-case basis and will be continually assessed until the incident is resolved. If new, pertinent information about the emergency is received, an update may be sent to the campus community using the EOU Alert email system.
 - b. These officials determine the appropriate segment or segments of the campus community to receive a notification by evaluating the details of the incident. If, for instance, a fire is isolated to one building on campus, then an Emergency Notification may be sent to that segment of the campus community. However, the University may send Emergency Notifications to the whole university community even if only a segment of the community is affected.
- 8. The VP-UA and UA staff will also keep the public, media, and constituents informed of the situation and convey information in consultation with emergency services to prevent further damage or loss of life, panic, or interference with response efforts. Information will be provided to keep the public, media, and constituents informed of where to seek temporary housing, food, etc. if applicable. Instructions on how the public can obtain further advice or information will be provided through news media and university resources, such as EOU Alert, email, and web.
- 9. UA will issue media updates as long as necessary, then scale back activities as warranted.

EOU Alert email is the primary distribution system for Timely Warning and Emergency Notifications. In the event of an emergency or campus closure, the EOU campus community will be notified by a combination of classroom announcements, website postings, e-mail postings, posted notices, text messaging, and/or bulletins.

All on campus students and faculty/staff are automatically subscribed to EOU Alert and off campus students have the option to subscribe. Students and employees can ensure they receive these alerts by checking and updating their contact information in their Mountie Hub account. Information about EOU Alert and a link to update or check your information can be found at <https://www.eou.edu/safety-security/>. In the event of an emergency, recipients are notified via email, phone and text messages, if specified, to the preferred contact points provided in their online account in Mountie Hub. Students and employees are encouraged to update their contact

information to ensure they receive EOU Alerts. Here is a link to the Safety and Security website: <https://www.eou.edu/safety-security/>. The university disseminates emergency information to the larger community by utilizing social media, the Safety and Security website (<https://www.eou.edu/safety-security/>) and the EOU Information Hotline at 541-962-3131.

Emergency Response and Evacuation Policies

Emergency Response and Evacuation Tests

At EOU testing of its campus-wide response and evaluation procedures is conducted each fall term. EOU publicizes its emergency response and evacuation procedures in the fall when it conducts the testing of the procedures. The emergency and evacuation procedures are also published in the EOU Annual Security and Fire Safety Report. The following information, which was taken from the EOU report, is how EOU will respond in an emergency situation.

Crisis Communication Plan

The Crisis Issues Management Plan has been developed to clearly communicate with the EOU community and the public in times of crisis or when critical issues face the institution by preparing in advance the university personnel and offices responsible for dealing with a crisis, and for gathering and relaying accurate and critical information to internal and external audiences.

A crisis situation or critical issue is defined as any event or situation identified by the President, one of the vice presidents and/or senior staff members as having a major impact on the university community. Examples include a fire, explosion, suicide, accidental death, illness sweeping the campus, weather disaster, assault or rape, drowning, serious off-campus accident or incident at one of EOU's regional centers or with a traveling athletic team or group of students, political, legal, or news event(s) wherein the university plays a significant role, whether by choice or not, or a national disaster, crisis or issue. It does not include isolated incidents that would be handled internally by those overseeing Student Affairs or other specific divisions. The term "crisis" or "critical" most frequently refers to the period immediately following a situation that has widespread interest among the university, local, regional and national communities, thus generating local, state and national media coverage, requiring EOU's full attention for its duration.

Procedures-General

To alert the university of a current or potential crisis or for updates, information and questions about issues, the contact procedure is as follows:

1. Contact your dean or director. In their absence, contact the vice president for University Advancement (VP-UA).
2. Contact the Office of the President (Provost's Office in the president's absence).

Procedures-Institutional or Faculty/Staff Crisis or Critical Issue

Examples: an accident, traumatic event (arrest, assault, rape), or death of a faculty or staff member, weather crisis, a serious off-campus accident, event involving emergency services and/or the police or sheriff's department, or any political, legal or news event in which EOU plays a significant role.

1. Initial response: dean, department director or supervisor calls 911/fire department/emergency unit and/or division vice president (president in event of vice president's absence).
2. Vice president contacts the president (provost in the president's absence), VP-UA and Director of Facilities and Planning (as needed).
3. President convenes Crisis/Critical Issues Management Team, which:
 - a. Gathers and clarifies details to establish an information baseline;

- b. Identifies spokesperson;
 - c. Identifies contact for family of faculty/staff directly involved;
 - d. Assigns specific responsibilities for team members as needed.
- 4. The VP-UA drafts a response and contacts and responds to other publics as assigned by the president, including the university community, local and/or specific media outlets and community, regional media and regional media.

Procedures-Student Crisis

Examples include an accident, traumatic event (arrest, assault, rape), or death of a student, serious off- campus accident with a traveling athletic team or group of students, event involving emergency services and/or the police or sheriff's department, or any weather, political, legal or news event in which EOU plays a significant role.

- 1. Initial response:
 - a. If an event occurs in the residence halls - residence assistant or residence director calls 911/fire department/emergency unit and Vice President of Student Affairs or Director of Student Relations.
 - b. All other occurrences - contact the Vice President for Student Affairs or Director of Student Relations
- 2. Vice President for Student Affairs contacts the President (Provost in President's absence), VP-UA, and Director of Facilities and Planning
- 3. President convenes **Crisis/Critical Issues Management Team**, which:
 - a. Gathers and clarifies details to establish an information baseline;
 - b. Identifies spokesperson;
 - c. Identifies contact for parents of students directly involved;
 - d. Assigns specific responsibilities for team members as needed.
- 4. VP-UA drafts official response/statement and contacts and responds to other publics as assigned by the president, including the community, local media, and community and regional media.

Operations

A. General

- 1. To ensure that the university's public information response to an emergency is quick, accurate, sensitive and responsible, UA staff will coordinate crisis communications with the university and off-campus media. UA staff will set up a communications center to remain open 24 hours for the duration of a crisis.
- 2. During an emergency, the VP-UA and/or their designee will serve as the university's spokesperson. Staff and other internal contact people will be given the spokesperson's name and phone number for referral of all media calls.

B. Phases or Response

1. Initial

- a. The President's Office and the VP-UA/designated spokesperson will determine if an official statement should be prepared and released.
- b. Spokesperson will brief all personnel assigned to answer the phone. The EOU Information Hotline managed by UA will be designated as the primary phone with recorded messages providing the latest information on

the situation. The hotline phone number and key media phone line will be made available at the beginning of a crisis period for dissemination to the public. A staff member will be assigned to update recorded messages for those phones.

- c. Spokesperson will acquire basic information (type of emergency/disaster; time of event; actions taken; area and number of people involved; fatalities, injuries and extent of damage) and prepare an official news release. UA staff will be kept apprised of breaking news to enable them to answer media questions.
 - d. Spokesperson and staff will verify all sources of information.
 - e. Spokesperson and staff will clear news releases with the President's Office as quickly as possible before distributing to the media.
 - f. In cases involving employee or student injuries or deaths, appropriate university personnel will notify families before the information is released to the public.
 - g. Spokesperson will coordinate the release of verified information with local hospitals and other disaster agencies, providing as prompt, accurate and complete information as possible.
2. Ongoing period—In a crisis, the VP-UA and University Advancement staff will:
- a. Provide public and university constituents with basic information about an emergency or threatened emergency via news media and other available resources including EOU Alert, website, email and hotlines.
 - b. Keep the public, media and constituents informed of the situation and convey information in consultation with emergency services to prevent further damage or loss of life, panic or interference with response efforts.
 - c. Keep the public, media and constituents informed of where to seek temporary housing, food, etc. if applicable.
 - d. Instruct the public on how to obtain further advice or information using news media and university resources such as EOU Alert, e-mail and web.
 - i. UA will issue media updates as long as necessary, then scale back activities as warranted.

Organization and Assignment of Responsibilities

A. Organization

- 1. The VP-UA and/or their designee will supervise communications with the media.
- 2. UA staff members, as well as other university units and staff members, will be called upon for assistance when necessary.

B. Responsibilities

- 1. UA staff will provide assistance for compiling and relaying official statements to print and broadcast media.
- 2. Press conferences: when a press conference is called, the VP-UA will lead those efforts. As soon as additional information becomes available, it will be relayed to the main UA office, enabling staff there to pass along the information to the media as they call with questions. The president will speak at a press conference when a major crisis needs to be addressed or when they wish to issue updates on

the situation. It is not recommended to put the president out front at the onset of a crisis. Until the picture becomes clear, the official spokesperson should handle media communications.

- a. Press conference site: designate a site large enough to accommodate media and their gear (cameras, lights, sound equipment). Use rooms in primary locations if available. Assess and alert appropriate staff for electrical outlets, access and other accommodations.
- b. Time: must be convenient for university personnel, but also early enough for the media to meet news deadlines. This consideration is important for maintaining positive relationships with the media and eliminating rumor, speculation and misinformation. Depending on the crisis and the information to be released, consideration should be given to timing for live coverage of mid-day or early-morning news broadcasts.
- c. Parking: a university security officer should be posted to direct media to parking areas.

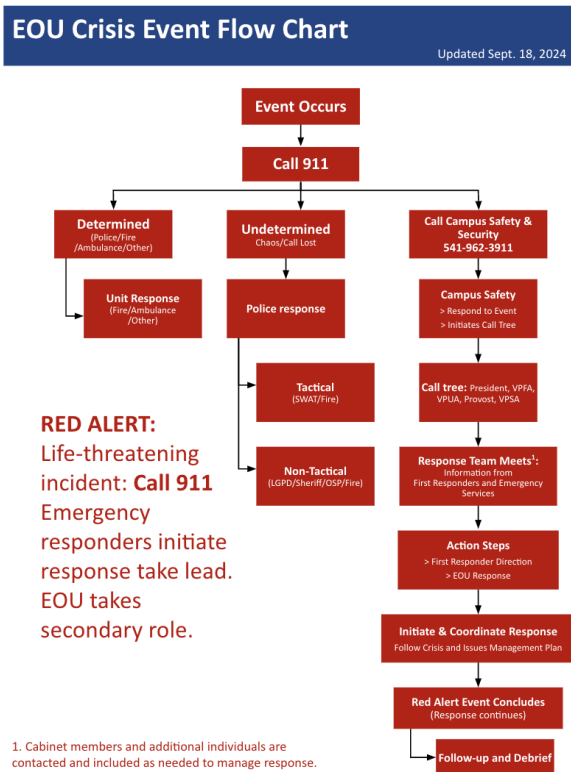
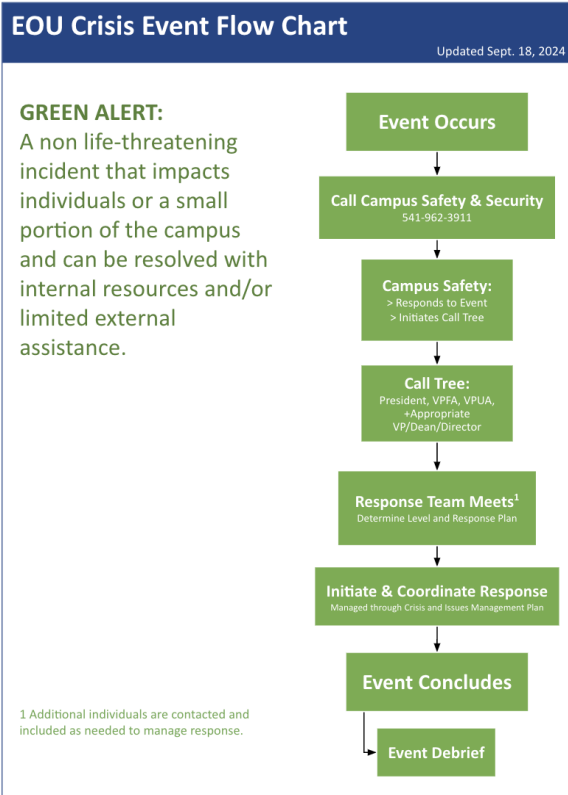
C. Media Relations

1. Interviews: Members of the crisis team (see “Issues/Crisis Team”) will be available for interviews related to their specific areas and may be interviewed at their posts or some central location to be determined by the President and the VP UA. When a reporter contacts a member of the crisis team directly, the designated spokesperson for that unit may respond to questions in his/her area of expertise and immediately inform UA of the interview to enable media tracking and news compilation.
2. General Direction: Dealings with the media should always be honest and courteous to encourage confidence in and respect for university personnel. Spokespersons’ attitudes toward media reflect on the image of EOU. Withholding information from the media will generate distrust.

D. Issues/Crisis Teams

1. Based upon the type of crisis or critical issue, certain key people will work directly with the President’s Office and UAA to facilitate the dissemination of information. The key to an effective crisis/critical issue team is to form an effective response team. It is not recommended to view this group as a committee.
 - a. **Students**—President, Provost, Vice President for Student Affairs, VP-UA, Vice President for Finance and Administration, director of Facilities and Planning, director of Student Relations, director of Residence Life, director of Counseling Center, director of Student Health, director of Athletics (if crisis involves sports), and Title IX coordinator.
 - b. **Institutional or Faculty/Staff**—President, provost, VP-UA, vice president for Finance and Administration, director of Facilities and Planning, and vice president/dean that is directly involved.

The following flow chart provides a summary of how EOU will respond in an emergency situation:



Quick Reference Guide

For a quick reference, please review the following response and evacuation procedures for these emergency situations:

Fire Evacuation Procedures



- Activate Fire Alarm
- Call 911 (cell phones work too)
- Notify occupants as you evacuate
- Feel doors-DO NOT open hot doors
- DO NOT use elevators
- Only attempt to extinguish a fire if trained to do so

Injury or Illness Procedures



- Call 911
- Keep victim still and comfortable
- Render first aid if trained
- Send someone to meet the ambulance
- If the injured person is an employee, report the injury to the department head or supervisor
- **Poison Control:**
1-800-222-1222

General Evacuation Procedures



- Follow your department's **evacuation plan**
- Assist others when safe to do so
- Move well away from the building if possible
- Never re-enter a building after evacuating unless cleared by emergency personnel

Suspicious Person Procedures



- Do not confront the person
- Notice details (gender, age, face, hair, clothing, direction of travel, possible weapon)
- Lock doors, turn off lights, and wait until the threat leaves.
- Call **911 (emergency)** or **541-962-3911 (non-emergency)**

Suspicious Object Procedures



- DO NOT touch or move anything
- Call **911 (emergency)** or **541-962-3911 (non-emergency)**
- **Evacuate**

Bomb Threat Procedures



- Look at telephone display and write down the number
- Keep the caller on the phone and listen for details (speech patterns, background noises, etc.)
- Call **911 (emergency)**
- **Evacuate**

Hazardous Substance Release Procedures



- Contain spill if trained and if safe to do so
- Call **911 (emergency)** or **541-962-3911 (non-emergency)**
- Move away or **evacuate** if there is a health risk
- Notify others and close doors as you leave
- Notify incident responders if you have details about the hazardous substance

Power Outage Procedures



- Remain calm and stay where you are; refer to your department's **evacuation plan**
- If directed, **evacuate**
- Secure experiments; close chemical containers and fume hood sashes as you leave
- Turn off equipment as appropriate
- Assist others when safe to do so
- Do not re-enter a building without clearance to do so
- If there is an **emergency**, call **911**
- Notify others in your department according to your department's **emergency plan**

Crime Procedures



- Do not attempt to apprehend or interfere
- Call **911 (emergency)** or **541-962-3911 (non-emergency)**
- Give your name, location, department, and as many details as possible

Security Awareness and Crime Prevention Programs

EOU Campus Security takes an active role in the safety of the campus by reporting any safety issues that are found while performing their daily rounds. This includes things like lighting issues, trip hazards, and emergency exit lighting. A campus security assessment is performed annually to identify safety issues and recommend remedies. Campus Security is responsible for checking both the emergency blue light telephones and the elevator distress telephones monthly.

Additionally, they talk to students and staff about ways to maintain personal safety and answer questions about crime prevention. Security awareness and crime prevention programs on personal safety and theft prevention are sponsored by various campus organizations and local

law enforcement throughout the year, including Week of Welcome, resident assistant training, and residential student programming. These presentations encourage students and employees to be responsible for their own security and the security of those around them.

The following chart is provided as a quick reference for campus security and crime prevention programs offered on campus.

Campus Security and Crime Prevention Programs			
Name:	Type:	Frequency:	Description:
Week of Welcome	Personal and Community Security	Annually	Presentations address the impacts of alcohol, drugs, and sexual assault upon the campus community
International Student Orientation	Personal and Community Security	Annually	Presentation addressing the use of alcohol and drugs, and sexual assault culture in the United States
New Student Athlete Orientation	Personal and Community Security	Annually	Presentation regarding student health and counseling services in an effort to build student efficacy
Residence hall programming	Personal and Community Security	Quarterly	Programming and bulletin boards regarding advocating for safer sex and healthy behaviors
Safer Sex items distribution	Personal and Community Safety	Daily	Distribution of condoms, brochures, and programming opportunities offered through the Student Health Center and the Privileged Campus Advocate
Health Hut Offerings	Personal Wellness	Periodically	Offer a variety of information for students, including Blood Alcohol Content cards
Social Media – Facebook postings	Personal and Community Wellness and Safety	Periodically	Posted information regarding safer sex, sexual assault and safe vacation/spring break tips
Alcohol Awareness	Personal and Community Wellness and Safety	April	Outreach to students regarding awareness of alcohol issues
EOU Stress Less	Personal and Community Wellness	Annually	Presentations on how to reduce stress, tips on how to prevent stress, and information on safe sex

Alcohol and Drug Abuse Policies

Alcohol

In the state of Oregon, it is illegal to possess or consume alcoholic beverages if you are under the age of 21. It is also illegal to provide alcoholic beverages to anyone under 21 or to anyone, regardless of age, who is visibly intoxicated. All students and employees are expected to know and abide by state laws and university policies regarding the use of alcoholic beverages. Students and employees in violation of laws prohibiting driving under the influence of intoxicants, the sale or distribution of alcohol to minors, and minors using alcohol may be subject to a law enforcement citation and/or arrest, and university disciplinary proceedings.

Drugs

In the state of Oregon, it is illegal to possess or consume marijuana if you are under the age of 21. It is also illegal to provide marijuana to anyone under 21. All students and employees are expected to know and abide by state laws and university policies regarding the unlawful possession, use, manufacture, or distribution of all illegal drugs. Students and employees in violation of laws prohibiting the unlawful possession, use, manufacture, or distribution of illegal drugs are subject to law enforcement citation and/or arrest, and university disciplinary proceedings.

University Sanctions

Students or employees who use drugs or alcohol unlawfully or in contravention of published University policy and collective bargaining agreements (CBA) are subject to university sanctions that may include but are not limited to:

1. Students: probation, suspension, or dismissal. The level of sanction will be based on the seriousness of the violation, the effect of the conduct on the community, and the probability of recidivism. The minimum sanction for illegal sale or distribution of drugs normally includes expulsion and referral to local law enforcement for investigation and potential prosecution. Referral to treatment programs will be mandated when appropriate.
2. Employees: verbal or written reprimands, suspension with or without pay, or termination. The level of discipline will be based on the seriousness of the violation.

Student Code of Conduct-Controlled Substances

The EOU policy regarding controlled substances addresses both alcohol and drugs. The following behaviors are prohibited:

- a. Possession or consumption of alcohol beverages by persons under 21 years of age, or furnishing of alcoholic beverages to persons under 21 years is prohibited. Possession or use of alcohol in any campus location or university sponsored or supervised activity, without university approval is prohibited regardless of age. Regulations concerning use of alcoholic beverages by students in university housing units and by recognized student organizations on or off campus are detailed in the Eastern Oregon University Drug and Alcohol Policy and the Room and Dining Contract.
- b. Use of tobacco products in unauthorized locations on campus in violation of state law, University, or public health regulations.
- c. Use, under the influence, possession, cultivation, manufacture, promotion, sale, and/or distribution of narcotics or other controlled substances, except as otherwise authorized by law or policy, is prohibited.

- d. Use and/or possession of prescription drugs of another is prohibited.

EOU Workplace

EOU is also committed to maintaining a workplace free from the unlawful manufacture, use, dispensing, possession, or distribution of controlled substances (as defined in section 102 of the Controlled Substances Act [21 U.S.C. 802]). University policy prohibits these acts in the workplace, and all university employees must abide by this policy. EOU employees found to be in violation of this policy may be subject to disciplinary sanctions consistent with applicable provisions of state laws and regulations, collective bargaining agreements, university policies and standards, as well as penalties under federal and state law.

University employees are encouraged to seek assistance for controlled substance dependency through the Canopy/Employee Assistance Program. Evaluation, counseling, and referral services are available to employees through this program, and assistance is provided on a confidential basis. The health benefits packages available to all university employees provide at least partial reimbursement for the treatment and rehabilitation associated with substance abuse problems. Information about the Employee Assistance Program can be obtained at the Office of Human Resources, Zabel 102, or by calling 541-962-3548.

Drug Free Schools and Communities Act (DFSCA)

EOU's Director of Student Relations, the Counseling Center Director, and the Associate Vice President for Finance and Administration provide the overall coordination of the Drug Free Schools and Communities Act. Each term, EOU notifies employees and students, in writing via email, of the: 1) standards of conduct; 2) sanctions for violation of federal, state, and local law and campus policy; and 3) health risks associated with alcohol and drug use. This annual notification is distributed to comply with part of the requirements of the 1989 amendments to the Drug-Free Schools and Communities Act (DFSCA), as articulated in the Education Department General Administrative Regulations (EDGAR) §86.1 – the Drug Free Schools and Campuses Regulations. Here is a link to the most recent biennial review:

<https://www.eou.edu/student-affairs/security-report/>.

