



**Portland
Community
College**

ANNUAL SECURITY REPORT 2021





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1. NOTICE OF NON-DISCRIMINATION STATEMENT

Portland Community College District (PCC) is committed to creating and maintaining an educational community in which each individual is respected, appreciated and valued.

Policy Statement

It is against the Portland Community College's policy for any manager, supervisor, faculty member, staff member, or student to engage in prohibited harassment or discrimination of any member of the College community. PCC adheres to all federal, state, and local civil rights laws and regulations prohibiting discrimination in public institutions of higher education, including applicable provisions of the Civil Rights Act of 1964 (as amended); related Executive Orders 11246 and 11375; Title IX of the Education Amendments Act of 1972; Section 504 of the Rehabilitation Act of 1973; Titles I and II of the Americans with Disabilities Act of 1990 (as amended); the Age Discrimination in Employment Act, the Uniformed Service Employment and Reemployment Rights Act, and all applicable federal, state, and local civil rights laws.

PCC does not discriminate against any employee, applicant for employment, student, or applicant for admission on the basis of race, color, religion, national origin, sex, marital status, disability, veteran status, age, sexual orientation, or any other status protected by federal, state, or local law including protections for those opposing discrimination or participating in any resolution process on campus, with the Equal Employment Opportunity Commission or other human rights agencies. This policy covers nondiscrimination in both employment and access to educational opportunities. Therefore, any member of the PCC community who acts to deny, deprive, or limit the educational or employment and/or social access, benefits, and/or opportunities of any member of the PCC community, guest, or visitor on the basis of their actual or perceived membership in the protected classes listed above is in violation of PCC's policy on nondiscrimination.

When brought to the attention of PCC, any such discrimination will be promptly and fairly addressed and remedied by PCC according to the appropriate resolution process of this policy. For more information on this policy please visit [CRR 1.1 - Administration | Office of Equity and Inclusion at PCC](#).

Complaints and inquiries regarding discrimination, harassment and retaliation

The Chief Diversity Officer & Title IX Coordinator oversees implementation and compliance of PCC's Civil Rights and Responsibilities Policy. The Chief Diversity Officer & Title IX Coordinator has primary responsibility for coordinating PCC's efforts related to investigation, resolution, and implementation of corrective measures and monitoring to stop, remediate, and prevent discrimination, harassment, and retaliation prohibited by PCC's Civil Rights and Responsibilities Policy. Inquiries about or concerns regarding this policy and procedure may be made internally to:

Tricia Brand, Chief Diversity Officer & Title IX Coordinator,
722 SW 2nd Avenue, Portland, OR 97204
equity.inclusion@pcc.edu
(971) 722-5840

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Complaints and inquiries regarding discrimination, harassment, and retaliation involving federal laws may be directed to:

FEDERAL CONTACT INFORMATION	FEDERAL CONTACT INFORMATION
Office for Civil Rights (OCR) U.S. Department of Education 400 Maryland Avenue, SW Washington, D.C. 20202-1100 Customer Service Hotline: (800) 421-3481 Fax: (202) 453-6012 TDD: (877) 521-2172 Email: OCR@ed.gov Website: www.ed.gov/ocr	Equal Employment Opportunity Commission (EEOC) Federal Office Building 909 First Avenue, Suite 400 Seattle, WA 98104-1061 Phone: (800) 669-4000 Fax: (206) 220-6911 TTY: (800) 669-6820 ASL Video Phone: (844) 234-5122 Website: www.eeoc.gov

Complaints and inquiries regarding discrimination, harassment, and retaliation involving Oregon laws may be directed to:

OREGON CONTACT INFORMATION	FEDERAL CONTACT INFORMATION
Office of Community Colleges and Workforce Development 255 Capitol Street NE Salem, OR 97310 Phone: (503) 947-2401 Email: ccwd.info@state.or.us Website: www.oregon.gov/highered	Bureau of Labor and Industries Civil Rights Division 800 NE Oregon St. Suite 1045 Portland, OR 97232 Phone: 971-673-0764 Email: crdemail@boli.state.or.us Website: www.oregon.gov/boli

Complaints and inquiries regarding disabilities, ADA

The ADA/504 Coordinator for PCC is María Méndez who can be reached by calling (971) 722-5851 or by email at adacoordinator@pcc.edu

The ADA Coordinator is responsible for working with employees and their supervisors regarding ADA compliance and accommodation requests. The ADA Coordinator facilitates and/or refers inquiries from the public regarding accommodation issues and chairs the ADA Committee whose role is to discuss, review and make recommendations on a broad range of accommodation and access issues affecting the district.

Disability Services: faculty and staff work with students and employees to determine reasonable accommodations and coordinate provision of services and can be contacted at disability.services@pcc.edu or by calling **(971) 722-4341**.