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

VAWA Primary and Ongoing Prevention and Awareness Programs

EOU prohibits domestic violence, dating violence, sexual assault/rape, and stalking as those terms are defined for purposes of the Clery Act. The university reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all people. EOU does not discriminate on the basis of gender in its educational programs and sexual harassment and sexual violence are types of sex and gender discrimination. These acts can be sexually based or not, and include dating violence, domestic violence, and stalking.

EOU provides prevention programs addressing dating violence, domestic violence, sexual assault, and stalking. EOU offers online prevention and awareness training through SafeColleges to all enrolled students.

At this time, EOU does not offer primary prevention and awareness programs for employees.

Ongoing presentations addressing VAWA offenses are available to employees throughout the year. The university offers the following ongoing awareness and prevention programs for students and employees that focus on increasing the understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking. These programs use a range of strategies for audiences throughout the University. The following chart displays a selection of programs that may be available throughout the year:

Violence Against Women Act Ongoing Awareness and Prevention Programs
Campus Advocate Training: Train the individuals that will serve as a campus advocate for individuals reporting a crime.
Union County Sexual Assault Response Team Presentation: Identifies how the Sexual Assault Response team responds to reports of crime and how the campus advocates interact with the team.
Student Affairs Presentation: Presentation about the Violence Against Women Act; what employees' role in the process is; and what participants can do to support survivors of crime.
Safe Colleges Trainings: Students are assigned courses in the program (sexual assault, alcohol use/abuse, active shooter) to complete each term. The completion of courses in the program is monitored and reminder notices are distributed about the need to take the course(s). Employees are assigned courses when they arrive as a new employee, and on an annual basis when returning for the fall term. Courses include Title IX training and policy training.

Jurisdictional Definitions of Domestic Violence, Dating Violence, Stalking, Sexual Assault, and Sexual Harassment

The Oregon Revised Statutes (ORS) define domestic violence, stalking, and sexual assault. The ORS does not have a definition for dating violence that is similar to the Clery Act's definition.

Domestic Violence as defined by ORS 135.230 (oregonlaws.org/ors/135.230)

1. Domestic violence means abuse between family or household members.
2. Family or household members means any of the following:
 - a. Spouses.
 - b. Former spouses.
 - c. Adult persons related by blood or marriage.
 - d. Persons cohabiting with each other.
 - e. Persons who have cohabited with each other or who have been involved in a sexually intimate relationship.
 - f. Unmarried parents of a minor child.
3. Abuse means:
 - a. Attempting to cause or intentionally, knowingly, or recklessly causing physical injury;
 - b. Intentionally, knowingly, or recklessly placing another in fear of imminent serious physical injury; or
 - c. Committing sexual abuse in any degree as defined in [ORS 163.415 \(Sexual abuse in the third degree\)](http://oregonlaws.org/ors/163.415), [163.425 \(Sexual abuse in the second degree\)](http://oregonlaws.org/ors/163.425), and [163.427 \(Sexual abuse in the first degree\)](http://oregonlaws.org/ors/163.427).

Dating Violence: Under Oregon state law, there is no specific definition of dating violence. Oregon state law only defines teen dating violence, and requires public school district boards to adopt policies addressing it (ORS 339.366). ORS 147.450 (oregonlaws.org/ors/147.450) defines teen dating violence as:

1. Teen dating violence means:

- a. A pattern of behavior in which a person uses or threatens to use physical, mental, or emotional abuse to control another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age; or
- b. Behavior by which a person uses or threatens to use sexual violence against another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age. [2001 c.870 §23; 2007 c.71 §40; 2012 c.69 §2]

Stalking as defined by ORS 163.732 (oregonlaws.org/ors/163.732)

- 1. A person commits the crime of stalking if:
 - a. The person knowingly alarms or coerces another person or a member of that person's immediate family or household by engaging in repeated and unwanted contact with the other person;
 - b. It is objectively reasonable for a person in the victim's situation to have been alarmed or coerced by the contact; and
 - c. The repeated and unwanted contact causes the victim reasonable apprehension regarding the personal safety of the victim or a member of the victim's immediate family or household.
- 2. Stalking is a Class A misdemeanor.
 - a. Notwithstanding paragraph (a) of this subsection, stalking is a Class C felony if the person has a prior conviction for:
 - i. Stalking; or
 - ii. Violating a court's stalking protective order.
 - b. When stalking is a Class C felony pursuant to paragraph (i) of this subsection, stalking shall be classified as a person felony and as crime category 8 of the sentencing guidelines grid of the Oregon Criminal Justice Commission. [1993 c.626 §2; 1995 c.353 §2] Note. See second note under [163.730 \(Definitions for ORS 30.866 and 163.730 to 163.750\)](#).

Sexual Assault as defined by ORS 163.305 (oregonlaws.org/ors/163.305)

- 1. Sexual assault means any unwanted sexual contact as defined in ORS 163.305 – ORS 147.450.
- 2. Oral or anal sexual intercourse means sexual conduct between persons consisting of contact between the sex organs of one person and the mouth or anus of another.
- 3. Forcible compulsion means to compel by:
 - a. Physical force; or
 - b. A threat, expressed or implied, that places a person in fear of immediate or future death or physical injury to self or another person, or in fear that the person or another person will immediately or in the future be kidnapped.
- 4. Mentally defective means that a person suffers from a qualifying mental disorder that renders the person incapable of appraising the nature of the conduct of the person.
- 5. Mentally incapacitated means that a person is rendered incapable of appraising or controlling the conduct of the person at the time of the alleged offense.
- 6. Physically helpless means that a person is unconscious or for any other reason is physically unable to communicate unwillingness to an act.

7. Sexual contact means any touching of the sexual or other intimate parts of a person or causing such person to touch the sexual or other intimate parts of the actor for the purpose of arousing or gratifying the sexual desire of either party.
8. Sexual intercourse has its ordinary meaning and occurs upon any penetration, however slight; emission is not required. [1971 c.743 §104; 1975 c.461 §1; 1977 c.844 §1; 1979 c.744 §7; 1983 c.500 §1; 1999 c.949 §1; 2009 c.770 §1]

Sexual Harassment defined by HB3415

(<https://olis.oregonlegislature.gov/liz/2019R1/Downloads/MeasureDocument/HB3415/Enrolled>)

Sexual harassment is unwelcome conduct of a sexual nature. Sexual harassment can include unwelcome sexual advances, requests for sexual favors, or other verbal, nonverbal or physical conduct of a sexual nature where such conduct is sufficiently severe or pervasive that it has the effect, intended or unintended, or unreasonably interfering with an individual's work or academic performance or it has created an intimidating, hostile or offensive environment and would have such an effect on a reasonable person.

The ORS does not define consent, but does define lack of consent.

EOU Consent Definition: Consent is an understandable exchange of affirmative words or actions, which indicate a willingness to participate in mutually agreed upon sexual activity. Consent must be informed, freely and actively given. If coercion, intimidation, threats, or physical force are used there is no consent. Students – please also see the Student Code of Conduct for more information regarding consent.

Incapacity to Consent as defined by ORS 163.315 (oregonlaws.org/ors/163.315)

1. A person is considered incapable of consenting to a sexual act if the person is:
 - a. Under 18 years of age;
 - b. Mentally defective;
 - c. Mentally incapacitated; **or**
 - d. Physically helpless.
2. A lack of verbal or physical resistance does not, by itself, constitute consent but may be considered by the trier of fact along with all other relevant evidence. [1971 c.743 §105; 1999 c.949 §2; 2001 c.104 §52]

Bystander Intervention and Risk Reduction

Bystanders are defined as “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it” [Burn, S.M. (2009). *A situational model of Sexual Assault, Dating Violence, Domestic Violence, and Stalking Prevention through bystander intervention. Sex Roles, 60, 779-792*]. They play a critical role in the prevention of sexual and relationship violence. EOU promotes a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. There are a variety of ways that bystanders can intervene without putting themselves in danger, and a range of situations that warrant bystander intervention. Some of the more common situations that could be encountered include:

- If you hear someone joking about sexual assault, dating violence, domestic violence, and stalking, making other degrading comments, or using demeaning language
- If you witness micro-aggressions
- If someone looks like they could be in trouble or need help
- If you hear someone pressuring or encouraging others to drink or hook up
- If you notice a person isolating an individual who appears intoxicated
- If you witness what appears to be inappropriate or unwanted touching
- If comments or actions from others indicate their intent on having sex regardless of the other person's willingness or ability to consent
- If someone is getting ready to have sex with a person who is intoxicated

Active bystanders can follow a few general tips for keeping themselves safe while assessing a situation and intervening. Consider some of the following guidelines:

- Approach everyone as a friend
- Don't be antagonistic
- Avoid using violence
- Be honest and direct whenever possible
- Recruit help if necessary
- Keep yourself safe
- Tell others about your plans to intervene
- If you aren't in a position to intervene for safety reasons, find someone who can

If you are not sure how to intervene, there are many options. People choose to intervene in different ways based on their personality or the situational context. Anything done while maintaining safety is good intervention. Consider trying one of these intervention styles:

1. **The Divider:** Step in and separate both people. Let them know your concerns and reasons for intervening (e.g. because you are being a friend and acting in their best interest). Make sure each person makes it out of the situation safely. Examples:
 - a. "Hey, I'm worried you might be making a mistake...How about you two meet up tomorrow?"
 - b. "I'm not sure you should do this...You seem pretty drunk right now."
 - c. "Looks like you might need help getting home. Want me to walk with you?"
2. **The Recruiter:** Recruit help from friends of both people to step in as a group. Make a plan and verbalize it..."I'll do A, you do B." Examples:
 - a. "I am going to ask if Sam wants to grab food. Do you want to see if Jordan is ready to go home?"
 - b. "Will you come with me to see if Cameron is ok?"
 - c. "I don't feel comfortable with what's happening. What do you think we could do?"
3. **The Disrupter:** Step in to redirect the focus somewhere else. Divert the attention of one person away from the other... Commit a party foul if you need to!
 - a. "I have to go to the bathroom; come with me."
 - b. "I'm starving. Want to grab food?"
 - c. Strike up a conversation with both people; don't give up when it gets awkward: "OMG: can you believe what happened on *Game of Thrones* this week?" or "Hey, didn't we have a class together freshman year?"
 - d. Spill your drink.

Regardless of what the specific situation may be, there are some key checkpoints when assessing the situation and deciding whether or not, or how, to intervene. Think about these things while approaching different scenarios:

- Is something going on?
- Is it a problem or an emergency situation?
- Can I subtly investigate ambiguous situations?
- Should I take responsibility to intervene?
- Could the situation escalate if I don't intervene?
- Do I know how I could safely defuse the situation?
- Can I anticipate possible reactions (from all parties, including other witnesses) and pick a fitting intervention style?

- Are there potential social consequences of different intervention styles?
- Can I identify people to support me?
- Will I do SOMETHING to help?
- Ultimately...**If you see something, do something.** If you don't feel safe intervening directly, find someone who can. If you or someone else is in immediate danger, dial 911.

Risk Reduction

There is an important difference between preventing sexual assault/rape, dating violence, domestic violence, and stalking and reducing the risk of such incidents. Preventing these offenses focuses on the people committing the acts, while risk reduction focuses on strategies that may reduce the risk of harm. **It is vital to recognize that no one deserves to be assaulted.**

Perpetrators of rape and violence are solely responsible for committing the crime(s).

Victims are never to be blamed for doing or not doing certain behaviors to avoid an assault.

With these things in mind, the following strategies may reduce one's risk of victimization (from Rape, Abuse, & Incest National Network, rainn.org):

1. **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to **avoid isolated or poorly lit areas**. It is more difficult to get help if no one is around.
3. **Walk with purpose**. Even if you don't know where you are going, act like you do.
4. **Talk** with a friend on the phone while walking.
5. **Trust your instincts**. If a situation or location feels unsafe or uncomfortable, consider how you can remove yourself.
6. **If you see something suspicious, contact Campus Security** (non-emergency: 541-962-3911) or local law enforcement immediately (local authorities can be reached **by calling 911** in most areas of the U.S.).
7. **Don't allow yourself to be isolated** with someone who is crossing your boundaries, someone you don't trust, or someone you don't know very well.
8. **Avoid putting music headphones in both ears** and/or being overly focused on your phone so that you can be more aware of your surroundings, especially if you are walking alone. Perpetrators look for perceived vulnerabilities in their potential targets.
9. **When you go to a social gathering, go with a group of friends**. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. **Don't accept drinks from people you don't know or trust**. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common, open containers. These common sources often contain large amounts of alcohol masked by sweet mixers and could more likely contain so-called "date rape drugs."
11. **Watch out for your friends, and vice versa**. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.

- a. **If you suspect you or a friend has been drugged, dial 911.** Be explicit with doctors so they can administer the correct tests (such as a urine test and possibly others).
12. **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby? If you need to get out of an uncomfortable or scary situation, here are some things that you can try:
- a. **Remember that being in this situation is not your fault.** You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
 - b. **Be true to yourself.** Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
 - c. **Have a code word with your friends or family** so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
 - d. **Lie.** If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use include needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.

Response Options for Victims/Survivors

Here are procedures victims/survivors can follow after an incident of sexual assault/rape, domestic violence, dating violence, or stalking. Some of these procedures may overlap.

VAWA Offense	Procedures
Dating Violence and Domestic Violence	• If in immediate danger, call 911 • Preserve evidence by saving text messages, instant messages, social networking pages, other communications, pictures, logs, or other copies of documents • Consider seeking medical attention and forensic examination - o Student Health Center, 541-962-3524, One University Boulevard, La Grande, OR - o Mt. Emily Safe Center, 541-963-0602, 2107 3rd Street, La Grande, OR ▪ Sexual Assault Nurse Examiners (SANE) are on staff - o Shelter From the Storm, 541-963-7226, 10901 Island Ave, Island City, OR - o Grande Ronde Hospital, 541-963-8421, 900 Sunset Dr, La Grande, OR • Consider contacting the EOU Title IX Coordinator - o Inlow 113C, 541-962-3476 - o Helps survivors find medical care, SANE nurses, and information about their rights and options - o Can help with academic, employment, or housing accommodations • A Privileged Campus Advocate is available. - o Inlow 113A, 541-962-3381 - o The advocate will provide confidential services to those impacted by abuse • Consider contacting the EOU Counseling Center - o 541-962-3524, 6th Street & “L” Avenue, La Grande, OR - o Completely confidential mental health counseling • Consider contacting Shelter From the Storm - o Office Line: 541-963-7226 - o 24-Hour Hotline: 541-963-9261 - o Physical Address: 10901 Island Ave, Island City, OR - o Provides support, emergency shelter, and other services for survivors • Consider reporting to law enforcement - o On-campus and Off-campus (within city limits): La Grande Police Department, 541-963-1017 (non-emergency), 911 (emergency), 1109 K Ave, La Grande, OR - o Off-campus (outside of city limits): Union County Sheriff’s Office, 541-963-1017 (non-emergency), 911 (emergency), 1109 K Ave, La Grande, OR • Consider seeking a Mutual No Contact Directive, Restraining Order, Stalking Protective Order, or Sexual Abuse Protection Order - o https://www.eou.edu/student-affairs/code-of-conduct/ - o http://www.courts.oregon.gov/programs/family/domestic-violence/Pages/restraining.aspx - o http://www.courts.oregon.gov/programs/family/domestic-violence/Pages/stalking.aspx - o http://www.courts.oregon.gov/programs/family/domestic-violence/Pages/sexual-abuse.aspx

Sexual Assault/Rape	● If in immediate danger, call 911 ● Preserve evidence by saving text messages, instant messages, social networking pages, other communications, pictures, logs, or other copies of documents ● If the victim/survivor wishes to have forensic evidence collected, the victim/survivor should not bathe, douche, smoke, change clothing, or clean the bed, linen, or area where the sexual assault occurred ● Consider seeking medical attention and forensic examination ○ Student Health Center, 541-962-3524, One University Boulevard, La Grande, OR ○ Mt. Emily Safe Center, 541-963-0602, 2107 3rd Street, La Grande, OR ▪ Sexual Assault Nurse Examiners (SANE) are on staff ○ Shelter From the Storm, 541-963-7226, 10901 Island Ave, Island City, OR ○ Grande Ronde Hospital, 541-963-8421, 900 Sunset Dr, La Grande, OR ● Consider contacting the EOU Title IX Coordinator ○ Inlow 113C, 541-962-3476 ○ Helps survivors find medical care, SANE nurses, and information about their rights and options ○ Can help with academic, employment, or housing accommodations ● A Privileged Campus Advocate is available. ○ Inlow 113A, 541-962-3381 ○ The advocate will provide confidential services to those impacted by abuse ● Consider contacting the EOU Counseling Center ○ 541-962-3524, 6th Street & “L” Avenue, La Grande, OR ○ Completely confidential mental health counseling ● Consider contacting Shelter From the Storm ○ Office Line: 541-963-7226 ○ 24-Hour Hotline: 541-963-9261 ○ Physical Address: 10901 Island Ave, Island City, OR ● Provides support, emergency shelter, and other services for survivors ● Consider reporting to law enforcement ○ On-campus and Off-campus (within city limits): La Grande Police Department, 541-963-1017 (non-emergency), 911 (emergency), 1109 K Ave, La Grande, OR ○ Off-campus (outside of city limits): Union County Sheriff’s Office, 541-963-1017 (non-emergency), 911 (emergency), 1109 K Ave, La Grande, OR ● Consider seeking a Mutual No Contact Directive, Restraining Order, Stalking Protective Order, or Sexual Abuse Protection Order ○ https://www.eou.edu/student-affairs/code-of-conduct/ ○ http://www.courts.oregon.gov/programs/family/domestic-violence/Pages/restraining.aspx ○ http://www.courts.oregon.gov/programs/family/domestic-violence/Pages/stalking.aspx ○ http://www.courts.oregon.gov/programs/family/domestic-violence/Pages/sexual-abuse.aspx
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Stalking	• If in immediate danger, call 911 • Preserve evidence by saving text messages, instant messages, social networking pages, other communications, pictures, logs, or other copies of documents • Consider contacting EOU's Title IX Coordinator - o Inlow 113C, 541-962-3476 - o Helps survivors find medical care, SANE nurses, and information about their rights and options - o Can help with academic, employment, or housing accommodations • A Privileged Campus Advocate is available. - o Inlow 113A, 541-962-3381 - o The advocate will provide confidential services to those impacted by abuse • Consider contacting the EOU Counseling Center - o 541-962-3524, 6th Street & "L" Avenue, La Grande, OR - o Completely confidential mental health counseling • Consider contacting Shelter From the Storm - o Office Line: 541-963-7226 - o 24-Hour Hotline: 541-963-9261 - o Physical Address: 10901 Island Ave, Island City, OR - o Provides support, emergency shelter, and other services for survivors • Consider reporting to law enforcement - o On-campus and Off-campus (within city limits): La Grande Police Department, 541-963-1017 (non-emergency), 911 (emergency), 1109 K Ave, La Grande, OR - o Off-campus (outside of city limits): Union County Sheriff's Office, 541-963-1017 (non-emergency), 911 (emergency), 1109 K Ave, La Grande, OR • Consider seeking a Mutual No Contact Directive, Restraining Order, Stalking Protective Order, or Sexual Abuse Protection Order - o https://www.eou.edu/student-affairs/code-of-conduct/ - o http://www.courts.oregon.gov/programs/family/domestic-violence/Pages/restraining.aspx - o http://www.courts.oregon.gov/programs/family/domestic-violence/Pages/stalking.aspx - o http://www.courts.oregon.gov/programs/family/domestic-violence/Pages/sexual-abuse.aspx
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Law Enforcement Involvement

Victims/survivors have several options, including the option to notify local law enforcement, to be assisted by campus authorities in notifying law enforcement if they choose to do so, or to decline to notify such authorities. EOU will comply with a student's request for assistance in notifying authorities. Contact information for on-campus and off-campus law enforcement agencies can be found in the following chart.

Organization	Address	Phone
La Grande Police Department (on-campus and off-campus within La Grande city limits)	1109 K Ave. La Grande, OR	541-963-1017 (non-emergency) 911 (emergency)
Union County Sheriff's Office (off-campus outside of La Grande city limits)	1109 K Ave. La Grande, OR	541-963-1017 (non-emergency) 911 (emergency)

If a victim/survivor decides to file a police report, they can expect the following:

1. The victim/survivor may contact either on-campus (La Grande Police Department) or off-campus (La Grande Police Department/Union County Sheriff's Office) law enforcement.
2. The victim/survivor will likely speak with a law enforcement dispatcher or records personnel first.
3. After the victim/survivor gives basic contact information and incident details to the dispatcher, the dispatcher will notify a law enforcement officer of the call. The law enforcement officer may contact the victim/survivor.
4. The law enforcement officer will collect the victim's/survivor's information (name, date of birth, address, phone number, etc.), interview the victim/survivor about the VAWA incident, obtain suspect(s) information, and collect evidence.
5. If a victim/survivor decides to participate in a medical assessment, Oregon Senate Bill 795 requires medical assessment providers or law enforcement to contact a victim advocate and make reasonable efforts to ensure that a victim advocate is present and available at the medical facility.
6. The victim/survivor can expect to be asked whether or not they wish to pursue charges against the alleged suspect(s).
7. The victim/survivor could be contacted by the investigating law enforcement officer at a later date for a follow-up interview. The victim/survivor may also be contacted by a detective depending upon the complexity of the case.
8. The victim survivor can expect to be notified of their rights as a victim. ORS 147.417 requires law enforcement officers in Oregon to notify victims of their rights under section 42, Article I of the Oregon Constitution.

If an arrest is made, the victim/survivor can expect to be contacted by the District Attorney's office.

Reporting to law enforcement can help victims/survivors collect and preserve evidence. However, completing a forensic examination does not require a victim/survivor to file a police report; it does help preserve evidence in case a victim/survivor decides to file a police report at a later date. Preserving evidence may also assist in proving that the alleged criminal offense occurred or is occurring, and it may be helpful in obtaining an order of protection. As time passes, evidence may dissipate, become lost, or be unavailable, thereby making investigation, possible prosecution, student conduct proceedings, or obtaining an order of protection related to the incident more difficult. Law enforcement can also help victims/survivors obtain medical assistance and refer them to additional resources.

Protective Measures and Services

The University will maintain as confidential any accommodations or protective measures provided to the victim/survivor to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

Personally identifiable information about the victim/survivor will be shared only with persons who have a specific need to know because they are investigating, adjudicating the complaint, delivering resources or support services to the complainant, or classifying the incident in accordance with the Clery Act. The University does not publish the name of crime

victims/survivors or identifiable information regarding victim/survivors in publicly available recordkeeping including the Daily Crime Log, the Annual Security and Fire Safety Report, or the published annual statistics.

Victims have the right to obtain various orders of protection in cases involving a VAWA offense. The university complies with Oregon law in recognizing orders of protection and restraining orders, and will assist university students and employees who obtain one from any U.S. state with information and safety planning. Individuals with protection or restraining orders should provide a copy to local law enforcement and the Title IX Office at EOU.

They may develop a safety plan to reduce their risk of harm while on or coming and going from campus. This plan may include, but is not limited to, campus escorts, special parking arrangements, a temporary cell phone, changing classroom locations or living arrangements, or allowing a student to complete assignments from home, if possible. Employees who are victims/survivors of domestic violence may be eligible to take intermittent or continuous leave in order to secure restraining orders, attend court, or the like. The following chart gives information about the available types of orders, which are all free of charge, and how to obtain each one.

(Mutual) No Contact Directive for Students Only (***Not Enforceable by Law Enforcement***)	A University issued directive that describes the set of expectations given between two or more student parties to not contact or communicate with each other, including directly, through third parties, or online. No Contact Directives are usually reciprocal (mutual) and generally cannot be lifted without the express consent of all named parties. Certain EOU administrators are authorized to issue No Contact Directives that prohibits contact between students when a student is the recipient of threats or persistent unwanted or harassing contact, or have made allegations against one another. This directive is designed as a protective measure to mitigate potential problematic interactions in the future.
Office to Contact	Title IX Coordinator and Director of Student Relations Inlow 113A, One University Blvd., La Grande, OR 541-962-3476
Instructions	A student considering requesting a No Contact Directive may discuss the situation with the EOU Title IX Coordinator and Director of Student Relations or the Privileged Campus Advocate.
Enforcement	To enforce a No Contact Directive, an individual should report any violations to the EOU Title IX Coordinator and Director of Student Relations. Violations of No Contact Directives issued by EOU are not criminal offenses and are not enforceable by law enforcement officers. EOU will honor requests for No Contact Directives and enforce violations of University-issued No Contact Directives.

Restraining Order	A Restraining Order is a court order to protect the petitioner's physical safety. It can tell the other person (the "respondent") to move, and specify locations where the respondent cannot go. The petition for a Restraining Order includes other things the petitioner can ask for if they believe it will help them stay safe.
Office to Contact	- Union County Circuit Courthouse 1105 K Ave, La Grande, OR (541) 962-9500 - General information: http://www.courts.oregon.gov/programs/family/domestic-violence/Pages/restraining.aspx - Application Packet: http://www.courts.oregon.gov/forms/Documents/FAPA-APPLY-PACKET-Statewide.pdf
Filing Instructions	The application should be filed at the circuit court courthouse in the county where either the petitioner or the respondent lives. In Union county, this would be at the Union County Circuit Court Courthouse, 1105 K Ave, La Grande, OR. The Union County District Attorney's Office Victim Assistance Program and Shelter From the Storm can help file the application. To review the requirements for a Restraining Order, review the application packet (see above link).
Enforcement	To enforce a Restraining Order, law enforcement should be contacted. A law enforcement officer must arrest the respondent if the officer believes they violated the order.
Stalking Protective Order	A Stalking Protective Order is a court order that tells a person who has made unwanted contact with you or a member of your immediate family or household to stop this behavior.
Office to Contact	- Union County Circuit Courthouse 1105 K Ave, La Grande, OR (541) 962-9500 - General information: http://www.courts.oregon.gov/programs/family/domestic-violence/Pages/stalking.aspx - Application: courts.oregon.gov/courts/Pages/default.aspx
Filing Instructions	A Stalking Protective Order should be filed at the courthouse in the county where the respondent lives or where the unwanted contacts took place. In Union county, the application should be filed at the Union County Circuit Court Courthouse, 1105 K Ave, La Grande, OR. The Union County District Attorney's Office Victim Assistance Program and Shelter From the Storm can help file the application. To review the requirements for a Stalking Protective Order, go to this link, courts.oregon.gov/forms/Documents/CivilStalkingFullPacket.pdf
Enforcement	If the respondent does not obey a Stalking Protective Order, it is a crime and law enforcement should be contacted. Police must arrest the respondent if they have reason to believe the respondent has not followed a Stalking Protective Order.

Sexual Abuse Protective Order	A Sexual Abuse Protective Order (SAPO) is available in certain cases where a person was subjected to unwanted sexual abuse by another person who is not a family member or intimate partner. A SAPO is a court order that tells the respondent to leave the petitioner, petitioner's children, and petitioner's family alone. It can order the respondent not to enter a reasonable area around the petitioner's residence. The petitioner can ask the judge to add other conditions (listed in the protective order) that they believe will help them stay safe.
Contact	Union County Circuit Courthouse 1105 K Ave, La Grande, OR (541) 962-9500 General information and application: courts.oregon.gov/orograms/family/domestic-violence/Pages/sexual-abuse.aspx
Filing Instructions	A Sexual Abuse Protective Order should be filed at the courthouse in the county where either the petitioner or the respondent lives. In Union county, the SAPO should be filed at the Union County Circuit Court Courthouse, 1105 K Ave, La Grande, OR. The Union County District Attorney's Office Victim Assistance Program and Shelter From the Storm can help file the application. To review the requirements for a Sexual Abuse Protective Order, review the application packet (see above link).
Enforcement	If the respondent does not obey the SAPO, law enforcement should be contacted. The petitioner should not contact the respondent. The officer must arrest the respondent if there is probable cause (a good reason) to believe a violation has occurred. The respondent can be charged with contempt of court. If the court finds the respondent to be in contempt, the respondent can be fined, placed on probation, or put in jail.

The University is sensitive to those who report sexual assault/rape, domestic violence, dating violence, and stalking; and will provide written notification to students and employees of existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community.

The University is obligated to comply with a student's reasonable request for a living and/or academic situation change following an alleged sex offense. The university will provide written or electronic notification to victims about options for, available assistance in, and how to request changes to academic, living, transportation and working situations, or protective measures. The university will make such accommodations or provide such protective measures if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to local law enforcement.

When a student or employee reports to the EOU Title IX Office that they have been a victim of dating violence, domestic violence, sexual assault/rape, or stalking, whether the offense occurred on or off campus, the office will provide the student or employee a written explanation of their rights and options. EOU students and employees may also request their directory information be removed from public sources at the Office of the Registrar (541-962-3607) and the Office of Human Resources (541-962-3548) respectively.

When assisting a victim/survivor with their rights and options and deciding what measures to take, the University considers the specific need expressed by the survivor; the age of the individuals involved; the severity or pervasiveness of the allegations; any continuing effects on the victim/survivor; whether the victim/survivor and alleged perpetrator share the same residence

hall, dining hall, class, transportation or job location; and whether other judicial measures have been taken to protect the survivor (e.g. civil protection orders).

The University understands some victims/survivors do not want to report to law enforcement, but may still wish to utilize other resources found on campus or within the community. The following chart is a quick reference for organizations on campus and within the La Grande campus community, as well as national organizations, that can assist and provide resources to victims/survivors of dating violence, domestic violence, sexual assault/rape, and stalking:

Organization	Address	Phone	Email/Website
Athletics Deputy Title IX Coordinator	Quinn 133D One University Blvd. La Grande, OR	541-962-3687	kmorehead@eou.edu
Counseling Center (confidential)	6th Street & "L" Avenue La Grande, OR	541-962-3524	https://www.eou.edu/counsel/
Department of Education, Office for Civil Rights	400 Maryland Avenue, SW Washington, DC 20202-1100	800-421-3481	https://www2.ed.gov/about/offices/list/ocr/index.html
Department of Justice Sexual Assault Resources	950 Pennsylvania Avenue, NW Washington, DC 20530-0001	877-739-3895 (National Sexual Violence Resource Center)	https://www.justice.gov/ovw/sexual-assault
Director of Residence Life	Daugherty Hall 119 One University Blvd. La Grande, OR	541-962-3177	jdjones1@eou.edu
Human Resources Director and Deputy Title IX Coordinator	Zabel 102 One University Blvd. La Grande, OR	541-962-3516	cjmclaughlin@eou.edu
Privileged Campus Advocate	Inlow 113A One University Blvd. La Grande, OR	541-962-3381	advocate@eou.edu
Rape, Abuse, and Incest National Network	1220 L Street, NW, Suite 505 Washington, DC 20005	800-656-4673 (RAINN/ National Sexual Assault Hotline)	https://www.rainn.org/

Organization	Address	Phone	Email/Website
Campus Security	Losos 154 One University Blvd., La Grande, OR	541-962-3911	security@eou.edu
Shelter From the Storm	10901 Island Ave, Island City, OR	Office Line: 541-963-7226 24-Hour Hotline: 541-963-9261	https://www.unioncountysfs.org
Student Affairs Office	Inlow Hall 113 La Grande, OR	541-962-3476	saffairs@eou.edu
Student Health Center Director	Student Health Center One University Blvd. La Grande, OR	541-962-3524	reisele@eou.edu
Title IX Coordinator and Director of Student Relations	Inlow Hall 113C La Grande, OR	541-962-3476	titleix@eou.edu
Union County District Attorney's Office Victim Assistance Program	1007 Fourth St La Grande, OR	541-963-1007	http://union-county.org/district-attorney/victim-assistance/
Vice President for Student Affairs	Inlow Hall 115J One University Blvd. La Grande, OR	541-962-3635	saffairs@eou.edu
Assistant Director of Student Relations and Deputy Title IX Coordinator	Inlow Hall 115K One University Blvd. La Grande, OR	541-962-3635	jewithers@eou.edu

Student and Employee Disciplinary Proceedings for VAWA Offenses

Title VII and Title IX offices Investigation and Resolution Process

The Title VII and Title IX offices are charged with investigating all alleged VAWA offenses for the university. The following information is a summary of EOU's investigation and resolution process for VAWA offenses and is intended to provide a framework.

The Title VII and Title IX offices are responsible for investigating claims brought by students, employees, volunteers, or anyone prevented from participating in a university program, or against students, employees, university contractors, volunteers, and other campus community members. Upon receiving a report of an alleged violation, the Title VII and/or Title IX office(s) will promptly evaluate whether the allegation is within the scope of their investigative authority. The Title VII and Title IX offices do not generally investigate anonymous reports, but reserves the right to do so based on the determination of the Title IX coordinator and Title VII Office.

The Title VII and/or Title IX office(s) will attempt to bring all allegations to a resolution within a sixty calendar daytime-period, which can be extended as necessary for good cause as determined by the Title IX coordinator or Title VII office. In the event of a concurrent criminal investigation, the Title IX coordinator or Title VII office may reasonably delay the timeline in order to

cooperate with the requests of law enforcement. However, The Title VII and/or Title IX office(s) may resume the investigation after notification that law enforcement has completed the evidence gathering stage of the criminal investigation. The Title VII and/or Title IX office(s) will provide all parties involved regular status updates when possible and appropriate.

The applicable evidentiary standard for all allegations of VAWA offenses is a preponderance of the evidence. This standard is met when the evidence shows that it is more likely than not that the alleged misconduct occurred. All disciplinary proceedings include a prompt, fair, and impartial process from the initial investigation to the final result. All disciplinary proceedings are also conducted by officials, who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking, including how to conduct an investigation and hearing process that protects the safety of the victims and promotes accountability; ensures equitable due process rights to respondents; and includes any new proposed guidance from the U.S. Department of Education.

EOU will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in Section 16 of Title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim.

Student Disciplinary Proceedings

The University will apply a preponderance of evidence standard to determine whether there has been a violation of the Student Code of Conduct or the Title IX Policy.

Jurisdiction

1. These policies apply to all students and activities on University owned or controlled property; during any University-sponsored activity or the activity of a University-sponsored or recognized organization, regardless of location; when the behavior adversely impacts the University Community, or any persons or property on campus or University sites; or the orderly operation of the institution. Activities include, but are not limited to field trips, athletic events, and all co-curricular activities or theater/music productions.
2. In general, the off-campus activities of students are viewed as their personal business. When a student is charged by federal, state, or local authorities with a violation of law, the University will not request or agree to special consideration for that individual because of their status as a student. If the alleged offense is also being processed under the Student Code of Conduct, the University may advise off-campus authorities of the existence of the Student Code of Conduct and of how such matters are typically handled within the University community. The University will attempt to cooperate with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of violators (provided that the conditions do not conflict with campus rules or sanctions). Individual students and other members of the University community, acting in their personal capacities, remain free to

interact with governmental representatives as they deem appropriate. When a student violates local, state, or federal laws and/or violates the Student Code of Conduct, regardless of location, the University reserves the option of initiating and carrying out disciplinary action on its own.

3. The student disciplinary process is fundamentally different from the criminal legal process, with differing purposes, objectives, procedures and standards of proof and potential learning outcomes.
4. Determinations made or sanctions imposed under the Student Code of Conduct shall not be subject to change because criminal charges arising out of the same facts giving rise to violation of University rules were dismissed, reduced, or resolved in favor of or against the criminal law defendant.

Student's Rights and Responsibilities

The Eastern Oregon University Code of Conduct outlines the procedures to be followed by the University.

1. Respondents charged with violations of University regulations have the following rights.
 - a. Written notice to include:
 - i. Time, location, and/or other relevant information regarding the conduct violation(s);
 - ii. Reference to the particular section(s) of the Student Code of Conduct that is/are alleged to have been violated;
 - iii. The information regarding an educational conference to be scheduled no earlier than three days from the date of the notice unless requested by the student; and
 - iv. Where the Student Code of Conduct and the Hearing Procedures may be found.
 - b. The opportunity to provide input about whether a Campus Hearings Officer or the Student Hearings Committee will hear the case;
 - c. The right to be accompanied by an advisor when the student is presenting information to the Hearings Officer or Student Hearings Committee or presenting information in any other context to University officials as a part of the student conduct process;
 - d. The opportunity to review all information being considered at a conduct hearing;
 - e. The opportunity to have witnesses relevant to the case at hand and/or documents in support of the student's defense;
 - f. The opportunity to appeal (see Appeals).
2. Respondents have the following responsibilities:
 - a. To appear at the designated time and place for an educational conference or hearing to answer the complaint(s) filed. Failure to appear at the educational conference or hearing will result in the Hearings Officer or Student Hearings Committee issuing a decision based on the information available;
 - b. To meet with a Campus Hearings Officer or Coordinator, or her/his designee, to review hearing policies and procedures during an educational conference;
 - c. To provide a list of all witnesses who will appear on the student's behalf to the Hearings Officer or Student Hearings Committee at least 48 hours prior to the scheduled conduct hearing.
 - d. To maintain civil decorum during the conduct process.
3. Complainant's Rights

- a. A complainant has the right to have an advisor or advocate accompany them when they are presenting information to the Hearings Officer or Student Hearings Committee or presenting information in any other context to University officials as a part of the student conduct process.
- b. A complainant has the right to request to be permitted to present their side of the story in a separate room from the respondent at the conduct hearing so long as the process, as a whole, does not unduly compromise the respondent's right to have the Hearings Officer or Chair of the Student Hearings Committee ask the complainant questions.
- c. A complainant has a right to submit an impact statement to the Hearings Officer or Chair of the Student Hearings Committee for consideration in the sanctioning phase of the conduct process only. The statement may include a description of how the complainant was impacted by the behavior and may include recommendations for sanctions, penalties, or restitution. The Hearings Officer or Student Hearings Committee, however, is not bound to impose the recommended sanctions.
- d. Where the respondent was alleged to be responsible for conduct which, if proven, would constitute any of the following offenses or attempts to commit the following offenses: arson, assault, burglary, criminal homicide, destruction/damage/vandalism of property, kidnapping, robbery, forcible sex offenses, non-forcible sex offenses (incest or statutory rape), the complainant has a right to be notified of the final results that will include:
 - i. the name of the student,
 - ii. the violation with which the student was charged,
 - iii. whether the student was found "responsible" or "not responsible," and
 - iv. any sanction(s) imposed.

Due Process

Procedural fairness is basic to the proper enforcement of all University regulations. No conduct action shall be initiated against students or student organizations until they have been notified in writing of the charges against them and their rights under this Code, and given the opportunity to be heard (except in the event of potential harm to the welfare of self or others as indicated in Emergency Actions section:

1. The Senior Hearings Officer, or designee(s), shall insure that the best interests of students and student organizations are served, regardless of whether conduct action is taken.
2. All University regulations and policies pertaining to student conduct shall be promulgated in such a manner as to furnish adequate notice.
3. Regulations and conduct sanctions affecting the conduct of students shall be based on general principles of equal treatment.
4. All parties will be afforded a prompt, fair, and impartial process from the initial investigation to the final result.

Student Educational Conferences, Hearings, Appeals, and Emergency Actions

Educational Conferences, Hearings and other University Actions utilizes a process intended to provide an opportunity for each party to respond to the information in the investigation report.

Educational Conferences and Hearings

1. The Senior Hearings Officer is responsible for coordination of the University's student conduct program. The Senior Hearings Officer shall designate a Student Conduct Program Administrator who will coordinate the activities of the student conduct process. University housing conduct is administered by the Residence Life staff (see Residence Life Room and Dining Contract for further information regarding this process), but such matters will also be referred to the Office of Student Affairs when a student's status at the University must be reviewed or when the conduct is of an egregious nature. The Student Conduct Program Administrator and Coordinator(s) shall be responsible for maintaining conduct records. These records may include a summary of the proceedings, results, and the appointed hearings officer/committee acting on the case.
2. Conduct proceedings at University do not mirror courtroom proceedings. At a conduct hearing, civil and criminal rules of evidence do not apply. Hearings regarding sexual misconduct and/or heard by the Student Hearing Committee may be recorded or transcribed.
3. Decisions of "responsible" or "not responsible" regarding the charge(s) shall be based on the information presented at the hearing. The Hearings Officer or Student Hearing Committee shall determine whether or not the student has violated the Student Code of Conduct as charged based upon the appropriate standard of proof. The appropriate standard of proof shall be "more likely than not" that the behavior occurred. This means that the information presented supports the finding that it was more likely than not that the violation occurred.
 - a. Procedures for Complaints and Educational Conferences
 - i. Alleged violations of the Student Code of Conduct may be reported to the Office of Student Affairs by any member of the community.
 - ii. The Student Conduct Program Administrator or Coordinator in Residence Life (if an incident occurs in or within close proximity of the residence halls) will review the information to determine if the University will charge the student with violating the Student Code of Conduct.
 - iii. If at any time during the course of the process the Senior Hearings Officer's designee(s) determines that either charges are not warranted or that insufficient evidence exists to continue, then the charges may be withdrawn, and the student will be notified in writing.
 - iv. If the complaint is forwarded for a hearing, the Student Conduct Program Administrator or Coordinator will afford the respondent the opportunity of an educational conference with a campus hearings officer. The hearings officer will review the allegations and charges, the Student Code of Conduct, the hearing options, the student conduct process, possible sanctions, the student's rights and responsibilities as proscribed in this Code of Conduct, with the respondent and answer questions.
 - v. If the respondent elects to have the case heard by a campus hearings officer, the hearing will proceed at that designated time. If the respondent elects to have the Student Hearings Committee hear the case, it will be referred back to the Student Conduct Program Administrator to arrange for a hearing. A time shall be set for a hearing, not less than five or more than fifteen calendar days after the student has been notified of the complaint. Maximum time limits for scheduling of hearings may be extended at the discretion of the Student Conduct Program Administrator. The Administrator will work with the

- Hearings Officer or the Student Hearings Committee to arrange hearings and determine the subsequent appropriate institutional response.
- vi. All parties may have counsel or an advisor to serve as advisors at their own expense. However, the counsel, or advisor, shall not speak on behalf of the student, question witnesses, present information or argue on behalf of the student.
 - vii. Hearings options are:
 - 1. Campus Hearings Officer presiding; or
 - 2. Student Hearings Committee presiding.
 - viii. In the event of a sexual misconduct hearing, if the respondent chooses the Campus Hearings Officer option to preside over the case, two hearings officers will be present to hear the case. In addition, the complainant will be notified in writing of the outcome of the hearing, including sanctions and timelines, and any appeals and the resultant outcomes.
- b. Student Conduct Hearings before a Campus Hearings Officer.
- i. Conduct Hearings shall not be open to the public.
 - ii. Hearings Officers are charged with:
 - 1. Making findings of fact;
 - 2. Determining if the student has violated the Code(s);
 - 3. Dismissal of the case; and/or
 - 4. Imposing any sanction listed in this Code.
- c. Student Conduct Hearings before the Student Hearings Committee.
- i. The respondent and the Student Conduct Program Administrator may arrange for witnesses to present pertinent information to the Student Hearings Committee. Witnesses will provide information to and answer questions from the Student Hearings Committee.
 - ii. The Student Hearings Committee is charged with:
 - 1. Making findings of fact;
 - 2. Determining if the student has violated the Code(s);
 - 3. Recommending dismissal of the case; and/or
 - 4. Recommending any sanction listed within the Student Code of Conduct to the Student Conduct Program Administrator or designee.
 - iii. The respondent shall appear along with witnesses and other parties requested to be in attendance by the Student Hearings Committee. Questions may be suggested by the respondent and/or Complainant to be answered by each other or by other witnesses at the discretion of the Student Hearings Committee chair.
 - iv. A secretary may record information presented, accept information, statements, and prepare a summary of the Student Hearings Committee's findings. After the conclusion of the hearing, every effort will be made to issue a written decision in a timely fashion by the Student Conduct Program Administrator.
 - v. Regardless of the nature or type of hearing, the respondent will be given an opportunity to provide information. This may include, but is not limited to, pertinent records, documents, written or oral statements. The student will also be given an opportunity to inspect records that have been submitted regarding the specific case.