IMPORTANT CONTACT INFORMATION

DEPARTMENT OF PUBLIC SAFETY pcc.edu/public-safety/about-us/ Communication Center Hours Monday-Friday: 6:00 a.m. to 10:45 p.m. Saturday: 6:00 a.m. to 9:45 p.m. Sunday: 7:00 a.m. to 6:45 p.m.	For an emergency call 911 To report an emergency to DPS call 971-722-4444 To report an on-campus emergency using a PCC courtesy phone dial 4444 To report non-emergency events call 971-722-4902
LOCAL LAW ENFORCEMENT	In an emergency, call 911 To report non-emergencies, call: Portland Police 503-823-3333 Washington County 503-629-0111
EMERGENCY PREPAREDNESS AND RESPONSE pcc.edu/public-safety/emergencies/ ENVIRONMENTAL HEALTH & SAFETY – FACILITIES MANAGEMENT SERVICES pcc.edu/facilities-management/services/environmental-health-and-safety/	Phone: 971-722-4800 Call Public Safety at 971-722-4902 for urgent requests outside of normal business hours (Monday through Friday 8:00 a.m. – 5:00 p.m.)
COVID-19 HEALTH AND SAFETY PROGRAMS CORONAVIRUS (COVID-19) RESOURCES pcc.edu/coronavirus/preparing-for-a-return-to-pcc/	If you have been to a PCC campus or center and believe you may have COVID-19, please notify the COVID-19 Reporting Team at 971-722-1919 or covidreporting@pcc.edu For information on Covid-19 vaccinations visit Vaccine Clinics at PCC Coronavirus (COVID-19) resources at PCC
OFFICE OF EQUITY & INCLUSION AND TITLE IX https://www.pcc.edu/equity/ Downtown Center, Room 300	Phone: 971-722-4800 Call Public Safety at 971-722-4902 for urgent requests outside of normal business hours (Monday through Friday 8:00 a.m. – 5:00 p.m.)
STUDENT CONDUCT AND CARE https://www.pcc.edu/student-conduct/	Contact: conductandcare@pcc.edu
DISABILITY SERVICES Email: disability.services@pcc.edu	Phone: 971-722-4341
COUNSELING pcc.edu/counseling/	To make an appointment, call 971-722-8153

IMPORTANT CONTACT INFORMATION

CRISIS RESOURCES	If you are experiencing a mental health crisis, please contact the crisis line for the county in which you live: Clackamas County: 503-655-8585 Columbia County: 800-294-5211 Multnomah County: 503-988-4888 or 1-800-716-9769 Washington County: 503-291-9111 (se habla español) TDD: 1-800-735-2900 Yamhill County: 800-560-5535
OUTREACH & ADVOCACY pcc.edu/advocacy/	Caroline Bartlett Program Coordinator: Email: caroline.bartlett@pcc.edu Phone: 971-722-5633
WOMEN'S RESOURCE CENTER Email: wrc@pcc.edu pcc.edu/women/	Phone: 971-722-6051
QUEER RESOURCE CENTER https://www.pcc.edu/queer/	Hayley Hayes Response Lead: Email: advocacy@pcc.edu Work cell: 503-619-7041 (text ok)
MULTICULTURAL CENTER pcc.edu/multicultural/	pcc.edu/multicultural/
DREAMERS RESOURCE CENTER https://www.pcc.edu/dream/	Contact Luz for help while campuses are closed: luz.villarroel15@pcc.edu or 971-722-7986
OFFICE OF INTERNATIONAL STUDENTS https://www.pcc.edu/international-students/	Phone: 971-722-7150 Email: oiss-help@pcc.edu

2. INTRODUCTION TO PORTLAND COMMUNITY COLLEGE DISTRICT

Portland Community College (PCC) is the largest institution of higher learning in the state of Oregon, serving more than 1,918,394 college-age residents in a five-county, 1,500-square-mile area in Northwest Oregon. Portland Community College has a student population of 60,037 with an annual enrollment equivalency of 22,320.15 FTE college-wide.

PCC is committed to providing the safest and most secure learning environment possible for members of the campus community and visitors. Portland Community College's Public Safety Department (DPS) has been designated as the department responsible for compiling and publishing the Annual Security Report 2021. This document is intended to serve as the Annual Security Report 2021, as required by the Higher Education Opportunity Act and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. The purpose of this report is to provide information about security on campus and includes: campus and community crime statistics, policy disclosure statements, disciplinary referral data, arrest data, internal and external resources and brief overview of the many services the college provides. A map of all campuses in the District for which crime statistics are compiled can be found at: <https://www.pcc.edu/public-safety/crime-statistics-and-reports/clery-maps/>

3. PREPARATION OF THE ANNUAL SECURITY REPORT 2021

Portland Community College District (hereafter "PCC") publishes its Annual Security Report 2021 each year, on or before October 1st, in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. The Annual Security Report 2021 (hereafter "ASR") is prepared, published and disseminated by PCC's Department of Public Safety, in cooperation with several other offices within PCC. Please review the information in this report to become familiar with the programs and services provided by PCC so you may become involved as a responsible member of our community. Working together, the PCC campus community, DPS, and our local law enforcement partners will endeavor to keep our community safe.

PREPARATION OF THE ANNUAL DISCLOSURES OF CRIME STATISTICS

The Clery Specialist is responsible for requesting and collecting annual crime statistics from sources within PCC and from local, state and national law enforcement agencies. The internal sources of crime statistics are collected from records of crimes reported to and in the possession of PCC's Department of Public Safety, Safety and Risk Services, the Dean of Students Office, the Office of Equity and Inclusion and Title IX, Human Resources, Student Conduct and Students of Concern, the Women's Resource Center and other Campus Security Authorities.

At this time, PCC does not possess, own or control on-campus student housing locations and therefore does not collect or report crime, arrest or disciplinary referral data for this category of Clery geography pursuant to the requirements of the Clery Act. A variety of PCC campus partners contribute information related to the policy disclosure statements and institutional policies contained in this report. These campus partners include but are not limited to the Department of Public Safety, the Office of Equity and Inclusion and Title IX, Human Resources, Student Conduct, Student Affairs, Faculty Affairs, Emergency Management, COVID-19 Management, Counseling, and others. The Annual Security Report 2021 is assembled by the Clery Specialist and reviewed by PCC administrators, leadership in the Department of Public Safety and offices that provide information regarding policy disclosure statements.

DISSEMINATION OF THE ANNUAL SECURITY REPORT 2021

As required by the Clery Act, PCC provides a Notice of the Availability of the Annual Security Report 2021 with a direct link to the URL for the document, via email to all current students and employees on or before October 1st annually. The Annual Security Report 2021 is published on the Department of Public Safety website at: <https://www.pcc.edu/public-safety/crime-statistics-and-reports/>. Beginning in October 2021, PCC will provide prospective students with the Notice of the Availability of the Annual Security Report 2021 on admissions websites and prospective employees will be advised on PCC employment related websites and at the bottom of job announcements.