- vi. If a witness cannot appear, the witness's written or taped statement may be considered. Witnesses will be required to wait outside until their point of participation and asked to leave the hearing after being questioned.
- d. Potential Sanctions. The following sanctions may be rendered as a result of a conduct hearing:
 - i. Mandated counseling assessment and/or recommendations for completed treatment.
 - ii. Restitution: Reimbursement a) by dollar amount, b) by transfer of property, or c) by provision of services to the University or a member of the University community in accordance with the nature of the violation in an amount not to exceed actual expenses, damages, or losses incurred.
 - iii. Required Educational Activities: Mandatory participation in educational activities and any associated fees.
 - iv. Warning: Notice to a student that the student's conduct or actions are in violation of the Student Code of Conduct. The continuation of such behavior may result in further action.
 - v. Probation: Probation will include observation and review of behavior and demonstrated compliance with the Student Code of Conduct. A student on probation is not in "good standing" with the University. Students on probation, who are found in violation of the Student Code of Conduct again are subject to more severe disciplinary actions.
 - vi. Loss of Privileges: Denial of specified privileges for a designated period of time, consistent with the violation(s) committed.
 - vii. Residence Hall Suspension: Separation from the residence halls for a designated period of time, after which the student is eligible to return. Conditions of readmission may be specified.
 - viii. Residence Hall Expulsion: Permanent separation from the residence halls.
 - ix. Suspension: Separation from the University for a defined period of time, after which the student is eligible to return. Conditions for readmission may be specified.
 - x. Deferred Sanction: Placement on deferred sanction status. If the student violates University regulations during this period, the deferred sanction(s) will be immediately imposed along with any new sanctions.
 - xi. Expulsion: Permanent separation from the University.
 - xii. Revocation of Admission and/or Degree.
 - xiii. Withholding of Degree.
 - xiv. Academic Honesty Code violations: in addition to any of the above sanctions, academic sanctions, such as failing the assignment and/or course, removal from an academic program, or removal from a college may also be imposed.
- e. Other University Actions
 - i. Hold on Student Record: The Student Conduct Program Administrator, Student Conduct Coordinator, or designee, may place a hold on the records or registration of any student who fails to fulfill any sanctions issued by the University. The Administrator or Coordinator may take other action necessary for resolution of a case prior to the student's enrollment in a subsequent term, transfer or graduation. All pending conduct matters must be resolved prior to a student's graduation from University.

- ii. Mediation, voluntary participation in a facilitated discussion with the complainant, may be appropriate in certain cases and may be strongly recommended.

Appeals

1. Following a conduct hearing, the respondent and a student complainant has the right to an appeal.
2. Appeals shall be made to the Vice President for Student Affairs within five working days after notice. The appeal shall be in writing, stating the ground(s) for appeal. The Vice President for Student Affairs may do any of the following:
 - a. review all information presented at the hearing and consult with the campus hearings officer or student hearings committee chair at his/her discretion,
 - b. return the case to the original hearing body for reconsideration,
 - c. alter the findings and/or sanctions imposed by the original hearing body, or
 - d. determine that the original findings and/or sanctions stand.
3. The Vice President for Student Affairs will make a decision within five working days after receipt of appeal. The Vice President's decision is final. Appeals for violations in the residence halls shall be conducted as identified in the Residence Life Room and Dining Contract.
4. Appeals must be based on the issue of substantive or procedural errors which are prejudicial and which were committed during the educational conference, meeting, or hearing.
 - a. The specific grounds to be addressed on appeal are:
 - i. Were the procedures of the Student Code of Conduct followed?
 - ii. If a procedural error occurred, were the rights of the respondent/student complainant or organization violated to the extent that the respondent/student complainant or organization did not receive a fair hearing?
 - iii. Was the hearing conducted in a way that did not permit the respondent/student complainant or organization adequate notice and the opportunity to present its version of the facts?
 - iv. Was the information presented at the hearing sufficient to justify the decision reached?
 - v. Was there relevant information existing at the time of the hearing that would have affected the outcome that was not discovered until after the hearing?
 - vi. Are sanctions disproportionate to the violation and previous disciplinary history of the student?
 - b. Sanctions shall not begin until either the time for appeal has expired without an appeal, or until the appeal process is exhausted. The Vice President for Student Affairs, or designee(s) may impose sanctions during the appeal process to ensure the safety and well-being of members of the University community or preservation of University property.

Emergency Action

Any interim measure may be taken at any time. Notice of interim measure shall be provided to the student or student organization in writing.

1. Interim Suspension: The Vice President for Student Affairs may initiate a temporary suspension of a student or student organization when it is determined that there is an imminent threat or that a student's presence negatively affects the health, safety or welfare of the University community or a member of the University community.

2. **Restrictions on Activity:** The Vice President for Student Affairs may restrict a student's or student organization's activities when it is determined that the health, safety or welfare of a student or member of the University community is at risk. Restrictions on activities may include, but are not limited to: registering or attending class; accessing or contacting certain individuals (no contact order); accessing University property, facilities, resources or equipment; participating in University activities, organizations or student activities.
3. **Appeal of Interim Measures:** The student or student organization has the opportunity to submit a written request for a hearing regarding the interim measures to the Vice President for Student Affairs. If requested, the hearing will be conducted within three business days of the receipt of the written request. The scope of this hearing is limited solely to the interim measures.
4. **Student Enrollment Status:** If a student's enrollment status is changed as a result of an interim measure, but the student is subsequently found not responsible for the violation, the University shall correct any record of the change in enrollment status in the student's permanent records and other reports in a manner compliant with State and Federal laws.

Possible Sanctions for Alleged VAWA Offenses

- **Warning:** Official notice to a student or student organization exhibiting behavior that violates any part of the Student Code of Conduct. The continuation of such behavior may result in further conduct action.
- **Required Educational Activities:** Mandatory participation in educational activities. Such educational activities include but are not limited to completion of a report or attendance at a seminar or other educational program or presentation.
- **University/Community Service Work Hours:** Requirement to complete a specified number of hours of service to the university or general community.
- **Behavioral Expectations:** A written list of specific behavioral expectations the university has for the student in order for the student to continue at the institution.
- **Restitution:** A requirement that a student or student organization provide reimbursement by dollar amount, by transfer of property, or by provision of services to the university or a member of the community in accordance with the nature of the violation and in an amount not in excess of actual expenses, damages, or losses incurred.
- **Restriction/Exclusion:** Restrictions on participation in meetings, denial of entry to specific university facilities, prohibition of presence in certain areas, or other restrictions consistent with the violation committed. For a student organization, restrictions may include denial of specific university privileges including, but not limited to, participation in sponsored social activities; sponsored parties or philanthropy; participation in intramurals; representing the university; and any travel in connection with such representation, recruitment, membership or representation on a governing council, use of university space for a meeting or event, participation in competition and events, and receipt of institutional funding.
- **Mutual No Contact Directive:** A directive to a student to refrain from any intentional contact, direct or indirect, with one or more designated persons through any means, including personal contact, e-mail, telephone, social media, or third parties.
- **Removal from a Class:** A student's removal from a class may be temporary or permanent. Permanent removal from a class may be authorized by the Title IX Coordinator with concurrence from the dean of the college in which the class is offered. A student who is

permanently removed from a class will receive a “W” (Withdrawal) on the academic transcript, unless removed in conjunction with an academic misconduct violation that warrants an “F” grade for the course, in which the student will receive an “F” on the academic transcript. In instances where a student is removed from class due to a finding of responsibility under the Student Code of Conduct, no automatic refunds for tuition or other class fees will be made.

- **Residential Disciplinary Probation:** Applies to students who have a contract with University Housing and Dining Services (UHDS). Residential disciplinary probation means that the student is not in good standing with UHDS, and any further violations may result in relocation or cancellation of a student’s housing contract.
- **University Conduct Probation:** Placement on probationary status during which there is review of behavior and the student or student organization must demonstrate compliance with the Student Code of Conduct. Terms of the conduct probation will be determined at the time the probation is imposed and may include additional sanctions including but not limited to loss of privileges, restrictions, restitution, and/or required educational activities. University conduct probation means that the student is not in good standing with the university, and any further violations may result in the student or student organization’s suspension or expulsion from or loss of recognition with the university.
- **Conduct Suspension:**
 - **Suspension**
 - Student – Suspended students are denied the privileges and services provided to currently enrolled students, including residing in university-owned or recognized student housing, attending class, or using other university services or facilities for a defined period of time, after which the student is eligible to return. Conditions for readmission may be specified.
 - Student Organization – Loss of university recognition or registration for a specified period of time. A suspended student organization may not use university resources or participate in university activities in a manner that emulates the activities of a recognized student organization, including but not limited to recruitment, initiation, or group participation in service, philanthropy, or events. The organization must comply with all sanctions prior to being registered or recognized again.
 - The conditions of suspension take effect immediately when the student or student organization is informed of the outcome in a notice of decision. If a suspended student files an appeal, the imposition of the suspension will be stayed until the conclusion of the appeal process as long as the student is not excluded from the campus under administrative suspension.
 - If a pending conduct hearing or appeal may result in suspension, awarding of a student’s academic degree will be postponed pending the outcome of the conduct proceedings.

- **Expulsion:** Removes the student from their academic program and permanently separates the student from the University. Expelled students will also be excluded from the university and all university property, unless otherwise noted.
 - The conditions of expulsion take effect immediately when the student is informed of the outcome in a notice of decision. If an appeal is filed, the imposition of the expulsion will be stayed until the conclusion of the appeal process as long as the student is not excluded under Emergency Action.
 - If a pending conduct conference, hearing, or appeal may result in expulsion, awarding of a student's academic degree will be postponed pending the outcome of the conduct proceedings.
- **Student Organization Recognition Revocation:** Permanent revocation of university recognition of a student organization. The conditions of recognition revocation take effect immediately when the student organization is informed of the decision. If an appeal is filed, the imposition of the recognition revocation continues to be in effect pending the outcome of the appeal.
- **Degree Revocation:** A degree awarded from the university may be revoked for fraud, misrepresentation, or other violation of university standards in obtaining the degree, or for other serious conduct violations committed by a student prior to graduation. The Office of the Registrar maintains the authority to revoke academic credit and degrees awarded in error. Therefore, in instances where an investigation as outlined in the Student Code of Conduct would result in a recommended sanction of degree revocation, such a recommendation will be made to the Office of the Registrar by the Director of Student Relations.

Faculty Disciplinary Sanctions

The University shall conduct disciplinary conferences in private. Members shall have the right to AAP representation upon request.

1. **Oral Reprimand.** The sanction of oral reprimand may be imposed by the Dean/Director if he/she believes that there is cause to warrant the sanction and shall be imposed within ninety (90) calendar days of the appropriate Dean/Director's knowledge of the condition on which the sanction is based. Every effort should be made to follow an oral reprimand with a written letter of instruction to the faculty member outlining steps to correct behavior or improve performance. This will not become part of a faculty member's personnel file but a record that the oral reprimand was issued may be noted by the Dean/Director. Failure by the faculty member to address concerns raised by the oral reprimand and follow-up letter of instruction may form the basis of a subsequent sanction.
2. **Oral Reprimand with Notation to File.** The sanction of oral reprimand with notation to file may be imposed by the appropriate Dean/Director if he/she believes there is cause to warrant the sanction and shall be imposed within (90) calendar days of the appropriate Dean/Director's knowledge of the condition on which the sanction is based. Failure by the faculty member to address concerns raised by the oral reprimand with notation to file may form the basis of a subsequent sanction.

After twelve (12) calendar months from the date of an oral reprimand with notation to file, if no further sanction has been imposed against a faculty member regarding the specific sanction, the notation shall be removed from the member's file with written notice to the current faculty member upon removal.

3. **Written Reprimand.** The sanction of written reprimand may be imposed by a Dean/Director if he/she believes a preponderance of the evidence supports the sanction. This sanction, when possible, shall be imposed within (45) days of the Dean/Director's knowledge of the condition on which the sanction is based. The written reprimand will outline the behavior or performance that has been found to be unacceptable or unsatisfactory. If University rules or policies have been violated, those should be cited. It will also include: 1) expectations for future behavior or work performance; 2) any suggested or required remedial activities that the faculty member must undertake; and, 3) a description of any further disciplinary processes and sanctions that may be pursued if the faculty member does not improve or repeats the unacceptable or unsatisfactory behavior.

After thirty-six (36) calendar months from the date of a written reprimand, if no further sanction has been imposed against a faculty member regarding this specific sanction, the written reprimand or notation shall be removed from the member's file with written notice to the current faculty member upon removal.

4. **Sanctions More Severe than Written Reprimand.** If the appropriate Dean/Director believes that a sanction more severe than a written reprimand is called for, a notice of intent to impose severe sanction shall be served personally or by certified mail (with return receipt requested) to the member's address of record. The notice shall contain a description of the alleged act(s) or omission(s), date(s), time(s), place(s), and proposed sanction. The notice shall also include a reminder of the faculty member's right to be represented by AAP, and the right to file a grievance in accordance with Article 18 Grievances. The faculty member shall be afforded an opportunity to refute such alleged acts or omissions or present mitigating circumstances to the Provost at a date, time and location set forth in the notice, which date and time shall not be less than seven (7) days from the date the notice is mailed. The faculty member may choose to forgo this meeting and submit a written response to the alleged acts or omissions. Such a written response must be signed and dated by the faculty member and received by the Provost by close of business on the date set forth in the notice. Following the meeting or receipt of the written response, the Provost or designee will issue a final determination as to the proposed sanction within ten (10) days of the meeting or receipt of the written response.
5. If no other severe sanctions are administered within thirty-six (36) calendar months after severe sanctions are imposed, all references to the sanctions shall be removed from the personnel file folder at the end of the period.
6. **Suspension.** Suspension of a faculty member, with or without pay, during the investigation of a potential sanction is based on the severity of the allegation or if immediate harm to the member or others is threatened by the member's continuance. Notice of this action shall be provided to the faculty member in writing at the time of the suspension outlining the reasons for the suspension and proposed length. Where the suspension is without pay, the

faculty member shall first be given an opportunity to rebut or mitigate the allegation underlying the suspension.

Administrative Professionals Disciplinary Process

EOU uses a framework of fair and rationale-based corrective due process discipline to aid in the correction of problematic behavior, performance difficulties, and policy violations. In situations not serious enough to warrant immediate employment termination, after a warning notification is given to an AP employee, reasonable opportunity is extended to allow the employee to demonstrate corrected behavior. The intent of EOU in using due process discipline is not to punish; it is to inform and allow opportunity for correction.

Corrective discipline may involve increasingly severe warning measures when an AP employee fails to demonstrate corrected behavior. However, EOU can determine that an AP employee's actions, depending on severity and nature, warrant employment termination even when less severe disciplinary actions have not transpired. Thus, there is no mandatory sequence of increasingly severe disciplinary measures.

For purposes of this procedure, misconduct and policy violations include but are not limited to: failure to comply with EOU policies, unit level policies and procedures; failure to fulfill expectations or directives set by EOU or by a supervisor; theft, fraud, misuse of EOU property or funds; intentional failure to perform the functions of the job; conduct prohibited by Eastern Oregon University policy; and other violations of the law and conduct that call into question an AP employee's ability to perform the duties of the job.

An AP employee's actions outside of the workplace may result in employment disciplinary warnings and measures (up to and including employment termination) if those actions impact or call into question the AP employee's ability or judgment necessary to successfully perform their job or conform to EOU expectations of employment. In considering actions outside the workplace, EOU will examine the nature of the action, the type of position held by the AP employee, and relevant legal authority.

Definitions

Verbal Warning: A disciplinary warning notice that is verbally communicated to the AP employee describing the basis of the discipline and the actions of the employee that are needed for resolution. Verbal warnings are noted in the employee's personnel file and a copy of the notation is given to the employee. Failure to correct behaviors can result in additional disciplinary measures, up to and including employment termination.

Written Warning: A disciplinary warning notice communicated to the AP employee in writing detailing the basis of the discipline, what steps are needed to resolve the concerns, and the expectations for the AP employee in the future. A written warning indicates that the actions of an AP employee are seriously unacceptable, that their employment is in jeopardy, and that corrective behaviors must be promptly and affirmatively demonstrated and sustained. Often, an AP employee will be required to engage in a concentrated performance improvement plan intended to accelerate learning and meet performance expectations. Written warnings are documented in the employee's personnel file. Failure to correct behaviors can result in additional disciplinary measures, up to and including employment termination.

Suspension Warning: A disciplinary warning consisting of a full suspension of employment duties without pay. While on suspension, an AP employee will have limited or no access to campus. A suspension warning may have a duration from one work day to one calendar month and is intended to provide an AP employee maximum alert that their behaviors are severely wrong, that their employment is in severe jeopardy, and immediate, complete correction is necessary. Upon returning from a suspension, an AP employee may receive closer supervisory oversight, have work responsibilities temporarily modified, or a permanent job reassignment to a lower level position with a lower base salary can also occur. Suspension warnings are documented in the employee's personnel file. Failure to correct behaviors can result in employment termination.

Employment Termination: The separation of an AP employee from EOU employment.

Performance Improvement Plan (PIP) Warning Notifications: When a PIP has been implemented and the corrective response by an AP employee has been determined to be insufficient, documentation of the PIP plan and a summary of the insufficient results will be provided to the AP employee, and shall constitute the next progressive disciplinary warning notice under this section.

SEIU- Represented Classified Employees Disciplinary Process

After the Title VII and/or Title IX office(s) investigates the alleged VAWA offense involving an accused employee, a determination draft is prepared, which is reviewed by the Office of General Counsel and Employee Labor Relations in the Office of Human Resources. Within 15 days, this group will issue a letter of discipline to the employee and forward the case to the SEIU-Represented Classified Employees Collective Bargaining Agreement. The following steps will then be followed in accordance with Article 17 of the collective bargaining agreement.

Steps in the Process

1. A complaint or report is filed.
2. The principles of progressive discipline shall be used when appropriate. Discipline shall include, but not be limited to: written reprimands, denial of an annual performance pay increase, reduction in pay, demotion, suspension (with and without pay), and dismissal. Discipline shall be imposed only for just cause. Sexual assault, domestic violence, dating violence, and stalking are criminal acts which may subject the accused to criminal and civil penalties under federal and state law.
 - a. The university shall have the following statement appear on all disciplines noted above:
 - i. "If you choose to contest this action you have a right to be represented by the SEIU Local 503, OPEU and you must file an appeal within thirty (30) calendar days from the effective date of this action in accordance with Article 18 - Grievance and Arbitration Procedure."
 - b. Included with this statement will be the name of the chief steward or a steward designated by the union with their work phone and/or home phone number. Failure to include this notice will not void the disciplinary action.
3. An employee who receives a written reprimand, denial of an annual performance pay increase, reduction in pay, demotion, or suspensions (with or without pay) shall receive

written notice of the discipline with the specific charges and facts supporting the discipline at the time disciplinary action is taken.

- a. In cases where an employee has been placed on administrative leave, written notice of the allegations as they are known at the time, must be provided to the employee within seven (7) calendar days of the effective date of the action.
Investigatory suspensions with pay become disciplinary when the investigation:
 - i. Results in further disciplinary action; or
 - ii. Extends beyond fourteen (14) calendar days unless, prior to the 14th day, the employer notified the affected employee and the chief steward or union designee that the investigation is extended up to a total of forty-five (45) calendar days. Such notice shall provide the reason(s) for the extension.
 - iii. Suspensions with pay will not be recorded in employee personnel files or used in any manner against an employee if no disciplinary action is subsequently taken.
4. A written pre dismissal notice shall be given to a regular status employee who is being considered for dismissal. Such notice shall include the then known complaints, facts and charges, and a statement that the employee may be dismissed. The employee shall be afforded an opportunity to refute such charges or present mitigating circumstances to the university's chief human resource officer, or designee, at a time and date set forth in the notice, which date shall not be less than seven (7) calendar days from the date the notice is received or, at the option of the employee, by written response by that date. The employee shall be permitted to have an official union representative present. At the discretion of the university's chief human resource officer, or designee, the employee may be suspended with or without pay or be allowed to continue to work as specified in the pre dismissal notice. Should an employee be suspended without pay, the employee will first be afforded notice and the right to present mitigating circumstances to the university's chief human resource officer or designee.
5. Employees in initial trial service with the university shall have no right to appeal removals from service under Article 17. Employees in trial service as a result of promotion who are returned to their former classification shall have no right of appeal under Article 17 for such removal. However, an employee in trial service as a result of promotion who is dismissed from service may have his/her dismissal appealed by the union under Article 17.
6. Upon request, an employee shall have the right to union representation during an investigatory interview that an employee reasonably believes will result in disciplinary action or in a meeting with an employee called to deliver disciplinary action other than written reprimands under step 2 of this article. The employee will have the opportunity to consult with a local union steward or union organizer before the interview, but such consultation shall not cause an undue delay.
7. If no disciplinary action is taken, investigation material will not be recorded in the employee personal file or used in any manner against the employee.

Appeal

If an employee decides to appeal a disciplinary decision, the following steps will be followed in accordance with Article 18 of the collective bargaining agreement. Grievances shall be filed within thirty (30) calendar days of the date the grievant or the Union knows or by reasonable

diligence should have known of the alleged grievance, or in the case of discipline, within thirty (30) calendar days of the effective date of the action. In the event that a deadline for filing a grievance, submitting a grievance response, or appealing a grievance response falls on a Saturday, Sunday or university holiday, such action will be considered timely if it is taken by 5:00 p.m. on the following business day (Monday – Friday).

Grievances shall be reduced to writing, and shall be signed by the grievant(s), stating the specific article(s) alleged to have been violated and clear explanation of the alleged violation, sufficient to allow processing of the grievance. In the case of group grievances, the grievance shall specifically enumerate, by name, the affected employees, when known. Otherwise, the affected employees will be generically described (i.e., work location, classification, approximate number of employees) in the grievance.

Grievances shall be filed at all steps of this procedure on the form identified as the Official Statement of Grievance Form. Once filed, the union shall not expand upon the original elements and substance of the written grievance.

At the request of either party, a meeting between the union and the employer representatives will take place at any step of the grievance procedure within thirty (30) calendar days from the date of the request. If a meeting is held at the request of the grievant and/or the union, any time limit for the employer's response set forth below shall run from the date of the meeting.

Time limits specified in the collective bargaining agreement shall be strictly observed, unless either party requests a specific extension of time, which if agreed to, must be stipulated in writing and shall become part of the grievance record. "Filed" for purposes of all grievances shall mean postmarked (dated by meter or U.S. Post Office), or faxed, emailed or hand-delivered by the close of the business day (5:00 p.m.) to the appropriate office. If at any step of the grievance procedure, the employer fails to issue a response within the specified time limits, the grievance may be advanced to the next step of the grievance procedure. If the grievant or union fails to meet the specified time limits, at any step of the grievance and arbitration procedure, the grievance will be considered withdrawn and it cannot be resubmitted. Grievance steps referred to in this article may be waived by mutual agreement in writing. Such written agreements shall become part of the grievance file.

Grievances are processed through the following procedures:

- Step 1-Grievances regarding letters of reprimand are initially filed at this step. The grievant(s), or the union on behalf of the grievant(s), shall file the grievance consistent with the above requirements with their immediate supervisor, except in the case of grievances involving discipline other than letters of reprimand and dismissal. The supervisor shall respond in writing to the grievant(s) within thirty (30) calendar days from the receipt of the grievance.

The parties agree that all step 1 grievance settlements are non-precedential and shall not be cited by either party or their agents or members in any arbitration or fact-finding proceedings now or in the future. Step 1 grievance settlements shall be reduced to writing and signed by the grievant and the immediate excluded supervisor.

The settlement shall include the statement: “Step 1 grievance settlements are non-precedential and may not be cited by either party or their agents or members in any arbitration or fact-finding proceedings now or in the future.”

- Step 2-Grievances involving discipline other than letters of reprimand and dismissal are initially filed at this step. When the response at step 1 does not resolve the grievance, the grievance must be filed by the union within thirty (30) calendar days after the step 1 response is due or received, whichever occurs first. The appeal shall be filed in writing to the university president or designee, who shall respond in writing within thirty (30) calendar days after receipt of the step 2 appeal.
- Step 3-Grievances involving cases of dismissal are filed at this step. If a grievance is not settled in accordance with step 2, the appeal, if pursued, must be filed by the union and received by the Director of Labor Relations of University Shared Services Enterprise (USSE), or his/her successor, within thirty (30) calendar days after the step 2 response is received. The appeal must include the response being appealed and indicate whether a meeting is requested. Failure to include the response being appealed shall not void the appeal. A copy of the appeal must be sent concurrently to the Office of Human Resources. Within five (5) business days of receipt of the appeal, the director of labor relations or his/her successor may request that a meeting be held. The director of labor relations or his/her successor shall respond in writing within thirty (30) calendar days from the receipt of the step 3 appeal or conclusion of the meeting, if one is requested by the grievant or union. A copy of the step 3 response shall be sent concurrently to the union representative filing the step 3 appeal, the union’s legal department, and the union’s member resource center.
- Step 4-Grievances that are not satisfactorily resolved at step 3 may be appealed to arbitration. For disputes other than dismissals, the union must file a Notice of Intent to Arbitrate with the appropriate panel arbitrator within fifty-five (55) calendar days of receipt of the step 3 response by the union’s legal department. For dismissals, the union must file such notice within twenty (20) calendar days of receipt of the step 3 response by the union’s legal department.
The union may request, and the university may agree, to an additional thirty (30) calendar days in which to file a request to select an arbitrator. However, any additional time agreed to will not be used in calculating the university’s liability for any remedy awarded by an arbitrator. Notices of Intent to Arbitrate must concurrently be sent to the director of labor relations of USSE, or his/her successor, and the Office of Human Resources. In the event the union fails to submit the Notice of Intent to Arbitrate to the director of labor relations or their successor within the time limits prescribed above, the grievance shall be considered withdrawn and it cannot be resubmitted.

The arbitration will be handled in accordance with the rules of the Federal Mediation and Conciliation Service (FMCS). The arbitrator shall have the authority to hear and rule on all issues that arise over substantive or procedural arbitrability. Such issues, if raised, must be heard prior to hearing the merits of any appeal to arbitration. Upon motion by

either party to bifurcate the hearing on procedural or substantive arbitrability issues, the arbitrator will make the determination on bifurcation. Should the arbitrator choose to take the arbitrability issue under advisement and proceed with the merits, they shall issue a written decision on the arbitrability issue only, should the issue be found to be non-arbitrable.

The parties agree that the decision or award of the arbitrator shall be final and binding on each of the parties. The arbitrator shall issue their decision or award within thirty (30) calendar days of the closing of the hearing record. The arbitrator shall have no authority to rule contrary to, to amend, add to, subtract from, change or eliminate any of the terms of the collective bargaining agreement, and shall be confined to the application and interpretation of the agreement. The arbitrator shall not make any decision that limits or interferes with the authority of the employer, except as modified by this agreement.

Title IX Policy

A. Policy Statement

This policy describes how the University performs its duties to protect students and employees from certain categories of sexual misconduct, as described in the U.S. Department of Education's Title IX Regulations, published May 19, 2020. Those regulations apply only to a narrow category of cases meeting the definitions and jurisdictional elements below. Those cases that do not fit within the categories will be handled under University Policy 6.05.15, Sexual Harassment Policy. This is not to suggest that any case is more or less important, but instead, a reflection that the federal regulation apply only to a specifically-identified set of cases.

B. Effective Date

The effective date of this policy is August 14, 2020. This policy will apply in all cases where a Formal Complaint of prohibited conduct under this policy is made on or after August 14, 2020. Where the date of the alleged prohibited conduct precedes the effective date of this policy, the definitions of prohibited conduct in existence at the time of the alleged conduct will be used. This policy, however, will be used to investigate and resolve all Formal Complaints made on or after the effective date of these procedures, regardless of when the conduct occurred.

C. Jurisdiction

1. The University is committed to fostering a fair and equitable environment for individuals to study, learn, and work, and a prompt and equitable process for investigation and resolution of complaints covered by Title IX. This policy applies to students, faculty, staff who are (1) employed by, attending, or affiliated with the University; (2) participating in, or attempting to participate in any University program or activity; and (3) visiting the University's campus(es) or any property owned or leased by the University. This policy also covers acts of Prohibited Conduct committed by third parties, including visitors, guests, vendors, and contractors who are affiliated with the University, or accessing, or attempting to access, a University program or activity; complaints against such third-parties may be handled in

- accordance with existing contracts and agreements, and third parties may not be eligible for the procedural protections provided within this policy.
2. This policy is in accordance with the Department of Education's Title IX Regulations, published May 19, 2020. This policy applies only to complaints of sexual harassment, sexual assault, dating violence, domestic violence and stalking on the basis of sex as defined by this policy (hereinafter referred to collectively as "Prohibited Conduct").
 3. Complaints regarding forms of misconduct not covered by this policy (including forms of sexual harassment and assault falling outside of the federal regulations) shall be referred, as appropriate, to the student conduct process, processes for investigation and discipline of employee misconduct, or similar procedures.

D. General Definitions

1. Terms defined in University Policy 2.10.05, Student Code of Conduct Policy, shall have the same meaning in this policy, except to the degree that this policy defines those terms otherwise.
2. Days. Any reference to days within this Policy will be counted as the University business days unless otherwise specified.
3. Party. A Complainant or Respondent in a case.
4. Title IX Coordinator. The University officials charged with ensuring the University's overall compliance with Title IX and related University Policy and procedures.

E. Rights, Expectations & Responsibilities

1. Rights of Complainant and Respondent.
 - a. Individuals making a complaint to the Title IX Coordinator ("Complainant") and individuals responding to a complaint ("Respondent") each have the following rights throughout the complaint resolution and adjudication process, and may expect a fair, neutral process that will follow this policy.
 - b. Complainants and Respondents each have the right to:
 - i. Be treated with respect by all University Officials throughout this process;
 - ii. Be informed of the available support resources or measures available;
 - iii. Be free of any form of retaliation and free to report such retaliation for disciplinary action;
 - iv. Obtain a mutual no contact directive with the other party upon request;
 - v. Be accompanied by one Advisor throughout the process, including at any interviews or hearing;
 - vi. An adequate, reliable, impartial and prompt investigation of the allegations conducted within a reasonable period of time after a Formal Complaint is filed;
 - vii. Receive written notice of the date, time and location of any interview scheduled with the investigator;
 - viii. Be informed of the status of the investigation, to the extent possible;
 - ix. Review all evidence which is directly related to the allegations prior to the conclusion of the investigation;

- x. Meet with the investigator and present information on their own behalf, identify witnesses or other third parties who might have relevant information and identify or provide relevant documents or other information that may be helpful to the investigation;
 - xi. Have past unrelated behavior excluded from the investigation process;
 - xii. Question the selection of the investigator or Hearing Officer on the basis of an actual conflict of interest or demonstrated bias;
 - xiii. Have a Hearing Advisor of the University's choosing provided, at no charge, for purposes of asking questions of the other party or witnesses during the hearing proceeding;
 - xiv. Be notified of the hearing outcome and any sanctions applied, if applicable;
 - xv. Initiate and participate in an appeal process; and
 - xvi. Waive any of the rights contained herein.
2. Respecting Confidentiality and Privacy.
- a. The University is committed to protecting the privacy of all individuals involved in the investigation and resolution of reports under this Policy. With respect to any report under this Policy, the University will make reasonable efforts to protect the privacy of participants, in accordance with applicable state and federal law, while balancing the need to gather information to take steps to eliminate Prohibited Conduct, prevent its recurrence, and remedy its effects. All University employees who are involved in the University's Title IX response receive specific instruction about respecting and safeguarding private information.
 - b. Confidentiality and Privacy. Confidentiality and Privacy have distinct meanings under this Policy.
 - i. "Confidentiality" generally means that information shared with a licensed confidential resource cannot be revealed to any other person or office, unless written permission is granted by the individual to share their information.
 - ii. "Privacy" generally means that information related to a report of Prohibited Conduct will only be shared with a limited circle of individuals who "need to know" in order to assist in the assessment, investigation, or resolution of the report. While not bound by confidentiality, these individuals will be discreet and respect the privacy of all individuals involved in the process.
 - c. The privacy of student education records will be protected in accordance with the Family Educational Rights and Privacy Act ("FERPA"), as outlined in University Policy 1.25.05, Student Records Policy. The privacy of an individual's medical and related records may be protected by the Health Insurance Portability and Accountability Act ("HIPAA"), excepting health records protected by FERPA. Access to an employee's personnel records is limited by University Policy 5.40.05, Employee Records, and may be restricted by applicable state and federal law.

- d. While there are certain limitations on privacy, the University generally will not release the names of the Complainant or Respondent to the general public without express written consent or absent another exception consistent with the law. The release of names will be guided by applicable law, including the Family Educational Rights and Privacy Act (FERPA) and the Clery Act.
3. Retaliation. Retaliation is prohibited under this policy. Retaliation is defined as any materially adverse action against a person who reports, complains about, or who otherwise participates in good faith in any manner related to this policy. Materially adverse action includes conduct that threatens, coerces, harasses or in any other way seeks to discourage participation in or activity under this policy. Retaliation does not include good-faith actions lawfully pursued in response to a report of Prohibited Conduct. Any person who believes they have experienced retaliation under this policy should contact the Title IX Coordinator.
4. No Conflict of Interest or Bias. Any individual carrying out this Policy will be free from any actual conflict of interest or demonstrated bias that would impact the handling of this matter. Should the Title IX Coordinator have a conflict of interest, the Title IX Coordinator is to immediately notify the President or the Vice President for Student Affairs who will designate the role of Acting Title IX Coordinator for purposes of carrying out the handling and finalization of the matter at issue. Should any investigator have a conflict of interest, the investigator is to notify the Title IX Coordinator upon discovery of the conflict.
5. Presumption of Non-Responsibility. The decision to proceed with an investigation is not in and of itself a determination that the Respondent has engaged in the conduct as alleged. Any Respondent is presumed not responsible for the conduct that is the subject of the investigation, unless and until a decision of responsibility has been made upon the completion of the adjudication process.
6. Requests for Delays, and Extensions of Time. The Title IX Coordinator may extend any deadlines within this Policy, for good cause. The Complainant and Respondent will be notified in writing of any extension, the reasons for it, and projected new timelines.

F. Prohibited Conduct

1. "Title IX Sexual Harassment" means:
 - a. Conduct on the basis of sex committed by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity of those involved which is one of the following:
 - i. When a University employee conditions to provision of an educational benefit or service on an individual's participation in unwelcome sexual conduct (quid pro quo); and/or
 - ii. Unwelcome conduct determined by a reasonable person to be so severe, and pervasive, and objectively offensive, that it effectively denies a person equal access to an educational program or activity of the University.
 - b. The University recognizes community members' right to the free expression of ideas including those that may be controversial or unpopular. Nothing in this definition is intended to conflict with an individual's First Amendment rights. As

a result, any conduct covered by those protections does not meet this definition of sexual harassment.

2. “Title IX Sexual Assault” means:

- a. “Sexual Offenses, Forcible.” Any sexual act directed against another person without the consent of the victim, including instances in which the victim is incapable of giving consent:
 - i. Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
 - ii. Oral or anal sexual intercourse with another person, and/or against that person’s will in instances in which the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
 - iii. The use of an object or instrument to penetrate, however slightly, the genital or anal opening of the body of another person, forcibly, and/or against that person’s will (nonconsensually) or not forcibly or against the person’s will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
 - iv. The touching of the private body parts of another person (buttocks, groin, breasts) for the purpose of sexual gratification, forcibly, and/or against that person’s will (nonconsensually), or not forcibly or against the person’s will in instances in which the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
- b. “Sexual Offenses, Non-forcible.” Any of the following:
 - i. “Incest.” Non-forcible sexual intercourse between persons who are related to each other, within the degrees wherein marriage is prohibited by Oregon Law.
 - ii. “Statutory Rape.” Non-forcible sexual intercourse, with a person who is under the statutory age of consent.
- c. “Dating Violence.”
 - i. Violence committed by a person:
 1. Who is in or has been in a social relationship of a romantic or intimate nature with the victim;
 2. Where the existence of such a relationship shall be determined based upon a consideration of the following factors:
 - a. The length of the relationship,
 - b. The type of relationship, and
 - c. The frequency of interaction between the persons involved in the relationship.
 - ii. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating

violence does not include acts covered under the definition of domestic violence.

- d. “Domestic Violence.” Violence, on the basis of sex, 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 Oregon, 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 Oregon.
- 3. “Sex-Based Stalking.”
 - a. Engaging in a course of conduct on the basis of sex directed at a specific person, that would cause a reasonable person to fear for the person’s safety, or the safety of others, or suffer substantial emotional distress.
 - b. For the purposes of this definition,
 - i. “Course of conduct” means two or more acts, including, but not limited to acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.
 - ii. “Reasonable person” means a reasonable person under similar circumstances and with similar identities to the victim.
 - iii. “Substantial emotional distress” means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

G. Reporting Prohibited Conduct

- 1. Reporting is Encouraged.
 - a. The University encourages individuals who believe they are experiencing Prohibited Conduct to report the conduct. The University honors an individual’s decision not to pursue a Formal Complaint and/or a desire for anonymity. Prior to reporting, individuals may first seek support and information from a confidential staff or community member in considering whether to file a formal or informal report (see below for definitions and procedures for formal and informal reports.)
 - b. Those who are aware or reasonably believe that another person is being subjected to Prohibited Conduct, are also encouraged to make a report through this process, or seek support from confidential resources.
 - c. The University does not limit the timeframe for reporting an incident regardless of when the incident occurred. However, individuals are encouraged to report as soon as practical, as memories may fade and evidence may be lost over time.
- 2. Employees and Volunteers Are Required to Report. Any University employee or volunteer (other than the Student Health and Counseling Center staff working within the scope of their employment) who observes Prohibited Conduct, who knows or with the

exercise of reasonable care should have known, about Prohibited Conduct occurring at the University or in any of its programs, or is informed of alleged Prohibited Conduct must promptly notify the Title IX Coordinator or designees of the allegation.

3. Confidential Resources.

- a. Students who are thinking about or wanting to report an incident of prohibited conduct are encouraged to meet with a counselor in the Counseling Center. The counselor will review options and provide support. Information shared with the counselor can be kept confidential, until the student is ready to file a complaint. Students who are uncertain about sharing any information with the university are encouraged to discuss their concerns with the Privileged Campus Advocate. The Privileged Campus Advocate is not an employee or volunteer of the university. Any information shared with the Privileged Campus Advocate is unavailable to the university. The employee must report to the University's Title IX Coordinator all relevant details about the alleged misconduct known to the employee or shared with them.
- b. Eligible employees may seek out confidential resources through the Employee Assistance Program. Generally, information shared with a licensed confidential resource cannot be revealed to any other person or office, unless written permission is granted by the individual to share their information.

4. Title IX Coordinator.

- a. Reports of potential violations of this Policy may be made to the Title IX Coordinator at titleix@eou.edu, 541-962-3476, Inlow Hall 113C or via the Title IX Anonymous Report Form.
- b. Reports to the Title IX Coordinator of potential violations of this policy will be kept private to the extent possible for the University to respond to the report, but reports made to the Title IX Coordinator are not confidential.
- c. Upon being notified of a report the Title IX Coordinator will reach out to the complainant to schedule an Intake Interview and will also provide Complainant information regarding resources, rights, Supportive Measures, and reporting options, and will explain that Supportive Measures are available without filing a Formal Complaint.

5. Anonymous Reports.

- a. Any individual may make an anonymous report concerning an act of Prohibited Conduct. The Title IX Coordinator will receive the anonymous report and will determine any appropriate steps, including individual or community remedies as appropriate, and in compliance with all Clery Act obligations.
- b. Depending on the extent of information available about the incident or individuals involved, however, the University's ability to respond to an anonymous report may be limited. This means that unless identifiable information is shared with the Title IX Coordinator or a responsible employee, the University may not be able to take action to stop any Prohibited Conduct, remedy its effects, or prevent future instances of Prohibited Conduct.
- c. Please note that a Formal Complaint cannot be filed anonymously, and is only considered to have been filed only when the complaint contains the

Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person filing the Formal Complaint.

6. Responsibility to Report Safety Concerns. The University encourages all members of the University community to make the University a safe and supportive environment for everyone, including calling 911 or campus police in an emergency situation or to report a crime or other incident that poses a risk of harm to the University community. However, University employees have a particular duty to report safety or security concerns and crimes or policy violations, including potential violations of this policy.
7. Amnesty. A Complainant of third-party reporter who reports a violation of this policy, or any participant in an investigation or hearing under this policy will not be subject to the University's policy concerning alcohol or drug use for actions that may have occurred at or near the time of Prohibited Conduct, unless the action threatens the health or safety of another.
8. Provision of False information. It is a violation of this policy for anyone to intentionally provide false information to the University. Any employee or student who is found to have done so may be subject to appropriate disciplinary or corrective action.

H. Outreach and Initial Assessment

1. Outreach and Intake Interview. Upon receipt of information alleging a potential violation of this Policy, the Title IX Coordinator will reach out to the Complainant to schedule an intake or informational interview. At the same time the Title IX Coordinator will provide a copy of this policy and the following information:
 - a. The availability of Supportive Measures with or without filing a Formal Complaint;
 - b. How to file a Formal Complaint;
 - c. The right to notify law enforcement and the right not to notify law enforcement, their right to decline to do so, and, when applicable, information about seeking a personal protection order from the local courts;
 - d. The importance of preserving evidence;
 - e. Resources for counseling, health care, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other available services; and,
 - f. The right to an Advisor of choice.
2. Advisor. All persons who are a Complainant or a Respondent are permitted to bring an Advisor of their own choosing to any meeting or interview to provide support. The advisor may be any person, including a family member or an attorney. The Advisor may accompany the student Party to any and all portions of the grievance process. Other than asking questions of the other Party, or of witnesses, at the hearing, the Advisor may not participate directly in, or interfere with, the proceedings. Although reasonable attempts will be made to schedule proceedings consistent with an Advisor's availability, the process will not be delayed to schedule the proceedings at the convenience of the Advisor. The Title IX Coordinator has the discretion to remove the Advisor from the proceedings if the Advisor interferes with the proceedings. For any Complainant or

Respondent who does not have an advisor at the hearing, one will be provided, at no charge, for the purpose of cross-examination of the other Party or witnesses.