ENTRY OF THE ANNUAL DISCLOSURES ON THE U.S. DEPARTMENT OF EDUCATION SURVEY WEBSITE

The Clery Specialist is responsible for entering the annual statistical disclosures on the U.S. Department of Education survey website each year on or before October 1st.

HOW TO ACCESS THE ANNUAL SECURITY REPORT 2021

The Annual Security Report 2021 is available on the Department of Public Safety website at <https://www.pcc.edu/public-safety/crime-statistics-and-reports/>. The Annual Security Report 2021 is published as a PDF and can be viewed online and or printed using Adobe Acrobat Reader. A free, paper copy of the Annual Security Report 2021 can be requested through any of the following:

1. If you wish to obtain a print version, you may request one by email to publsafe@pcc.edu
2. By call 971-722-4902
3. Or by visiting a Campus Public Safety Office

4. THE DEPARTMENT OF PUBLIC SAFETY (DPS)

ABOUT THE DEPARTMENT OF PUBLIC SAFETY

Under the direction and leadership of the Director, the Department of Public Safety (DPS) provides campus safety and security services to the entire Portland Community College District. The Department is staffed with one Lieutenant, one Emergency Manager, one administrative assistant, four Sergeants, thirty-one full-time Public Safety Officers, one Communications (dispatch) Coordinator, six full-time Communications Officers (dispatchers), one part time Communications Officer (dispatcher), one Clery Compliance Specialist and one part time Clery Compliance Specialist. Additional part-time employees supplement and provide support to the department during the academic year.

The hours of operation for the Department are: Monday through Friday, seventeen (17) hours a day, Saturday sixteen (16) hours a day and on Sundays twelve (12) hours on Sunday. After-hours response for intrusion to PCC buildings, responding to fire alarms as well as monitoring of incoming telephone calls made from blue light phones outside of regular college business hours is provided by First Response Inc., an armed contracted security service provider.

MISSION STATEMENT

The mission of the Portland Community College Department of Public Safety is to promote a safe educational environment in partnership with the community by providing exceptional public safety services through professionalism and dependability.

Promoting a safe educational environment means maintaining a visible presence on campus properties, strengthening relationships with college staff, students and visitors to using incident data to recognize and respond to trends. It includes not only the acts of reporting, investigation and warnings, but also educating the community about their rights and responsibilities.

In partnership with the community means being a full and active partner with the college, surrounding neighborhoods and local public safety agencies, and assisting campus staff, students and visitors in a knowledgeable manner.

Providing exceptional public safety services means treating others the way you want to be treated.

Professionalism is the foundation of our department and it means conscientious, competent and ethical public safety service.

Dependability means that we maintain complete integrity, honesty and accountability and that we serve with dedication and effectiveness.

LAW ENFORCEMENT AUTHORITY

DPS Public Safety Officers have been granted powers of arrest by Oregon Revised Statute (ORS) 133.225. Portland Community College has granted DPS Public Safety Officers the authority and responsibility to enforce all college regulations and rules and applicable federal, state, city and county laws and ordinances on all properties owned and controlled by PCC.

DPS Public Safety Officers have been granted limited peace officer authority pertaining to traffic and parking enforcement by ORS 341.300. The officers do not carry firearms and their authority is limited to the geographical boundaries of PCC's properties (including land, structures, streets, roadways, parking facilities, and parking lots).

WORKING RELATIONSHIP WITH STATE AND LOCAL LAW ENFORCEMENT AGENCIES

The Department of Public Safety maintains a close working relationship with the Portland Police Bureau, Washington County Sheriff's Office, Oregon State Police and other local, state and federal law enforcement agencies. DPS maintains access to the database for the Oregon Department of Motor Vehicles (DMV), and the Regional Justice Information Network (RegJIN). Crime related reports and statistics are routinely exchanged through and entered into these data networks.

MEMORANDUM OF UNDERSTANDING

DPS does not currently have written memorandums of understanding with local law enforcement agencies relating to the investigation of criminal incidents. DPS has both the responsibility and authority to conduct initial investigations, to actively participate in criminal investigations for crimes that occur on Portland Community College's owned, leased or controlled property and to coordinate investigations in partnership with local, state and federal law enforcement agencies.

SECURITY OF AND ACCESS TO CAMPUS FACILITIES

Access To Campus

Portland Community College (PCC) is committed to providing a secure campus environment for the college community and provides well-lighted walkways and sidewalks between buildings and throughout our parking lots. Most, but not all campuses and centers are equipped with emergency call boxes, which are referred to as Blue Light phones, and are located in strategic locations in and around parking lots, courtyards, and other

high-density activity areas within PCC. The Blue Light phones are answered by Public Safety Dispatchers during normal business hours. After hours the Blue Light phones are answered by First Response Inc., an armed contracted security service provider that will notify local law enforcement agencies when campuses are closed.

Academic and administrative buildings are open to the public during normal operating hours and are secured after operating hours and during extended breaks and holidays. Staff and others with appropriate authorization may access facilities and buildings, either by using a physical key or an access control card. Campuses and locations that are equipped with security gates at entrances are secured and locked when the campus is closed. For information about the access protocol for a specific building, contact the Portland Community College Public Safety Department at 971-722-4902. Buildings are equipped with intrusion alarm systems that report intruders to a monitoring service that then calls either local police and/or PCC Public Safety for response. PCC uses a variety of electronic safety and security technologies to ensure a safe and secure environment for students, employees, and visitors.

Security measures such as lighting, landscape design and electronic security are considered and reviewed by the Department of Public Safety when facilities receive maintenance, repairs or renovations are made and especially in all new building construction. Access control, lighting, intrusion detection, CCTV and door hardware design standards have been developed for new and renovated buildings owned by PCC.