3. Supportive Measures.
 - a. “Supportive Measures” are non-disciplinary, non-punitive, free of charge individualized services offered to a Complainant and/or the Respondent by the University as appropriate and reasonably available. Such measures are designed to restore or preserve equal access to the University’s education program or activity without unreasonably burdening the other Party. Supportive measures may include, but are not limited to: academic support, class and work schedule changes, mutual ban on contact (no-contact directive), increased security, or other measures as determined on a case-by-case basis.
 - b. A Complainant may choose to receive Supportive Measures only and not proceed with the filing of a Formal Complaint or any other Resolution Method listed in section (I).
 - c. Supportive measures are also available whether or not a Formal Complaint has been filed.
4. Informal Resolution or Investigation and Hearing. A Complainant may request an Informal Resolution under section (J)(4), below or an Investigation and Hearing under section (J)(5), below. If a Complainant requests either an Informal Resolution or an Investigation and Hearing, a Formal Complaint is required.
5. Review of Rights and Options.
 - a. The Title IX Coordinator will discuss with the Complainant the Complainant’s rights and options. The Title IX Coordinator will also assess for, and provide, appropriate Supportive Measures. If a Formal Complaint has not already been filed, the Title IX Coordinator will explain to the Complainant the process for filing a Formal Complaint.
 - b. For those Complainants who wish to proceed with a Resolution Method, the Title IX Coordinator will also assess the facts as presented to determine whether the information provided suggests a potential violation of this policy. If the complaint does not meet the required definitions of this policy, then the Title IX Coordinator will not initiate the Informal Resolution process.
 - c. For those Complainants who submit a Formal Complaint but decline to participate in an Intake Interview, if the Formal Complaint meets the requirements of section (I)(7) then the Title IX Coordinator will put the Respondent and Complainant on notice of the allegation and commence the Investigation process.
 - d. When a Complainant declines to submit a Formal Complaint, the Title IX Coordinator will have the discretion to sign a Formal Complaint and initiate an Investigation on the Title IX Coordinators own authority. Such a complaint will be evaluated in the context of the University’s responsibility to provide a safe and nondiscriminatory environment for its employees and students. The factors that the University may consider in this regard include the seriousness of the alleged harassment, whether there have been other complaints or reports of harassment against the alleged harasser, and the nature of the allegations (such as use of weapons, drugs or intoxicants, serial violations or other threats to the

Complainant or the community). When the Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator does not become the “Complainant” for purposes of this Policy.

6. Emergency Removal Provisions.

- a. Student Respondents. If at any time the University determines that the conduct, as alleged, poses a risk of physical harm to one or more members of the University community or to the University’s educational environment, the University may instruct that a student Respondent be suspended, on an interim basis, from specific programs or activities. Any such assessment will be made on a case-by-case basis, based on an individualized safety and risk analysis. If the University determines that an immediate physical threat to the health or safety of students or others justifies removal from campus, then a student Respondent may be suspended on an interim basis. The decision to do so will be provided to the Respondent in writing. A student Respondent will have an opportunity to challenge the decision of suspension or removal using the procedures contained in Policy 2.10.05, Student Code of Conduct Policy, Section (J), Emergency Action.
- b. Employee Respondents. The University has the authority to place any employee Respondent on an administrative leave of absence pending the outcome of an investigation and hearing.
- c. The decision to place any Respondent on an interim suspension or administrative leave will not be considered as evidence that any determination has been made regarding potential responsibility for violating this Policy.

I. Filing a Formal Complaint

1. In order to proceed to a Resolution Method, a Formal Complaint must be filed and signed by either the Complainant or the Title IX Coordinator. A Formal Complaint has a very specific definition under this policy and differs from solely making a report to the Title IX Coordinator. Whether one is filed does not depend on the label applied, but instead on whether certain specific elements listed are met. A Formal Complaint is the act that initiates an investigation.
2. Unless it is dismissed as set forth below, filing a Formal Complaint will result in written notification to the Respondent and the commencement of the Resolution Method.
3. At the time of filing a Formal Complaint, the Complainant must be participating in (or attempting to participate in) a University program or activity within the United States. Also, the conduct complained about must meet this Policy’s definition of Prohibited Conduct. A Formal Complaint may not be filed anonymously. Anyone who wishes to discuss their options with the Title IX Coordinator prior to filing a Formal Complaint is encouraged to do so.
4. A Formal Complaint may be made by:
 - a. Requesting a form by email from the Title IX Coordinator;
 - b. Picking up a form from the Title IX Office and returning it (by US Mail, Email, or in person); or
 - c. Emailing the Title IX Coordinator.

5. Reports to the Title IX Coordinator of potential violations of this policy will be kept private to the extent possible for the University to respond to the report, but reports made to the Title IX Coordinator are not confidential. See sections (D)(2) and (G)(4)(c) and (d), above.
6. A Formal Complaint must include:
 - a. The Complainant's digital or physical signature, or an indication that the Complainant is the person filing the Formal Complaint;
 - b. An allegation of Prohibited Conduct as defined under this Policy; this may include:
 - i. Where the incident(s) occurred;
 - ii. What incident(s) occurred; and
 - iii. When the incident(s) occurred;
 - c. Identity of Respondent, if known; and
 - d. A request for an investigation
7. Formal Complaints may be made to the Title IX Coordinator by US Mail, email, or in person, as follows:
 - a. Title IX Coordinator
 - b. Address: Office of Student Affairs, One University Boulevard, La Grande, OR 97850
 - c. Phone: (541) 962-3476
 - d. Email: titleix@eou.edu
8. If a complaint is submitted in a form that does not meet this standard, the Title IX Coordinator will contact the Complainant to confirm a Complainant's intent to file a Formal Complaint. Further, if the Formal Complaint does not have sufficient information to determine whether the conduct as alleged will fall under this policy, the Title IX Coordinator will contact the Complainant to schedule an Intake Interview.

J. Resolution Methods

1. A Formal Complaint is required in order to initiate one of the three methods to resolve a potential violation of this policy:
 - a. Dismissal;
 - b. Informal Resolution; or
 - c. Investigation and Hearing.
2. In the event that the allegations under this policy also involve allegations of a violation of a separate policy, the Title IX Coordinator will have sole discretion to consolidate those other allegations within one investigation and/or hearing or to pursue their resolution using differing procedures. Allegations of a violation of separate policy are not required to be handled using the procedural requirements set forth in this policy.
3. Dismissal
 - a. Mandatory Dismissal. At any time prior to the commencement of a hearing, any case proceeding under this policy will be dismissed if it is determined that the conduct at the issue does not meet the definitional or jurisdictional requirements of this policy. If the alleged conduct would, if true, support a finding that another University policy or code has been violated, the University may, in its sole

authority, transfer the case for further handling under the appropriate policy or code. The University may use evidence already gathered during the Title IX process for the further handling of the complaint. Upon dismissal, both parties will be notified in writing of the decision and the rationale for the decision. The decision to dismiss is subject to appeal. Both parties will be notified in writing of any determination made following the appeal.

- b. Discretionary Dismissal.
 - i. At any time during an investigation or hearing, any case may be dismissed at the discretion of the Title IX Coordinator when:
 - 1. Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations within the Formal Complaint;
 - 2. The Respondent is no longer enrolled or employed at the University; or
 - 3. Circumstances prevent the University from gathering evidence sufficient to reach a determination.
 - ii. If the alleged conduct would, if true, support a finding that another University policy or code has been violated, the University may, in its sole authority, transfer the case for further handling under the appropriate policy or code. The University may use evidence already gathered during the Title IX process for the further handling of the complaint.
 - iii. Upon dismissal, both parties will be notified in writing of the decision and the rationale for the decision. The decision to dismiss is subject to appeal.
- 4. Informal Resolution.
 - a. Either party may request, in writing, to proceed with an Informal Resolution. Participation in the Informal Resolution process is voluntary for both Complainant and Respondent and both parties and the Title IX Coordinator must agree to the use of Informal Resolution to resolve the complaint. If an Informal Resolution option is preferred, the Title IX Coordinator will assess whether the complaint is suitable for Informal Resolution and will then take steps to determine if the other party is also willing to engage in Informal Resolution. Both parties must agree, in writing, to an Informal Resolution.
 - b. Allegations that an employee has engaged in Prohibited Conduct toward a student will not be handled through the Informal Resolution process, and instead be resolved only through the Investigation and Hearing process.
 - c. The Title IX Coordinator may determine that Informal Resolution is inappropriate, for example, where other formal action may be reasonably necessary to prevent continuing or future Prohibited Conduct, where there is a threat to the safety of the Complainant or campus community, or where multiple reports have occurred against the same Respondent.
 - d. When the parties request an Informal Resolution, the Title IX Coordinator will provide the Complainant and Respondent written notice that includes:
 - i. The specific allegation and the specific conduct that is alleged to have occurred;

- ii. The requirements of the Informal Resolution process including the circumstances under which it precludes the parties from resuming a Formal Complaint arising from the same allegations;
 - iii. Any consequences resulting from participating in the Informal Resolution process, including the records that will be maintained or could be shared;
 - iv. A statement indicating that the decision to accept a complaint does not presume that the conduct at issue had occurred, and that the Respondent is presumed not responsible, unless and until, at the conclusion of the formal investigation and adjudication processes, there is a determination of responsibility;
 - v. An explanation that each party may be accompanied by an Advisor and a support person of their choice, who may be a parent, friend, or attorney;
 - vi. The date and time of the initial meeting with the Title IX Coordinator, with a minimum of two (2) days' notice;
 - vii. Information regarding Supportive Measures, which are available equally to the Respondent and to the Complainant.
 - e. A party's decision to enter into an Informal Resolution is entirely voluntary. If either party does not voluntarily agree in writing to pursue an Informal Resolution, the Title IX Coordinator will promptly inform the Complainant and Respondent in writing that the complaint will proceed through the Investigation and Hearing Process.
 - f. For employees, the term of an Informal Resolution may lead to lesser forms of discipline or to non-disciplinary outcomes such as additional training for a unit or area where respondent works; meetings with the respondent to discuss the conduct at issue; mediation between the Complainant and Respondent.
 - g. Once the final terms of an Informal Resolution have been agreed upon by both parties, in writing, the matter will be considered closed, and no further action will be taken.
 - h. The Informal Resolution process is generally expected to be completed within ten (10) days and may be extended for good cause by the Title IX Coordinator. Both parties will be notified, in writing, of any extension and the reason for the extension.
 - i. Records of any Informal Resolution will be maintained and can be shared with other offices as appropriate.
5. Investigation and Hearing Process.
- a. Truthfulness and Lack of Bias. The University expects that all individuals who participate in the investigation process to do so truthfully and that all who have a responsibility for carrying out one or more aspects of the investigation and hearing process do so fairly and without prejudice or bias.
 - b. Notice of Investigation.
 - i. Within a reasonable period of time from the filing of a Formal Complaint and prior to the start of an investigation, the Respondent and Complainant will be provided, in writing, with a Notice of Investigation. Such notice will include:

1. The specific allegation and the specific conduct that is alleged to have occurred;
 2. The identity of the Complainant;
 3. The date and location (if known) of the conduct that is alleged to have occurred;
 4. A copy of this Policy, which contains the process that will be followed, including an explanation that each party will have the right to inspect and review all evidence prior to the investigation;
 5. A statement indicating that the decision to accept a complaint does not presume that the conduct at issue has occurred, and that the Respondent is presumed not responsible, unless and until, at the conclusion of the process below, there is a determination of responsibility;
 6. An explanation that each party may be accompanied by an Advisor of their choice, who may be a parent, friend, attorney, or union representative;
 7. The date and time of the initial interview with the investigator, with a minimum of five (5) days' notice;
 8. Information regarding amnesty granted during this process;
 9. The name and contact information for the assigned investigator;
 10. Information regarding Supportive Measures.
- ii. Should additional allegations be brought forward, a revised Notice of Investigation will be provided to both parties, in writing.
- c. Objection to Investigation or Title IX Coordinator for Conflict of Interest or Bias. After a Formal Notice of Investigation is issued to Complainant and Respondent, each party may object that the Title IX Coordinator or designated investigator has demonstrated bias or actual conflict of interest. Both parties will have three (3) days from the date of the Notice of Investigation to make such an objection. Objections regarding the Title IX Coordinator will be made, in writing, to the Vice President for Student Affairs. Objection regarding the investigator will be made, in writing, to the Title IX Coordinator. If the objection is substantiated as to either the Title IX Coordinator or the Investigator, that individual will be replaced.
 - d. Timeline. The University strives to complete the investigation process, up to evidence review, within 40 days, which may be extended for good cause by the Title IX Coordinator. Both parties will be notified, in writing, of any extension granted, the reason for the extension and the new anticipated date of conclusion of the investigation.
 - e. Interviews.
 - i. The investigator will interview all parties and relevant witnesses and gather relevant documentary evidence provided by the parties and any identified witnesses. Interviews may be conducted in person, or via video conference. The investigator will record the interview and the transcript of the interview will be included with the evidence review.
 - ii. The investigator will prepare an Interview Summary of each interview.

- iii. Each party will be provided with an opportunity to offer relevant witnesses and evidence. Information or evidence that is not provided to the investigator will not be allowed during the hearing, unless it can be clearly demonstrated that such information was not reasonably known to or available to the parties at the time of the investigation.
- f. Evidence Review and Preliminary Report.
 - i. At the conclusion of all the interviews and fact gathering and when the evidence has been gathered, the investigator will provide each party, and their Advisor, the opportunity to review all of the evidence gathered that is directly related to the allegation(s). This will include both inculpatory and exculpatory evidence. Given the sensitive nature of the information provided, the information will be provided in a secure manner (e.g., by providing digital copies of the materials through a protected, “read-only” web portal). Neither the Complainant nor the Respondent (nor their Advisors) may copy, remove, photograph, print, image, videotape, record, or in any manner otherwise duplicate or remove the information provided. Any student or employee who fails to abide by this Policy may be subject to discipline. Any Advisor who fails to abide by this Policy may be subject to discipline and/or may be excluded from further participation in the process.
 - ii. Each party will have ten (10) days in which to respond to the evidence. Each may provide a response in writing to the investigator. The response shall not exceed 25 pages in length except as allowed by the investigator for good cause. The investigator will incorporate any response provided by the parties into the Summary of Evidence Report. Along with their response to the evidence, each party may also submit a written request for additional investigation, such as request (s) for follow-up interviews (s) with existing witnesses to clarify or provide additional information, including offering questions to the investigator to pose to witnesses or to the other party. This response may include written, relevant questions that a party would like the investigator to ask of any party or witness. If any of the questions posed will be excluded as not relevant, or not likely to lead to relevant information, the investigator will explain to the party who proposed the questions any decision to exclude a question as not relevant.
 - iii. Upon receipt of each party’s response to the evidence reviewed, the investigator will determine if any additional investigation is needed.
 - iv. In addition, either party may offer new witnesses or other new evidence. The investigator will take into account the responses provided, will pose questions to parties or witnesses as appropriate, and interview new relevant witnesses, and accept new relevant evidence.
 - v. If new relevant evidence is provided by either party, or gathered by the investigator, the newly-gathered evidence (including answers to clarifying questions) will be made available for review by each party. Each party will have ten (10) days in which to respond to the new evidence. Each may

provide a response in writing to the investigator. The investigator will incorporate any written response provided by the parties into the Summary of Evidence Report.

- vi. Any evidence to be considered by the Hearing Officer must be provided to the Investigator. Information that was not provided to the Investigator will not be allowed during the hearing itself, unless it can be clearly demonstrated that such information was not reasonably known to, or available to, the parties at the time of the investigation. Should new evidence be presented at the hearing, the Hearing Officer will have the authority to either exclude the evidence, or to send the matter back for further, limited investigation.
- g. Evaluation of Evidence.
 - i. Standard of Evidence. The decision regarding a Respondent's responsibility will be determined by a Preponderance of the Evidence
 - ii. "Preponderance of the Evidence" means "more likely than not."
 - iii. Prohibition on False Evidence Provided During Process. Each party and every witness is expected to provide truthful information to the investigator, Hearing Officer, and the appeals officer. Individuals who intentionally and knowingly provide false information may be subject to discipline. However, a determination regarding responsibility, alone, is not sufficient to conclude that any party made a false statement.
 - iv. Consent.
 - 1. "Consent" means a free and willing agreement to engage in a sexual act, provided without force or coercion, between individuals who are of sufficient age and are not mentally incapable, mentally disabled, mentally incapacitated or physically helpless, or incapacitated by drugs or alcohol. Consent is clear and unambiguous agreement, expressed outwardly through mutually understandable words or actions, to engage in a particular activity.
 - 2. Consent must be voluntarily given and cannot be obtained through coercion or force, and the person initiating a specific sexual activity is responsible for obtaining consent for that activity. Consent is not to be inferred from silence, or a lack of resistance. Consent is not to be inferred from an existing or previous dating or sexual relationship. Consent to engage in one sexual activity at one time is not consent to engage in a different sexual activity or to engage in the same sexual activity on a later occasion. Consent can be withdrawn by any party at any point. Once consent is withdrawn, the sexual activity must cease immediately. For purposes of this Policy, in evaluating whether consent was freely sought and given, the issue is whether the Respondent knew, or reasonably should have known, that the activity in question was not consensual or that the Complainant was unable to consent due to incapacitation.

v. Incapacitation.

1. “Incapacitation” means a state where an individual cannot make an informed and rational decision to engage in sexual activity because of a lack of conscious understanding of the fact, nature, or extent of the act (e.g., to understand the who, what, when, where, why, or how of the sexual interaction) and/or is physically helpless. An individual asleep or unconscious is considered to be incapacitated and unable to consent to sexual activity. An individual will also be considered incapacitated if the person cannot understand the nature of the activity or communicate due to a mental or physical condition. Incapacitation may result from the use of alcohol, drugs, or other medication. Consumption of alcohol or other drugs alone is insufficient to establish incapacitation.
2. The impact of alcohol and drugs varies from person to person, and evaluating incapacitation requires an assessment of how the consumption of alcohol and/or drugs impact an individual’s:
 - a. Decision-making ability;
 - b. Awareness of consequences;
 - c. Ability to make informed judgments; or
 - d. Capacity to appreciate the nature and the quality of the act.
3. It will not be a valid excuse that the Respondent believed that the Complainant consented to the sexual activity if the Respondent knew or reasonably should have known that the Complainant was unable to consent to the sexual activity under any of the following circumstances:
 - a. The Complainant was asleep or unconscious;
 - b. The Complainant was incapacitated due to the influence of drugs, alcohol, or medication, so that the Complainant could not understand the fact, nature, or extent of the sexual activity;
 - c. The Complainant was unable to communicate due to a mental or physical condition.
4. Whether the Respondent reasonably should have known that the Complainant was incapacitated will be evaluated using an objective reasonable person standard. The fact that the Respondent was actually unaware of the Complainant’s incapacity is irrelevant to this analysis, particularly where the Respondent’s failure to appreciate the Complainant’s incapacitation resulted from the Respondent’s failure to take reasonable steps to determine the Complainant’s incapacitation or where the Respondent’s own incapacitation (from alcohol or drugs) caused the Respondent to misjudge the Complainant’s incapacity.
5. It is the responsibility of the individual initiating the sexual activity to be aware of the intoxication level of the other party before

engaging in sexual activity. In general, sexual activity while under the influence of alcohol or other drugs poses a risk to all parties. If there is any doubt as to the level or extent of the other individual's intoxication, it is safest to forgo or cease any sexual contact or activity.

6. Exclusion of Questions Regarding Complaints Past Sexual Behavior or Predisposition. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant and will not be permitted, unless such questions and evidence about the Complainant's prior sexual behavior are offered for one of two reasons:
 - a. To prove that someone other than the Respondent committed the conduct alleged by the Complainant, or
 - b. If the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.
- h. Final Investigation Report. The investigator will then prepare a written report summarizing all of the relevant evidence gathered and all investigative steps taken to date. For those cases in which there are allegations of violations of other University policies, the investigator will also make preliminary factual findings if requested to do so by the Title IX Coordinator. Each party, as well as their Advisor, will be provided with a copy of the written report and will have 10 days to provide a response. The investigator will then attach to the Final Investigation Report any responses received, and will also include as an attachment all relevant evidence gathered during the investigation, as well as all interview transcripts and interview summaries.
- i. Conclusion of Investigation, Notice of Hearing.
 - i. The Title IX Coordinator will review the final Investigation Report, with attachments. The Title IX Coordinator may require that the investigator conduct an additional investigation. Once the Investigation Report is final, it will be provided through a protected, read-only, server, together with all attachments, to each party and to their Advisor.
 - ii. At the same time, each party will be provided with a Notice of Hearing, which will include information regarding the date of the hearing, the identity of the Hearing Officer, and any deadlines for submission of evidence, names of witnesses, or questions to be reviewed by the Hearing Officer to ensure relevance. The hearing will be scheduled no less than 10 days from the date of the Notice of Hearing.
 - iii. Within three (3) days of receipt of the Notice of Hearing, either party may object to the Hearing Officer on the basis of a demonstrated bias or actual conflict of interest. Any objection is to be in writing and sent to the Title IX Coordinator. Should the Title IX Coordinator determine that there is an actual bias or conflict of interest, the Title IX Coordinator will remove the Hearing Officer and appoint another.