PCC uses video cameras (CCTV) to observe and provide security for campus buildings and parking lots. Video is recorded for future use. The CCTV system is not actively monitored, but is used as forensic tool to document crimes and as a tool to provide responding officers with real time information.

CAMPUS RESIDENCES

At the time of this publication, PCC does not own or control any on-campus or off campus residential housing.

ACCESS TO PCC DURING PANDEMIC AND COVID-19 INFORMATION

PCC encourages you to regularly visit the COVID-19 website for the latest information and requirements related to face coverings, health and safety, social distancing, vaccinations, and more. Face coverings will continue to be required while inside buildings; outside, face coverings are required when physical distancing is difficult to maintain. Frequent hand washing is also a must.

During sustained reopening operations, access to campuses and centers will be limited to official college business only and to faculty, staff, and students involved with in-person instruction. Individuals designated to be on campus to perform a critical function will also be allowed. The definition of "critical function" for sustained reopening may include, but is not limited to, public safety, other safety programs, general administrative services, construction, facilities management, and other activities critical to emergency response and resiliency efforts. In addition, critical functions may include faculty and staff that have direct student contact.

Public Safety monitors campus activity and conducts building and security checks for the college's campuses and centers. Public Safety numbers to note are Non-emergency — 971-722-4902; Emergency — 971-722 4444.

CAMPUS ACCESS PROCEDURES

PCC remains in mostly remote operations; avoiding trips to campus that are not essential is an element of our health and safety programs to protect students and staff working on campus. Please be patient, and apply creativity and innovation to how you accomplish your work remotely so that impact to our campuses and centers is minimized.

During our pandemic response, group meetings have been approved through an exceptions process.

Beginning this fall, managers have discretion to schedule small groups (up to 4 people) for in-person meetings when the meeting cannot be held remotely. These meetings are specific to employees and/or guests/vendors/affiliates. For qualifying meetings, managers should use the individual campus access system to track each employee and the vendor access system for non-employees. Groups of five (5) or more, or those including students, will continue to go through the activity exception process.

Faculty and staff who may need to come to campus for a specific purpose, but who are not teaching in-person classes or designated to perform a critical function, should continue to request access via the individual campus access system. You can also access this form from the MyPCC landing page on the "Employee" tab under "Support" within "Employee Tools."

Access requests for anyone other than faculty and staff teaching on-campus will remain 8 a.m. to 6 p.m., Monday through Friday only. Employees retrieving items are not allowed to work on site and should limit their time to 15 minutes. Individuals should arrive only for the time(s) and date(s) indicated on the reply. Public Safety has the right to deny anyone access who has not been approved by their supervisor to be on campus.

If approved, please bring your PCC ID badge with you, wear your face covering, and call PCC Dispatch (non-emergency) at 971-722-4902 upon arrival for access into the requested space. For those who have approved access to a PCC site other than the four main campuses (Cascade, Rock Creek, Southeast and Sylvania), please call Dispatch 30 minutes prior to your arrival.

For questions regarding instructional access for in-person classes, please contact covidquestions@pcc.edu.

TRAINING FOR PCC STAFF

All faculty and staff who will be on PCC properties fall term 2021 must complete new employee health and safety training created for fall's sustained reopening. The curriculum is located at MyCareer@PCC. To remain in compliance with Oregon OSHA, the entire curriculum (Steps 1-3) is required for ALL employees who will be on PCC property at any time during fall term 2021. This includes one-time access and ongoing access, for classes and/or operational services.

The training features three distinct steps:

Step One: A COVID-9 video - Coronavirus COVID-19 Prevention in the Workplace.

Step Two: A general presentation and resource guide for all employees—
[Sustained Reopening COVID-19 Safety Training](#).

Step Three: A curriculum specifically covering PCC's current COVID 19 Exposure Response Plan—
PCC's COVID-19 Exposure Response Plan.

Many employees have already viewed the COVID-19 video. Those who have watched the video are not required to do so again (their existing learning transcripts will reflect prior completion). Instead, managers will direct them to the second and third steps to complete their training. For employees who have not already viewed the video, managers will assign all three training components. Anticipate that the curriculum will take between 45 minutes, to an hour and 15 minutes to complete.

To ensure the safety of students, faculty, and staff, the following procedures address coming to PCC, public health requirements for being on PCC premises, resources available to you, safety measures, and more. This information is subject to change in keeping with the most current information and guidance available. For more information visit [COVID-19 health and safety programs | Coronavirus \(COVID-19\) resources at PCC](#).

If you have been to a PCC campus or center and believe you may have COVID-19, please notify the COVID-19 Reporting Team at 971-722-1919 or by email at covidreporting@pcc.edu.

Before arriving at PCC, you must review each of the following procedures:

PERFORM DAILY SELF CHECK

1. Only come to PCC if you are healthy. The [Center for Disease Control](#) recommends that PCC students, staff, and faculty conduct a self-check for COVID-19 symptoms before coming to a PCC location, including a daily temperature check.
2. Unvaccinated students, faculty, and staff should not come to campus if they or anyone in their household have recently had an illness with COVID-19 symptoms.
3. Students coming to campus for any reason must complete the daily self-check on MyPCC.

People with these symptoms may have COVID-19:

- Fever or chills
- Cough
- Shortness of breath or difficulty breathing
- Fatigue
- Muscle or body aches
- Headache
- New loss of taste or smell
- Sore throat
- Congestion or runny nose
- Nausea or vomiting
- Diarrhea

WEAR A FACE MASK

Face-coverings are required by all individuals across all PCC locations, inside and outside, even if you have been vaccinated.

1. Wash your hands before putting on your face covering.
2. Put it over your nose and mouth and secure it under your chin.
3. Try to fit it snugly against the sides of your face.
4. Make sure you can breathe easily.
5. Employees and students must have a face covering or mask in their possession at all times so that it may be put on immediately before entering PCC buildings and/or when close to other individuals. More information on how to select, wear, and clean face coverings is available from the CDC at [Your Guide to Masks | CDC](#).

PCC will provide face masks or face coverings to employees, students, and visitors who don't bring their own or forget to bring their own and will provide face shields when needed. Employees, students, and visitors may also provide their own face coverings, masks, and shields.

SOCIAL DISTANCING

Employees, students, and other members of the PCC community are encouraged to stay apart and not congregate to the greatest extent possible.

While at PCC face-to-face meetings, gatherings, events, and conferences should be conducted using remote means wherever practical. All necessary in-person activities must follow distancing and face covering practices.

WASH YOUR HANDS

Wash your hands with soap and water for at least 20 seconds or use a 60% or higher alcohol-based hand sanitizer before arriving at a PCC site, or more frequently if needed. Soap and water will be available in all restrooms, and hand sanitizer stations can be found in high-use areas such as entrances to buildings and classrooms, as feasible.

Respiratory etiquette is also very important. You should cover coughs and sneezes with an elbow, or a tissue, especially when not wearing a mask. Tissues should be disposed of and hands washed or sanitized immediately.

ACCOMMODATIONS

If an individual has a medical or disability-related reason for not being able to meet COVID-19 health and safety protocols and administrative procedures they should contact disability.services@pcc.edu and maria.mendez7@pcc.edu in Human Resources to request an accommodation before visiting a PCC facility. Individuals are highly encouraged to seek accommodations if necessary, before entering a PCC facility.

If an individual, in good faith, states that they are aware of the protocols and administrative procedures and meet the requirements for a disability-related accommodation, they should not have their access or participation in PCC's programs, activities, or services limited (or denied) based on not complying with COVID-19-related protocols and administrative procedures. Individuals who have previously been determined not to have a medical or disability-related reason for not complying with COVID-19-related protocols and administrative procedures must follow all applicable protocols and procedures.

PCC is required to permit remote instruction/telework or make other reasonable accommodations for students and employees who are at higher risk for severe illness from COVID-19. Each situation will be evaluated individually to determine how reasonable accommodation can be made, and whether it has to be in person or whether it could be done remotely.

COVID-19 SAFETY PROGRAMS, VACCINE CLINICS AND EXPOSURE RESPONSE PLAN

For more information visit [COVID-19 health and safety programs | Coronavirus \(COVID-19\) resources at PCC](#).
For information on vaccine clinics at PCC visit [Vaccine Clinics at PCC | Coronavirus \(COVID-19\) resources at PCC](#).
For more information on the COVID-19 Exposure Response Plan visit

https://www.pcc.edu/coronavirus/wp-content/uploads/sites/152/2021/02/COVID-19-ERP-9-1-21.docx_.pdf

COVID-19 OPERATIONAL PLAN AND TRAINING

For more information on PCC's COVID-19 Operational Plan please visit

[Portland Community College COVID-19 Health and Safety Operational Plan | Coronavirus \(COVID-19\) resources at PCC](#).

For information on PCC employees COVID-19 training visit

<https://www.pcc.edu/coronavirus/employee-covid-19-training/>

MONITORING AND RECORDING OF CRIMINAL ACTIVITY

The Department of Public Safety works in conjunction with the local law enforcement to monitor review and discuss criminal activity which occurs at PCC's on-campus locations. PCC also uses video surveillance cameras for its on-campus buildings and parking lots to capture activity that may be potentially involved in a crime. The surveillance cameras are not actively monitored but footage may be reviewed by DPS officers as part of their investigation of a crime.

MONITORING OF STUDENT ORGANIZATIONS AT OFF-CAMPUS LOCATIONS

DPS does not provide campus safety services to off-campus locations owned, managed, or otherwise controlled by student organizations at this time. Criminal activity occurring at off-campus locations would normally be reported to the local law enforcement agency with jurisdiction for the location.

MONITORING OF SOCIAL MEDIA

DPS does not monitor social media platforms associated with PCC or any students, faculty or staff at the time of this publication.

PROGRAMS ABOUT CAMPUS SECURITY PROCEDURES AND PRACTICES

The Department of Public Safety believes it is better to prevent crimes than to react after the fact. Crime prevention takes many forms for the college and is accomplished through proactive patrols of the campus properties by foot, bicycle or vehicle, the implementation and use of video surveillance systems, and information sharing with local law enforcement agencies. If you would like to speak with a campus public safety representative in regards to crime prevention, please contact your campus DPS office.

The Department of Public Safety offers an hour-long Active Threat Response presentation to groups of five or more people and is available to all staff and students. You may also view an abbreviated version of this presentation. Contact Scott Winegar for more information at **503-310-3330** or scott.winegar15@pcc.edu.

DPS offers recommendations and information on personal security and the security of others on its website regarding the following:

1. Credit Card Fraud/Identity Theft

Destroy expired credit cards. Limit the amount of confidential information you carry in your purse or wallet, such as passports, social security cards, and bank account numbers. Review your credit card and bank statements regularly to ensure there is no fraudulent activity. If you believe you have been a victim of identity theft, report the crime to police immediately.

2. Harassing or Threatening Phone Calls

Do not give your name, address or personal information on a voicemail message or in a conversation with unknown persons. Hang up immediately and document the number if you have caller ID. If calls continue, keep a log of the date/time received and anything that was said. Notify Public Safety or law enforcement if calls continue.

3. Harassing or Threatening Emails/Direct Messages

Report harassing/threatening emails or direct messages received on campus to Public Safety. Save these messages so that they can be reviewed by Public Safety or Law Enforcement.

4. Laptop Computers

Avoid leaving your computer unattended in any public space for any amount of time. Always secure your laptop in a locked place when not in use.