- j. Hearing Procedures.
 - i. Hearing Advisor.
 - 1. Each party is entitled to one Hearing Advisor at the hearing. The Hearing Advisor may be the same person who serves as the Advisor during the investigation process. The role of the Hearing Advisor is to ask questions of the other party and of witnesses, but not to advocate for, or otherwise speak on behalf of, the advisee during the hearing. No party will be permitted to ask questions of the other party, or of a witness. A Hearing Advisor of the University's choosing will be provided for any party who does not have a Hearing Advisor.
 - 2. There will be a pre-hearing meeting with each party and Hearing Advisor at which time, should the Complainant or Respondent not have a Hearing Advisor, one will be assigned.
 - ii. Hearing.
 - 1. Hearings will be scheduled as far in advance as possible. The Hearing Officer will provide three possible hearing dates to the parties and their Advisors; one of those dates must be chosen. Exceptions may be granted for good cause.
 - 2. Hearings may be conducted in person or via videoconferencing. If by videoconferencing, prior to the hearing, the Hearing Officer will have received instruction regarding the operation of any audio-visual equipment for the hearing. The Hearing Officer will also provide the participants instructions on how to participate in the video-conferencing hearing.
 - 3. No Complainant or Respondent or witness will be compelled to participate in the hearing. However, the Title IX Coordinator may choose to continue with the hearing in the absence of the Complainant, Respondent or any witness.
 - 4. The Hearing Officer may not take into consideration (in either the hearing or in their final determination) the statements made during the investigation of any individual who does not participate in the hearing and submit to questioning by a Hearing Advisor. The Hearing Officer will not draw any inference regarding responsibility based solely on a party's non-appearance at the hearing or refusal to answer questions.
 - 5. Each hearing will be recorded by the Hearing Officer and this recording will be considered the only official recording of the hearing. No other individual is permitted to record while the hearing is taking place. The recording is the property of the University but will be available for listening by contacting the Title IX Coordinator.
 - 6. The Complainant, Respondent, and the Hearing Officer all have the right to call witnesses. Witnesses must have information

relevant to the incident. No party will be permitted to call as a witness anyone who was not interviewed by the investigator as part of the University's investigation. Each party will submit to the Hearing Officer the names of witnesses they would like to call no less than five (5) days in advance.

7. Four days (4) prior to the hearing, each party will submit to the Hearing Officer a preliminary list of questions they wish to pose to the other party, or to a witness. If the Hearing Officer determines that any are not relevant, the Hearing Officer will explain the reason for the exclusion of the question at the hearing. Each party, through their Hearing Advisor, will also be permitted to ask additional questions at the hearing. In the event that a party does not appear for the Hearing, the Hearing Advisor for that party will appear and question the other party, and witnesses.
8. The Hearing Officer will have the authority to limit the time allotted to any phase of the hearing, and/or to limit the time allotted to the full hearing. Any such limitation will be communicated to the parties no later than three (3) days before the hearing.
9. The Hearing Officer will have the authority to maintain order and decorum at the hearing. The Hearing Officer also has the authority to determine whether any questions are irrelevant, abusive, intimidating, or disrespectful, and will not permit such questions. Any party or witness who is disruptive may, in the discretion of the Hearing Officer, be removed and directed to continue their participation via video conferencing. Any Hearing Advisor who is disruptive may be removed, and the Hearing Officer will appoint another Hearing Advisor for the remainder of the hearing.

iii. Hearing Officer's Report.

1. Following the hearing, the Hearing Officer will then prepare a report. The Hearing Officer's report will include:
 - a. The allegations;
 - b. A description of all procedural steps;
 - c. Findings of fact;
 - d. Conclusions regarding application of facts to the Policy; and
 - e. Final determinations (responsible/not responsible) for each allegation, and a brief explanation of the basis for each.
2. To the extent the Hearings Officer needs to make a credibility determination, the determination will not be based on a person's status as Complainant, Respondent, or witness.
3. The Hearing Officer's report will be provided to the Title IX Coordinator.

- a. If the report concludes there is no responsibility, the Title IX Coordinator will communicate that conclusion, along with a copy of the Hearing Officer's Final Determination, to the parties, together with procedures for appeal.
 - b. If the report determines there is responsibility, the Title IX Coordinator will contact the appropriate sanctioning officer who will determine the appropriate sanction(s) and notify the Title IX Coordinator of the sanction determination. The Title IX Coordinator will then provide each party with the Hearing Officer's report and the sanction determination. The Title IX Coordinator will inform the Complainant of any appropriate remedies and will inform both parties of the procedure for appeals.
- k. Sanctions and Remedies.
 - i. Upon conclusion of the adjudicative process, when there is a finding of responsibility, the Complainant will be offered such remedies designed to restore or preserve equal access to the institution's education program or activity. The Title IX Coordinator is responsible for ensuring implementation of remedies.
 - ii. Persons who violate this Policy will be disciplined in accordance with, as applicable, the student conduct process, processes for investigation and discipline of employee misconduct, or similar procedures. The particular sanction will depend on the nature of the offense, as well as any prior disciplinary history. Such sanction will be imposed pursuant to and in accordance with any applicable University policies, procedures, handbooks, and collective bargaining agreements.
 - iii. Sanctions are assessed in response to the specific violation(s) and any prior discipline of the Respondent. The specific sanctions that may be imposed can be found in the following locations:
 - 1. Sanctions that may be imposed upon students are listed in University Policy 2.10.05, Student Code of Conduct Policy;
 - 2. Sanctions that may be imposed upon administrative professionals are listed in the Eastern Oregon University Administrative Professional Employee Handbook;
 - 3. Sanctions that may be imposed upon classified staff are listed in the Collective Bargaining Agreement Between Oregon Public Universities and SEIU Local 503, OPEU; and
 - 4. Sanctions that may be imposed upon faculty are listed in the Collective Bargaining Agreement With Associated Academic Professionals, American Federation of Teachers Local 6200, AFL-CIO and Eastern Oregon University, La Grande, Oregon.

K. Appeals.

1. Filing of Appeals. Appeals may be filed by either party within five (5) days of receipt of the Hearing Officer's Report. Appeals will be sent out to the Title IX Coordinator, who will then send the appeal to the appeals officer. When an appeal is filed, the other party will be notified, in writing, within one day, and will then have five (5) days to respond to the appeal. Any party's decision not to submit a reply to an appeal is not evidence that the non-appealing party agreed with the appeal. Each party will be allowed to meet with the appeals officer.
2. Objection to Appeals Officer. The appeals officer will not have any actual conflict of interest or bias. Within three (3) days of the assignment of the Appeals Officer, either party may object to the appeals officer on the basis of an actual bias or conflict of interest. Any objection is to be in writing and sent to the Title IX Coordinator. Should the Title IX Coordinator determine that there is an actual bias or conflict of interest, the Title IX Coordinator will remove the appeals officer and appoint another.
3. Grounds for Appeal. Appeals May be Filed Only on the Following Grounds:
 - a. Procedural Error. A procedural error occurred that significantly impacted the outcome of the investigation or hearing. A description of the error and its impact on the outcome of the case must be included in the written appeal;
 - b. New Evidence. New evidence or information has arisen that was not available or known to the party during the investigation or hearing, and that could significantly impact the findings. Information that was known to the Appellant during the investigation or hearing but which they chose not to present is not new information. A summary of this new evidence and its potential impact on the investigation findings must be included in the written appeal;
 - c. Actual Conflict of Interest or Demonstrated Bias. The Title IX Coordinator, investigator, or decision-maker had an actual conflict of interest or demonstrated bias for or against Complainants or Respondents generally, or the individual Complainant or Respondent, that affected the outcome of the matter; or
 - d. Disproportionate Sanction. The sanction is disproportionate to the magnitude of the violation or in comparison to sanctions imposed previously for similar violations.
4. Appeal Decision. The appeal decision shall be in writing, shall describe the result of the appeal and the rationale for the result, and will be sent simultaneously to both parties.
5. Union Grievance Process. If an appeal decision upholds the sanctioning of a Respondent Employee who has the right to grieve and arbitrate that sanction (post appeal) under a collective bargaining agreement, the arbitrator will not have the right to change the underlying findings of the Hearing Officer or the appeals officer.

L. Campus Resources

1. Confidential Resources. An individual who seeks confidential assistance may do so by speaking with a licensed professional counselor at 541-962-3524; or a privileged campus advocate at 541-962-3381 or call the 24/7 hotline at 541-963-9261. Information shared with a counselor at the Counseling Center or with the privileged campus advocate, is not considered a report to the University.

2. Non-confidential Resources. An individual that seeks non-confidential resources may do so by reaching out to the Title IX Coordinator or any one of the Deputy Title IX Coordinators:
 - a. Title IX Coordinator, 541-962-3476, titleix@eou.edu
 - b. Deputy Title IX Coordinator (HR), 541-962-3516
 - c. Deputy Title IX Coordinator (Athletics), 541-962-3687, or
 - d. Deputy Title IX Coordinator (Residence Life), 541-962-3460
 - e. Deputy Title IX Coordinator (Student Affairs), 541-962-3635.

Sexual Harassment Policy

This policy sets forth the University's commitment to maintaining and ensuring an environment free from sexual harassment. Sexual harassment, in all its forms, is unethical and illegal behavior, disruptive of workplace and campus life, and inherently antithetical to the University's mission and purpose. University employees and students, individually and collectively, are responsible for assuring that the University maintains an environment for work and study that is free from sexual harassment. Sexual harassment is prohibited by federal and state law and is prohibited at the University. Nothing in this policy is intended to limit academic freedom where the material is relevant to the course content.

Definition of Sexual Harassment

1. For Students
 - a. For students, sexual harassment is defined by University Policy 6.05.10(A)(2) as follows: "Sexual harassment means any sexual advance, any request for sexual favors or other verbal or physical conduct of a sexual nature by a University employee when:
 - i. Submission to such advances, requests or conduct is made either explicitly or implicitly a term or condition of a student's employment or academic experience;
 - ii. Submission to or rejection of such advances, requests or conduct by a student is used as a basis or condition for employment and/or academic decisions affecting the student; or
 - iii. Such conduct interferes with the work or academic performance of a student because it has created an intimidating, hostile or offensive working or academic environment for the student who is the object of the conduct and a reasonable person of that student's gender would have been affected similarly to the student."
 - b. Employee conduct directed toward a student—whether unwelcome or welcome—can constitute sexual harassment under University Policy 6.05.10, Policy Prohibiting Illegal Discrimination Affecting Students.
 - c. Sexual harassment allegations made against students or between students are administered through the University Policy 2.10.05, Student Code of Conduct.
2. For Employees
 - a. For employees, sexual harassment is defined as:
 - i. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when this conduct explicitly or implicitly affects an individual's employment,

- unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment.
- ii. Any sexual advances, any requests for sexual favors, or other verbal or physical conduct of a sexual nature when:
 1. Submission to such advances, requests, or conduct is made either explicitly or implicitly a term or condition of an individual's employment;
 2. Submission to or rejection of such advances, requests or conduct by an individual is used as a basis or condition for employment; or
 3. Such conduct interferes with an individual's work performance because it has created an intimidating, hostile, or offensive working environment for the employee who is the object of the conduct and a reasonable person of that employee's gender would have been affected similarly.

Examples of Sexual Harassment

1. Behaviors that may constitute sexual harassment include, but are not limited to, the following:
 - a. Oral or written comments of a sexual nature including electronic correspondence or discussion board posts or similar.
 - b. Sexually explicit statements, questions, jokes, or anecdotes
 - c. Touching, patting, hugging, brushing against a person's body, and/or repeated focused staring
 - d. Disparaging remarks and gestures about one's sexual activity, experience, gender or sexual orientation
 - e. Display of inappropriate sexually oriented materials in the workplace
 - f. Sexual propositions, innuendos, invitations, solicitations, and flirtations
 - g. Suggestive or insulting sounds or whistles
 - h. Requests of an explicit or implicit sexual nature as a term or condition of employment or academic status
 - i. Repeated requests for "dates" after refusal
 - j. Rape, attempted rape, or other sexual assault
2. Sexual harassment is not limited to "face to face" interactions. Sexual harassment can occur via the Internet, texting, e-mail, phone, video conferencing, social media, video and picture sharing programs and a myriad of other ways in which an individual can communicate and impose undesired and unwelcomed sexual advances, requests for sexual favors or other methods of contact which interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment that are under the definition of sexual harassment.

Reporting Sexual Harassment

The University encourages individuals who believe they are experiencing sexual harassment to report the harassment. The University encourages such individuals to seek out a trusted person to serve as a "Sexual Harassment Resource Person" in considering whether to file a formal or informal report (see below for definitions and procedures for formal and informal reports.) Additionally, those who are aware or reasonably believe that another person is being sexually harassed, you may also file a complaint through this process.

1. **Duty to Report Allegations of Sexual Harassment.** Any University employee or volunteer (other than the Student Health and Counseling Center staff working within the scope of their employment) who observes sexual harassment, who knows, or with the exercise of reasonable care should have known, about sexual harassment occurring at the University or in any of its programs, or is informed of alleged sexual harassment must promptly notify the Affirmative Action Officer (AAO) or designees of the allegation.
2. **Sexual Harassment Resource Person.** People serving as a Sexual Harassment Resource Person include University student employees, staff and faculty, who have volunteered to be available for any University student employee, staff or faculty member, who requests support, information or referrals regarding sexual harassment. They act as a resource to the campus community regarding sexual harassment issues and questions. After receiving awareness training, a Sexual Harassment Resource Person will be able to assist in recognizing sexual harassment, provide guidance on sexual harassment prevention, listen to and provide support to victims of sexual harassment, provide general information and answer questions about sexual harassment, and provide information about various sexual harassment-related resources available on and off campus. A Sexual Harassment Resource Person must disclose their obligation to report to anyone who comes to them with a report or claim.
3. **Considerations for Reporting Incidents of Sexual Harassment**
 - a. **Confidentiality.** The University makes every reasonable effort to treat all information received or individuals providing information in connection with reports of sexual harassment as confidential. It may be necessary, however, to disclose information during the course of an investigation or attempt at resolution. Requests for confidentiality by the complainant will be evaluated in the context of the University's responsibility to provide a safe and nondiscriminatory environment for its employees and students. The factors that the University may consider in this regard include the seriousness of the alleged harassment, whether there have been other complaints or reports of harassment against the alleged harasser, and the rights of the accused individual to receive information about the accuser and the allegations if a formal proceeding with sanctions may result. All individuals who participate in any investigation or procedure under this policy have an obligation to maintain the utmost level of confidentiality regarding the matters discussed.
 - b. **For Students.** Students who are thinking about or wanting to report a sexual harassment incident are encouraged to meet with a counselor in the Counseling Center. The counselor will review options and provide support. Information shared with the counselor can be kept confidential, until the student is ready to file a complaint.
 - c. **Non-Retaliation.** Individuals who report a complaint of alleged sexual harassment may not be reprimanded or discriminated against in any way for initiating an inquiry or complaint in good faith. Further, the laws pertaining to sexual harassment make it unlawful to retaliate or to take reprisal in any way against anyone who has articulated a concern about sexual harassment or has participated or cooperated in the investigation of a complaint.
 - d. **Conflict of Interest.** In the event of a potential or actual conflict of interest, the President may appoint another appropriately trained and qualified individual to conduct any activity required by the AAO under this policy. The complainant, the respondent, or the AAO may request an alternate appointment.

4. Filing a Complaint Against a University Student
Sexual harassment complaints initiated against a student will be administered through the procedure described in University Policy 2.10.05, the Student Code of Conduct.
5. Filing a Complaint Against a University Employee
 - a. Informal Complaints
 - i. The University offers an informal process for those alleging sexual harassment. The purposes of the informal complaint process are to attempt to resolve issues of actual or perceived sexual harassment without triggering a formal investigation and to ensure records of alleged harassment are documented. Informal complaints must be filed through the AAO. The AAO will assist the complainant in this process. There are no strict deadlines for filing an informal sexual harassment complaint. However, complainants are encouraged to file informal complaints as promptly as possible. Nothing in this policy prevents those engaging the informal process from deciding to engage the formal sexual harassment complaint process at any point in the process.
 - ii. The informal complaint process can be used when a complainant wants to report an incident of sexual harassment anonymously and/or prefers that no formal action be taken in response to the report. Examples of resolutions that may occur as a result of an informal complaint may include, but are not limited to:
 1. Additional training for the unit or area where the respondent works.
 2. The AAO meeting with the respondent to discuss the precipitating behaviors and the issues caused by the behaviors.
 3. Mediation between the complainant and respondent when agreed to by both parties.
 - iii. The AAO may not be able to honor a complainant's request that no formal action be taken. In that situation University officers have a responsibility to take such steps as are reasonably necessary to prevent continuing or future harassment. The University retains the right to investigate or to initiate an investigation.
 - iv. If three (3) or more informal complaints are filed against an individual within a seven (7) year period the University will initiate the formal complaint process—regardless if it was filed as an informal complaint—and will make every possible effort to protect complainants' identities if so requested. Similarly, the AAO may, should circumstances warrant, escalate a second informal complaint to the status of a formal complaint process if in the AAO's judgment that the combination of the two informal complaints warrants such action.
 - b. Formal Complaints
 - i. To file a formal complaint of sexual harassment, the complainant must meet with the AAO. Generally, a formal complaint of sexual harassment must be made no later than 365 calendar days following the date that the complainant knew or a reasonable individual should have known that alleged sexual harassment was occurring. The University reserves the right to initiate the

formal complaint process if it is in the best interests of the University and necessary to protect constituents.

- ii. Complainants have the option to pursue institutional disciplinary proceedings against students by submitting a complaint to the Office of Student Affairs. A complaint form is available on line at <https://www.eou.edu/student-affairs/or> from the Office of Student Affairs.
 - iii. The AAO, or other appointed, appropriately trained and qualified University official, will conduct a full, impartial and timely investigation within 45 calendar days. This timeline may be extended by the President if necessary to complete a thorough investigation. During the course of the investigation, the appointed officer will interview the complainant and/or the alleged victim, the respondent, and witnesses identified by each party. To the extent possible, complaints will be handled confidentially, with the allegations and facts made available only to those who have a compelling need to know for purposes of investigation or resolution of the matter.
 - iv. It is a violation of this policy for anyone to make an intentionally false accusation of sexual harassment. Any employee or student who is found to have made an intentionally false accusation of sexual harassment may be subject to appropriate disciplinary or corrective action.
- c. Formal Complaint Procedure
- i. A formal complaint pursuant to this policy must be brought to the AAO, where an investigation will be initiated.
 - ii. The purpose of the investigation is to establish whether it is more likely than not that a violation of this policy has occurred. In conducting the investigation, the investigator will make reasonable efforts to interview all persons believed to have pertinent factual knowledge, as well as review any relevant factual evidence. To the extent possible, the AAO will take the necessary steps to ensure confidentiality. The complainant will be advised of his/her rights and options, including the right to have a Sexual Harassment Resource Person present, and will be advised of the procedures that are triggered by a formal complaint.
 - iii. The AAO or the President's designee investigates the complaint and, in consultation with the appropriate deans, chairs or directors, develops a recommended course of action.
 - iv. At the conclusion of the investigation, the complainant will receive a final written decision from the AAO within 30 calendar days after the receipt of the complaint unless the AAO notifies the complainant of a 30 day extension.

Sanctions

1. Academic Faculty. Academic faculty found to have engaged in sexual harassment will have sanctions imposed according to Article 18 - Progressive Sanctions of the current AAP-EOU contract and in accordance with University Policy 5.35.05, Resignations and Terminations. Sanctions may include but are not limited to oral or written warnings or reprimands, reassignment, suspension or termination imposed in accordance with University Policy 5.35.05.
2. Executive Administrators and Administrative Faculty. Executive Administrators and Administrative faculty found to have engaged in sexual harassment will have sanctions imposed in accordance with University Policy 5.35.05, Resignations and Terminations. .

Sanctions may include but are not limited to oral or written warnings or reprimands, reassignment, suspension or termination imposed in accordance with University Policy 5.35.05.

3. Classified Employees. Classified employees found to have engaged in sexual harassment will have sanctions imposed in accordance with Article 17- Discipline and Discharge of the SEIU Collective Bargaining Agreement. Sanctions may include but are not limited to oral or written warnings or reprimands, reassignment, suspension or termination.
4. Students. Students found to have engaged in sexual harassment may be subject to sanctions under University Policy 2.10.05, Student Code of Conduct. Sanctions may include warnings, required educational activities, restrictions, disciplinary probation, suspension and/or expulsion.

Appeals

1. Academic Faculty. Academic faculty may appeal the sanctions administered as a result of this policy pursuant to Article 19 Grievances of the AAP-EOU contract.
2. Executive Administrators and Administrative Faculty. Executive Administrators and Administrative faculty may appeal sanctions administered as a result of this policy pursuant to the guidelines for filing grievances outlined in the Administrative Faculty Compensation Policies and Procedures.
3. Classified Employees. Classified employees may appeal the sanctions administered as a result of this policy pursuant to Article 18-Grievance and Arbitration Procedure of the SEIU Collective Bargaining Agreement.
4. Students. Students will use the process outlined in the Student Handbook.

Records

The AAO shall maintain records of complaints and investigations pursuant to relevant authority and statutory requirement.

Training

The University through the AAO is responsible for sexual harassment training for all employees annually as well as initial training for new employees. The AAO is also responsible for training those who will serve as a Sexual Harassment Resource Person. Information regarding sexual harassment and the obligation of employees and supervisors to prevent and report incidents of harassment will be disseminated at the beginning of each academic year.

Sex Offender Registration Information

The "Campus Sex Crimes Prevention Act (CSCA)" of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Clery Act, and the Family Educational Rights and Privacy Act of 1974, require EOU to provide information on how to access information on registered sex offenders. In Oregon, the Oregon State Police maintain the sex offender registry that can be accessed at sexoffenders.oregon.gov/. The information found in the registry is provided for general public safety. Users are authorized to use the information only to protect themselves or children who may be at risk. The release of the information to the public is meant to assure public protection, **not** to punish an offender or harass an offender's family. Anyone who uses the information to commit a criminal act against another

person is subject to criminal prosecution and civil action.

EOU is required to inform the campus community of the location of the list of sex offenders that have indicated that they are either enrolled or employed at EOU. The list of sex offenders is maintained and available in the Office of Student Relations, Inlow Hall, Room 113C. A list of registered sex offenders in the State of Oregon can be found at <http://sexoffenders.oregon.gov/>. CSCA further amends the Family Educational Rights and Privacy Act of 1974 (FERPA) to clarify that nothing in the Act can prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders.