5. Office Security

Keep your valuable and personal property secured. Help protect your property and the property of others by being alert to unfamiliar persons in your area. Report suspicious persons or activities immediately to Public Safety.

6. Parking Lot Safety

Be aware of your surroundings. Watch for suspicious persons or activities as you are walking to your vehicle. Have your keys in hand so that you don't have to search for them when you reach your vehicle. Try to park in well-lit areas.

7. Suspicious Persons/Activity

Be alert to your surroundings and report any suspicious persons or activity to Public Safety.

8. Bicycle Security

Always lock your bike to a fixed immovable object, such as a bicycle rack. Park it in a visible and well-lit area. Make sure you keep record of make, model, and serial number of your bicycle. Use a high quality bike lock, such as a U lock. Avoid leaving your bicycle locked overnight.

COURTESY SERVICES PROVIDED BY DPS

As a courtesy to our students, staff, and members of the academic community, the Department of Public Safety provides a number of helpful services on campus including, but not limited to:

Safety Escorts

Public safety officers are available to provide escorts to students and staff from campus buildings and to their personal vehicles located on campus. The use of this service is especially encouraged after daylight hours.

Battery Jumps

College public safety vehicles are equipped with a battery jump kit in order to assist individuals parked on campus whose vehicle may need a battery jump.

Vehicle Lock Outs

Public safety officers have special equipment and training to assist individuals who have locked their keys

in their vehicles. Persons requesting this service must be parked on campus property and must provide proof of ownership (vehicle registration) and driver's license.

Room Unlocks

Officers assist authorized persons with unlocks to classrooms and offices. Students can be authorized to enter without an instructor present if they have previous written permission from that instructor or if they have left property in a classroom. Written permission can be in the form of an interoffice memo or an email sent to publsafe@pcc.edu.

To request a courtesy service, call the non-emergency Public Safety phone number: **971-722-4902**.

THE DAILY CRIME LOG

The Department of Public Safety publishes its Daily Crime Log (DCL) online at <https://www.pcc.edu/public-safety/crime-statistics-and-reports/>.

The DCL contains the information entered by DPS dispatchers into its dispatch system following receipt of a call to DPS for service, and includes: the crime classification, DPS case number, date of report, date and time of occurrence, general location and disposition.

The crime statistics contained in PCC's Annual Security Report 2021 are different from the reports reflected in the Daily Crime Log in that the Annual Security Report 2021 reflects crime statistics for only Clery Act reportable crimes that occurred on defined Clery geography locations. The Daily Crime Log reflects all incidents, which occurred both on and off campus, that are reported to DPS within the 60-day period immediately preceding the date on which the DCL is published. The Daily Crime Log is updated by DPS personnel each business day with information concerning reports of crime made to DPS. Reports received on weekends and holidays are recorded in the log on the next business day. Entries made on the log within the last sixty days are updated as new information becomes available. Portions of the Daily Crime Log older than 60 days will be made available to the public within two business days after receipt of a written request. To request a copy of the DCL older than 60 days, please submit your request via email to martha.walters@pcc.edu.

EMERGENCY BLUE LIGHT TELEPHONES

As previously mentioned in the Security of and Access to Campus Facilities section, most but not all campuses and centers are equipped with emergency call boxes, which are referred to as Blue Light phones. The phones are located in strategic locations in and around parking lots, courtyards, and other high-density activity areas within PCC. The Blue Light phones are answered by Public Safety Dispatchers during normal business hours. After hours the Blue Light phones are answered by First Response Inc., an armed contracted security service provider that will notify local law enforcement agencies when campuses are closed. Maps of the Blue Light phones can be located on the DPS website online at [How to Report | Public Safety at PCC](#) under the tab How to Report.

5. REPORTING OF CRIME AND OTHER EMERGENCIES AND INCIDENTS

ACCURATE AND PROMPT REPORTING OF CRIME TO CAMPUS POLICE AND LAW ENFORCEMENT

Promptly reporting a crime to either campus safety or law enforcement is essential to the apprehension and arrest of criminals.

The odds of DPS or law enforcement making an arrest decreases quickly with the passage of time. If you are the victim of a crime, or a witness to a crime, immediately go to a safe place and then call DPS if the incident occurred on-campus. Call 911 if the incident occurred off-campus. Stay on the line with the dispatcher in either case and tell them everything you can remember about the suspect. For example, please provide a description of the suspect's clothing, physical appearance including height, weight, and hair color, distinguishing marks such as scars or tattoos. If a vehicle was involved make note of the color of the vehicle, the make and model and the license plate number. Be as specific as possible about the location of the incident by noting the address where the incident occurred and or the names of businesses nearby. Note the direction of travel that the suspect took when he/she left the scene and anything else that may be helpful to DPS or police in their efforts to apprehend the suspect. Reporting crimes to DPS or law enforcement decreases the likelihood that the crime will happen again and assists DPS to timely respond to incidents of crime and keep our campuses safe.

In an emergency call 911

To report an on-campus emergency to DPS call 971-722-4444

To report an on-campus emergency using a PCC courtesy phone dial 4444

For non-emergency events call 971-722-4902

Add the above emergency and non-emergency numbers for DPS to your phone's contacts list.

REPORTING CRIMINAL ACTIVITY OR EMERGENCIES ON-CAMPUS

DPS recommends that students and staff promptly and accurately report crime, suspicious activity, fire or medical emergencies by calling extension 4444 from a PCC phone while on campus or 971-722-4444 using a mobile phone. Students and staff can also request non-emergency assistance from DPS personnel by calling extension 4902 using a PCC phone while on campus or by calling 971-722-4902 from a mobile phone. Courtesy phones are located in most classrooms and in most common areas in campus buildings.