Annual Fire Safety Report

EOU publishes this Fire Safety Report in compliance with the Higher Education Act of 1965 and as a part of its annual Clery Act compliance. This report contains fire safety policies and statistics for University on-campus student housing facilities. This report reflects data from the calendar year 2023. These fire statistics are also reported to the U.S. Department of Education each year.

EOU Residence Life conducts fire drills at least once each term, in each building during the regular academic year. Live-in staff are trained each fall in the use of fire suppression equipment as well as in general fire safety knowledge and detailed information regarding institutional fire safety policies. Students are instructed in evacuation procedures during fall term hall meetings, suite meetings, and following fire drills each term. All fires are reported to the Residence Life Office and Campus Security. Housing Fire Logs are maintained by the Residence Life Office, Daugherty Hall 119.

Fire Safety Rules for On-Campus Student Housing Facilities

EOU Residence Life publishes and maintains its policies on portable appliances, smoking, and open flames in its annual Housing and Dining Contract. The relevant policies are copied below:

- Fire drills will be held periodically to ensure that residents are aware of the alarm and the emergency building evacuation plan. The building evacuation plan for each building is posted on every floor and should be reviewed by each person. Every alarm must be treated as an emergency and all persons must evacuate the building immediately. Exceptions to evacuating will be in the event of fire alarm testing or repair. Notices will be posted on the entry doors to each residence hall at least 24 hours prior to testing or repair, except in cases of emergency. During fire drills, Residence Life staff will do a visual inspection of each room and apartment/suite to ensure compliance with applicable fire safety laws and policies. Any other visible violations of law or policy will also be addressed.
- Possession, displaying or burning of flammable materials including, but not limited to, fireworks, candles, incense, gasoline, and kerosene lamps is hazardous to the health and safety of residents and is prohibited inside the residence halls.
- All appliances or electrical devices are required to be compatible with 110 volts 60 cycle voltage and be UL approved. Extension cords, multi-plug adapters, and the chaining together

of power strips is prohibited. When power strips are used, circuit breakers and reset buttons are required.

- No more than two sets of decorative lighting (string lights) may be plugged into each other. The decorative lights must be plugged into a power strip with circuit breakers or reset buttons.
- Ceiling lights and lamps of any type including lava and disco lamps cannot be covered with hats, towels, or any other fabric.
- The suite/apartment and room must be maintained and organized to the degree that residents are able to safely and easily exit.
- A fine up to \$150 and referral to the student conduct system will be imposed for any of the following: smoking within a housing facility, failure to evacuate, activating false alarms in residence halls, propping open fire doors, creating a fire hazard, malicious burning, or tampering with fire equipment (fire extinguishers, plastic ties securing valves, fire alarm pull stations, smoke detectors, fire hose connections, sprinkler heads, sprinkler pipes, hoses, connections, valves, emergency exit signs, etc.).
- Prohibited in the residence halls:
 - Candles of any type (with or without a wick)
 - Fuel-powered motor vehicles or associated parts for use, maintenance, repair, or storage.
 - Full-size refrigerators other than those provided by Residence Life
 - Appliances with open heat sources (toaster ovens and bread toasters for example) and/or no thermostat control (hot plates and grills for example) (not applicable to Alikut Hall residents)
 - Space heaters except those provided by EOU and/or Residence Life
 - Burning of incense, sage, or any object
 - Smoking of any type within the buildings
 - Evidence of candles, burning of incense, sage, or any object
 - Drapes hanging over interior entries that block natural exit pathway
 - George Foreman or other electric grills (not applicable to Alikut Hall residents)
 - Microwaves other than those supplied by Residence Life (Not applicable to Alikut residents)
 - Hanging of any items over or covering the smoke detector
 - Flammable materials on the ceiling or covering ceiling lights or hanging anything from the ceiling.
 - Affixing objects to walls that unreasonably increases the fire loading of any space or room.
 - Multi-plug adaptors
 - Halogen lamps
 - Extension cords
 - Wax warmers or similar devices
- Any cooking implements allowed in North, Daugherty, or Alikut Halls must be used only in the kitchen area.

On-Campus Student Housing Facilities Fire Safety Response and Evacuation

At EOU, residents are required to evacuate on-campus student housing facilities upon hearing the fire alarm. The following is a summary of the general evacuation procedures:

1. Immediately obey evacuation alarms and orders to evacuate.
2. If time allows and without endangering yourself, place equipment in a safe configuration, close doors and windows, inform others in your vicinity of the current situation, and/or take any personal items you may need.
3. Leave the building – do not use elevators.
4. Assist persons with mobility or other evacuation concerns.
5. Take your cell phone, valuables, and evacuation kit.
6. Proceed outside of the building to the evacuation assembly area and stay a minimum of 50 feet away from the building.
7. Conduct accountability for personnel under your supervision.
8. Wait for official notice before attempting to re-enter the building.
9. Report problems or concerns to the applicable department leadership.

Reporting Extinguished Fires

If a member of the EOU campus community finds evidence of a fire that has been extinguished, they should immediately notify Campus Security so the incident can be documented. Campus Security can be contacted at 541-962-3911 (non-emergency) or Loso 154. Campus Security will refer criminal investigations of fires to the La Grande Police Department, 1109 K Ave., La Grande, OR, 541-963-1017 (non-emergency).

Fire Safety Education and Training

Fire safety drills are held at least once per term to ensure that residents are aware of the alarm and the emergency building evacuation plan. The building evacuation plan for each building is posted on every floor and should be reviewed by each person. Every alarm must be treated as an emergency and all persons must evacuate the building immediately. Exceptions to evacuating will be in the event of fire alarm testing or repair. Notices will be posted on the entry doors to each residence hall at least 24 hours prior to testing or repair, except in cases of emergency. During fire drills, Residence Life staff will do a visual inspection of each room and apartment/suite to ensure compliance with applicable fire safety laws and policies. Any other visible violations of law or policy will also be addressed.

Plans for Fire Safety Improvement

EOU continues to assess and upgrade fire safety equipment in an ongoing process to ensure that all equipment meets national fire safety standards. Future improvements will be made as determined by the ongoing assessment process.

EOU Fire Statistics for the 2024 calendar year.

Year	Housing Facility	Category of Fire	Cause of Fire	#of Fires	# of Deaths	# of injuries	Value of property damage	# of fire drills
2024	Alikut Hall	Unintentional						3
			- Cooking	0	0	0	0	
			- Smoking materials	0	0	0	0	
			- Open Flames	0	0	0	0	
			- Electrical	0	0	0	0	
			- Heating Equipment	0	0	0	0	
			- Hazardous products	0	0	0	0	
			- Machinery/ Industrial	0	0	0	0	
			- Natural	0	0	0	0	
			- Other	0	0	0	0	
		Intentional	(write a brief description of the fire below)	0	0	0	0	
				0	0	0	0	
		Undetermined		0	0	0	0	
2024	Daugherty Hall	Unintentional						3
			Cooking	0	0	0	0	
			Smoking materials	0	0	0	0	
			Open Flames	0	0	0	0	
			Electrical	0	0	0	0	
			Heating Equipment	0	0	0	0	
			Hazardous products	0	0	0	0	
			Machinery/ Industrial	0	0	0	0	
			Natural	0	0	0	0	
			Other	0	0	0	0	
		Intentional	(write a brief description of the fire below)	0	0	0	0	
				0	0	0	0	
		Undetermined		0	0	0	0	
2024	North Hall	Unintentional						3
			Cooking	0	0	0	0	
			Smoking materials	0	0	0	0	
			Open Flames	0	0	0	0	
			Electrical	0	0	0	0	
			Heating Equipment	0	0	0	0	
			Hazardous products	0	0	0	0	
			Machinery/ Industrial	0	0	0	0	
			Natural	0	0	0	0	
			Other	0	0	0	0	
		Intentional	(write a brief description of the fire below)	0	0	0	0	
				0	0	0	0	
		Undetermined		0	0	0	0	

Year	Housing Facility	Category of Fire	Cause of Fire	#of Fires	# of Deaths	# of injuries	Value of property damage	# of fire drills
2024	Eocene Court	Unintentional						0
			Cooking	0	0	0	0	
			Smoking materials	0	0	0	0	
			Open Flames	0	0	0	0	
			Electrical	0	0	0	0	
			Heating Equipment	0	0	0	0	
			Hazardous products	0	0	0	0	
			Machinery/ Industrial	0	0	0	0	
			Natural	0	0	0	0	
			Other	0	0	0	0	
		Intentional	(write a brief description of the fire below)	0	0	0	0	
				0	0	0	0	
		Undetermined		0	0	0	0	



Hazing (Stop Campus Hazing Act)

Policy statement & definition

Eastern Oregon University prohibits hazing in all forms. For Clery Act reporting and campus policy purposes, “hazing” means any intentional, knowing, or reckless act regardless of a person’s willingness to participate that (1) is connected to initiation, affiliation, or continued membership in a student organization (e.g., clubs, teams, band, student government), and (2) causes or creates a risk beyond the reasonable risk of normal participation of physical or psychological injury. Examples include physical brutality; sleep deprivation; exposure to the elements; confinement; compelled consumption of food, alcohol, cannabis, drugs, or other substances; compelled sexual acts; threats creating reasonable fear of harm; or activities involving violations of local, State, Tribal, or Federal law.

The EOU policy on hazing can be found here. [EOU Hazing Policy](#)

Under Oregon law, hazing by student organizations or their members is a criminal violation; consent is not a defense. [OregonLaws](#)

How to report hazing

- Emergencies / immediate safety risks: Call 911. You may also contact University Security (24/7) at (541) 962-3911. [Eastern Oregon University](#)
- Non-emergency campus reports:
 - Community Reporting Forms (Student Affairs): Concern Reporting Form and Title IX Report Form (for incidents that may involve sex- or gender-based misconduct). Do not use these forms for emergencies. Phone contacts listed on the page include University Security (541) 962-3911, Student Affairs (541) 962-3635, and the Title IX Coordinator (541) 962-3476. [Eastern Oregon University](#)
 - Title IX (if applicable): File a report or contact the Title IX Coordinator at (541) 962-3476 or titleix@eou.edu. [Eastern Oregon University](#)
- Local law enforcement (optional in addition to campus reporting): La Grande Police Department non-emergency (541) 963-1017. [Eastern Oregon University](#)

Reports may be made by victims/survivors, witnesses, or third parties. Anonymous reports may be available via the forms above; response options may be limited if contact information is not provided.

How hazing reports are investigated

EOU reviews all hazing reports promptly and equitably under the Student Code of Conduct and other applicable policies, and coordinates as appropriate with campus safety & security and local law enforcement. While steps may vary based on safety needs, a typical process includes:

1. **Intake & safety measures** Immediate review of reports and evaluate the safety of all involved (are no-contact directives; interim restrictions on individuals/organizations/activities warranted for safety).
2. **Jurisdiction & assessment** Determination made whether alleged conduct meets the institutional definition of hazing and falls within Clery geography for statistical purposes.
3. **Fact-gathering** Case is assigned to an investigator to conduct interviews; collection of messages, photos/videos, and rosters; consultation with CSAs and/or police when relevant.
4. **Findings & outcomes** A written notice of findings is created and determination is made on sanctions and educational remedies for individuals/organizations where policy is violated; referrals to law enforcement if potential crimes are indicated.

Retaliation for reporting or participating in a process is prohibited by university policy. (The student conduct process is administered within the Office of the Vice President of Student Affairs.)

Prevention & awareness programs

EOU provides research-informed, campus-wide hazing prevention and awareness programming for students, staff, and faculty. Programs include education about EOU's hazing policy and reporting options and primary prevention strategies intended to stop hazing before it occurs—such as bystander-intervention skill-building, ethical leadership education, and promoting strategies for building group cohesion without hazing. [Congress.gov](https://www.congress.gov)

Applicable laws

- Federal law (Stop Campus Hazing Act, Public Law 118-173): Requires ASRs to include a statement of current policies on hazing, how to report, investigation process, and applicable local/State/Tribal laws; and a statement of hazing prevention & awareness programs (with research-informed, campus-wide programming and primary prevention strategies). [Congress.gov](https://www.congress.gov)
- Oregon law: ORS 163.197 (Hazing)—defines hazing and identifies consent is not a defense. ORS 350.259—requires institutions of higher education to adopt a written anti-hazing policy and provide annual student training; also requires an annual state report of hazing incidents and investigations. [OregonLaws+1](https://www.oregonlaws.org)

Statistics & transparency

- **Clery hazing statistics:**
EOU began collecting hazing statistics on January 1, 2025; the first ASR that will include hazing statistics is due October 1, 2026. This will cover 2025 data collected after the law's effective date January 1 2025. [Stop Campus Hazing Act](https://www.congress.gov)
- **Campus Hazing Transparency Report (CHTR):**
EOU will publish a CHTR on its public website by December 23, 2025 if there is a Clery defined hazing incident up to this date. If EOU does not have a Clery defined hazing incident EOU is not required to publish this CHTR. After the first CHTR is published an update is required six months later if there is at least one hazing incident after that CHTR report is published. If there is not an additional hazing incident in that time frame no follow up report is required. After this date when there are Clery defined hazing incidents EOU must publish a CHTR at least twice per year thereafter when there is a reportable hazing incident. When there are reportable hazing incidents the CHTR will be required on December 23 and again on June 23 when there is a reportable hazing incident during each preceding six month period.

This CHTR will lists student organizations found responsible for hazing, a general description of the violation (including whether alcohol/drugs were involved), sanctions, and key dates such as when allegation of hazing were made, when the investigation opened and closed, and when a determination is made and notice given to parties involved. All personally identifiable information is excluded from this CHTR in accordance with FERPA. [Congress.gov](https://www.congress.gov)

Links to ways to report:

- Emergency Contacts page for Security, LGPD, and the fire department 911 and non-emergency. [Eastern Oregon University](#)
- University community reporting forms (Student Affairs) — Concern Reporting Form; Title IX Report Form; page lists Security/Student Affairs/Title IX phone numbers. [Eastern Oregon University](#)
- Title IX — File a report or contact the Coordinator at (541) 962-3476 / titleix@eou.edu. [Eastern Oregon University](#)

Appendix A

Clery Geography Map



Appendix B

Glossary

Aggravated Assault: an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury.

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

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

Campus Security Authority: is an individual, who by virtue of their university responsibilities and under the Clery Act, is designated to receive and report criminal incidents to the Clery Compliance Officer so that they may be included and published in the university's Annual Security Report.

Coercion: the improper use of pressure to compel another individual to initiate or continue sexual activity against their will. Coercion can include a wide range of behaviors, including intimidation, manipulation, threats, and blackmail. A person's words or conduct are sufficient to constitute coercion if they wrongfully impair another individual's freedom of will and ability to choose whether or not to engage in sexual activity. Coercion includes, but is not limited to: threatening to "out" someone based on sexual orientation, gender identity, or gender expression and threatening to harm oneself if the other party does not engage in the sexual activity.

Consent: is not defined in Oregon State Criminal Code. It defines incapacity to consent in Oregon Revised Statute (ORS) 163.315.

- A person is considered incapable of consenting to a sexual act if the person is:
 - Under 18 years of age;
 - Mentally defective;
 - Mentally incapacitated; or
 - Physically helpless.
- A lack of verbal or physical resistance does not, by itself, constitute consent but may be considered by the trier of fact along with all other relevant evidence. [1971 c.743 §105; 1999 c.949 §2; 2001 c.104 §52]

Consent: is defined by Eastern Oregon University as an understandable exchange of affirmative words or actions, which indicate a willingness to participate in mutually agreed upon sexual activity. Consent must be informed, freely and actively given. If coercion, intimidation, threats, or physical force are used there is no consent. Students – please also see the Student Code of Conduct for more information regarding consent.

Dating Violence: violence committed by

- A person who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- Where the existence of such a relationship shall be determined based on the reporting party's statement and a consideration of the following factors:

- The length of the relationship
- The type of relationship
- The frequency of interaction between the persons involved in the relationship.
- Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.

Dating Violence as defined by ORS: under Oregon state law, there is no specific definition of dating violence. Oregon state law defines teen dating violence and requires public school district boards to adopt policies addressing it -ORS 339.366

Days: means calendar days.

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

- A current or former spouse or intimate partner of the victim;
- A person with whom the victim shares a child;
- A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
- A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies (Under VAWA); or
- 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.

Domestic Violence as defined by ORS 135.230 (oregonlaws.org/ors/135.230)

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

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

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

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

Force: the use or threat of physical violence or intimidation to overcome an individual's freedom of will to choose whether or not to participate in sexual activity. For the use of force to be demonstrated, there is no requirement that a Complainant resists the sexual advance or request; however, resistance by the Complainant will be viewed as a clear demonstration of non-consent.

Hate Crimes: a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias.

Categories of bias are:

- | | | |
|------------|-------------------|----------------------|
| ● Race | ● Gender Identity | ● Sexual Orientation |
| ● Gender | ● Ethnicity | ● Disability |
| ● Religion | ● National Origin | |

In addition to the standard list of Clery Act reportable crimes listed above, the following crimes are also classified as hate crimes when there is evidence that the offense was committed with bias against a protected class, as described above:

- Larceny / Theft
- Simple Assault
- Intimidation
- Destruction / damage or vandalism of property

Incapacitation: a state where an individual cannot make an informed and rational decision to engage in sexual activity because they lack conscious knowledge of the nature of the act (i.e. to understand the who, what, when, where, why, or how of the sexual interaction) and/or is physically helpless. An individual is incapacitated, and therefore unable to give consent, if they are asleep, unconscious, or otherwise unaware that sexual activity is occurring.

Incapacitation may result from the use of alcohol and/or drugs. Consumption of alcohol or other drugs alone is insufficient to establish incapacitation. The impact of alcohol and drugs varies from person to person and evaluating incapacitation requires an assessment of how the consumption of alcohol and/or drugs impact an individual's:

- decision-making ability or
- awareness of consequences or
- ability to make informed judgments or
- capacity to appreciate the nature and the quality of the act

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

Manslaughter by Negligence: the killing of another person by gross negligence.

Murder and Non-Negligent Manslaughter: the willful killing of one human being by another.

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

On-Campus: any building or property owned or controlled by Eastern Oregon University within the same reasonably contiguous geographic area of the core campus, and used by Eastern Oregon University in direct support of, or in a manner related to Eastern Oregon University's educational purposes, including student housing facilities; and any building or property that is within or reasonably contiguous to the core campus that is owned by Eastern Oregon University, but controlled by another person, is frequently used by students and supports institutional purposes, such as a food or other retail vendor. Additionally, locations within one mile of Eastern Oregon University's core campuses are considered for inclusion in the on-campus group. Before these locations are included, their functions and relationship to the university are evaluated.

On-Campus Student Housing Facilities: a building or structure that is owned or controlled by the university and used by students as a dwelling on campus. This category includes student housing facilities and family housing located on campus.

Public Property: all public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus. This property is owned by a public entity, such as a city or state government. Perimeter streets are described in the following way: "Sidewalk – Street – Sidewalk". This means that a reportable crime occurring on the sidewalk on either side of a perimeter street is reportable, as well as incidents occurring in the street. But an incident occurring in a building (a privately owned property) on the distant side of a perimeter street would not be included.

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

Sexual Assault: an offense that meets the definition of rape, fondling, statutory rape, or incest as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is "any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent."

- **Rape:** penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This definition includes any gender of victims or perpetrator.
- **Fondling:** the touching of the private body parts of another person for the purpose of sexual gratification without consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or temporary or permanent mental or physical incapacity.
- **Statutory Rape:** non-forcible sexual intercourse with a person who is under the statutory age of consent.
- **Incest:** non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Sexual Harassment: sexual harassment is unwelcome conduct of a sexual nature. Sexual

harassment can include unwelcome sexual advances, requests for sexual favors, or other verbal, nonverbal or physical conduct of a sexual nature where such conduct is sufficiently severe or pervasive that it has the effect, intended or unintended, or unreasonably interfering with an individual's work or academic performance or it has created an intimidating, hostile or offensive environment and would have such an effect on a reasonable person.

Sexual Misconduct: EOU defines sexual misconduct as any sexual contact or sexual behavior that is non-consensual and/or inflicted upon someone who is incapacitated, and/or forced, and is prohibited, including sexual exploitation and sexual harassment.

Sexual Violence: physical sexual acts engaged without the consent of the other person or when the other person is unable to consent to the activity. Sexual violence includes sexual assault, rape, battery, sexual coercion, domestic violence, dating violence, and stalking. Students – please also see the Student Code of Conduct for more information regarding sexual violence.

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

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

Stalking as defined by ORS 163.732 (oregonlaws.org/ors/163.732)

- a. A person commits the crime of stalking if:
 - i. The person knowingly alarms or coerces another person or a member of that person's immediate family or household by engaging in repeated and unwanted contact with the other person;
 - ii. It is objectively reasonable for a person in the victim's situation to have been alarmed or coerced by the contact; and
 - iii. The repeated and unwanted contact causes the victim reasonable apprehension regarding the personal safety of the victim or a member of the victim's immediate family or household.
- b. Stalking is a Class A misdemeanor.
 - i. Notwithstanding paragraph (a) of this subsection, stalking is a Class C felony if the person has a prior conviction for:
 1. Stalking; or
 2. Violating a court's Stalking Protective Order.
 - ii. When stalking is a Class C felony pursuant to paragraph (i) of this subsection, stalking shall be classified as a person felony and as crime category 8 of the sentencing guidelines grid of the Oregon Criminal Justice Commission. [1993 c.626 §2; 1995 c.353 §2] Note. See second note under [163.730 \(Definitions for ORS 30.866 and 163.730 to 163.750\)](#).

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