Blue Light emergency phones are a quick and convenient method by which to report crime or to get in contact with DPS. Blue Light phones are located strategically on most campuses and in parking lots for quick access to contact the department. During the hours when campuses and centers are not staffed with Public Safety Officers or Dispatchers, Blue Light phones are answered by First Response, a contracted security service provider that refers the caller to the appropriate resource such as local first responders. Maps of the Blue Light phones can be located on the DPS website online at [How to Report | Public Safety at PCC](#) under the tab How to Report.

DPS' RESPONSE TO REPORTS OF CRIME

Portland Community College's Public Safety Communications Center operates seven days a week during the hours our campuses are open for business. The centralized Communication Center is located at the Sylvania Campus in the Campus Services Building (CSB) and provides emergency communications for all PCC Campuses.

DPS communications officers (dispatchers) receive the same level of training that Public Safety and Fire agency dispatchers do through Oregon DPSST. Upon receipt of a call for service, dispatchers are trained to assess

the response priority for reported incidents, collect necessary information, dispatch on-campus public safety resources as well as request local public safety emergency responders when their assistance is required for an incident or emergency occurring on campus.

Communications officers answer general public safety questions and dispatch public safety officers in response to a variety of public safety related calls.

Public Safety Dispatchers have access to several technologies and resources for contacting local law enforcement and other first responders. PCC Public Safety has four radio channels in their talk group that are part of the City of Portland's regional 800 MHz trunked radio system, providing full radio communications interoperability. This allows Public Safety Officers and Dispatchers the ability to monitor local first responder radio frequencies, and in an emergency the ability to talk directly with outside agency resources. Dispatchers also have the ability to monitor the Portland Police Bureau's Computer Automated Dispatch System (CAD) for incidents occurring near campus. In addition, dispatchers have access to the District-wide On Campus Alert and Notification System that provides the ability to immediately notify any or all PCC Buildings and outdoor areas in the event of an emergency that requires immediate notification, such as an armed threat or active shooter.

VOLUNTARY AND CONFIDENTIAL REPORT OF CRIME

An individual who wants to report a crime other than to campus safety or law enforcement may do so by speaking with professionals who have legally protected confidentiality. On campus, confidential reports may be made to confidential employees who include the Counseling Department, DREAMers Resource Center, Multicultural Centers, Queer Resource Centers, Veterans Resource Centers, and Women's Resource Centers. Information shared with these resources will remain confidential and will not be shared with PCC, or anyone else without express, written permission of the individual seeking services unless required by law or court order.

Reporting parties seeking assistance without the expectation of a formal response from the College have the following confidential reporting options:

COLLEGE COUNSELORS (FOR STUDENTS)

PCC has professional, licensed counselors (including those who act in this role under the supervision of a licensed counselor) who provide mental health counseling to PCC students and who are not required to report information about an incident to the Title IX Coordinator without the reporting party's permission. This privileged communication only applies when counselors are supporting students in a personal counseling role, as opposed to serving as faculty or fulfilling other roles of their job.

Counseling Centers are located at each PCC Campus: <http://www.pcc.edu/resources/counseling/>

- Cascade SSB 124, **971-722-5271**
- Rock Creek Bldg. 9 Rm. 117E, **971-722-7300**
- Southeast SCOMM 116, **971-722-6240**
- Sylvania CC 210, **971-722-8153**

COLLEGE ADVOCATES (FOR STUDENTS)

PCC's Women's Resource Centers is staffed with individuals who work or volunteer as advocates for the prevention and response to sexual violence and harassment. Students can generally seek assistance and support from these centers without triggering a institutional investigation that could reveal the complainant's identity or disclosure of the incident.

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While maintaining the complainant's confidentiality, the Women's Resource Centers should report the nature, date, time, and general location of a reported incident to the Title IX Coordinator. This limited report – which includes no information that would directly or indirectly identify the reporting party – helps keep the Title IX Coordinator informed of the extent and nature of sexual misconduct, on and off campus in order to track patterns, evaluate scope of problems, and identify appropriate College responses. The information contained in this limited report will be provided to the Clery Specialist and Coordinator for evaluation and possible inclusion in the annual crime statistical disclosures.

Women's Resource Centers are located at the Cascade, Rock Creek, Southeast and Sylvania Campuses. Information for the Women's Resource Centers can be found at: <https://www.pcc.edu/resources/women/>

- Cascade SUB 301, **971-722-5249**
- Rock Creek Bldg. 7, Rm. 119, **971-722-7432**
- Southeast Mt. Tabor, Room 148, **971-722-6055**
- Sylvania CC 232, **971-722-8101**

OUTREACH & ADVOCACY PROJECT

To quickly get in touch with a confidential advocate for direct support and resources, contact:

Hayley Hayes (she/her), Response Lead:

Regular hours: Monday – Friday, 8:00am – 4:30pm

Email: advocacy@pcc.edu | Work cell: 503-619-7041 (text ok)

Response time: same day or within 1 business day.

For program questions and training inquiries for staff and faculty, contact:

Caroline Bartlett (she/her), Program Coordinator:

Email: caroline.bartlett@pcc.edu | Phone: 971-722-5633

LIMITATIONS AND EXCEPTIONS TO CONFIDENTIALITY

Individuals who speak to a counselor or advocate (on or off campus) must understand that, if they want to maintain confidentiality, PCC will be unable to conduct an investigation or pursue disciplinary action against the alleged perpetrator. Limits to confidentiality for counselors are as follows:

- If PCC determines the Respondent may pose a serious and immediate threat to the PCC community, the Department of Public Safety may be called upon to issue a "timely warning" to the community. Any such warning will not include any information that identifies the Reporting Party.
- All PCC employees are required by Oregon law (HB4016) to report suspected cases of abuse against unmarried persons under the age of 18 to the Oregon Department of Human Services.

VOLUNTARY REPORTING OF AN INCIDENT AT PCC

At PCC, we take care of each other. We keep each other healthy, protected, and free from self-harm.

If you are you worried about a student, or you saw something happen that was questionable, if you are experiencing discrimination in the workplace, please report it. For more information and to report visit [Report an Incident at PCC](#).

Information on the definitions of the crimes of sexual assault, domestic violence, intimate partner violence and stalking for the State of Oregon can be located in Appendix A.

The definitions of consent and bystander intervention can located in Appendices B and C.

ETHICSPPOINT

Portland Community College (PCC) has selected EthicsPoint, Inc. to provide you with simple, risk-free ways to anonymously and confidentially report criminal, unethical, or wasteful financial activities. You may file a report to PCC on this web site or by calling 1-888-219-3658. EthicsPoint is not an emergency or 911 type service for the reporting of crime.

All reports submitted through EthicsPoint will be given careful attention by PCC. Any person, including students, faculty, staff, suppliers, contractors, and members of the public at large, may submit a good faith report regarding ethical matters at PCC without fear of retaliation of any kind. To make a report visit <https://secure.ethicspoint.com/domain/media/en/gui/6857/index.html>

MANDATORY REPORTING OF CRIME

Mandatory Child Abuse Reporting

All Oregon community college employees are considered mandatory child abuse reporters. This means all PCC employees are required to report suspected cases of child abuse under Oregon law. The duty to report suspected child abuse cases as a mandatory reporter is a 24-hour-a-day, 7 day-a-week responsibility. This legal duty is personal to you as a community college employee and applies whether or not you are on work time. Your responsibilities are as follows:

- 1.** You must immediately report suspected abuse to Department of Human Services (DHS) or local law enforcement, providing only names and observable facts that relate to the potential abuse (what you read, saw, or heard). If an employee or student is involved, remember that privacy rights may apply to individuals and that requests from DHS or law enforcement for additional information must be made through appropriate college channels [Public Safety](#), the [Registrar](#) or [Human Resources](#).
- 2.** To report suspected abuse, use a dedicated child abuse county hotline (see chart below) or contact the Department of Human Services at **1-855-503-SAFE (7233)**.
- 3.** If DHS or local law enforcement contacts you for any information about a student or employee, beyond observable facts related to the reported abuse, instruct them to contact either, [Public Safety](#), the [Registrar](#) or [Human Resources](#). Do not provide any additional information about the student or employee beyond what you have observed; this restriction only specifically applies to PCC employees or students (FERPA).
- 4.** If you believe child abuse occurred on PCC property or in conjunction with PCC activities, AFTER reporting to local law enforcement or the Department of Human Services, you must also report to PCC [Public Safety](#).
- 5. Report Title IX incidents:** Title IX mandatory reporting requirements are different. If the observed abuse also implicates Title IX, you must submit a report to the Title IX Coordinator through the college's [Incident Reporting process](#). PCC is charged with investigating all reported gender-based and sexual misconduct concerns, offering support to the people involved and implementing measures to maximize safety.

DEDICATED CHILD ABUSE HOTLINES

County	Hotlines (local and toll free)	Hours available	After hours
Multnomah	503-731-3100 local 1-800-509-5439 toll free	24/7	Calls are forwarded to Children's Receiving Center Friday and Saturday nights
Washington	503-681-6917 local 1-800-275-8952 toll free	Mon–Fri 8am–5pm	Calls are forwarded to Multnomah County hotline
Yamhill	503-378-6704 local 1-800-854-3508 toll free	Mon–Fri 8am–5pm	911
Columbia	1-877-302-0077 toll free	Mon–Fri 8am–5pm	911
Clackamas	971-673-7112 local 1-800-628-7876 toll free	Mon–Fri 8am–5pm	Calls are forwarded to Multnomah County hotline

For more information view the questions and answers section and visit [Mandatory Child Abuse Reporting | Human Resources at PCC](#).

6. TIMELY WARNINGS, EMERGENCY NOTIFICATIONS AND ADVISORIES

TYPES OF ALERTS

The Clery Act requires educational institutions to issue a **"timely warning"** to the campus community for a Clery Act crime that is reported to a Campus Security Authorities (or to local law enforcement authorities where local law enforcement informs DPS of the incident) and it occurs within the institution's Clery geography and is deemed to represent a serious or continuing threat to the campus community.

The Clery Act also requires institutions to immediately issue an **"emergency notification"** to the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus.

Advisories are discretionary notifications issued for the purpose of disseminating information to the campus community about crimes, incidents or safety hazards that could potentially impact members of the campus community.

HOW THE DEPARTMENT OF PUBLIC SAFETY ISSUES ALERTS

Timely Warnings/Crime Alerts will be provided to the campus community when a reported crime, either on campus or off, that, in the judgment of the Director of Public Safety or his designee, on a case by case basis, constitutes an ongoing or continuing serious threat to the college community. The alerts will not contain the victim's name and any other personally identifying information. Information contain in the alert will advise community members on the best course of action for the particular crime.

Timely Warnings/Crime Alerts are generally written and reviewed by the Director of Public Safety or his designee when a potentially dangerous threat to the college community arises. Timely Warnings/Crime Alerts may be issued through e-mail announcements, posting on the Public Safety website, the posting of flyers at local campuses, providing on-campus alerts and voice announcements, or other means as appropriate. DPS will provide updates for alerts provided and will normally utilize the same methods used in distributing the original Timely Warning/Crime Alert.

SIGN UP TO RECEIVE ALERTS

Sign up for PCC Alerts to receive text message alerts that will be sent straight to your phone. Log into MyPCC and click the "Sign up for PCC Alerts" link in the MyPCC Home tab's Quick Links channel.

CLERY ACT TIMELY WARNINGS/CRIME ALERTS

DPS will distribute Timely Warnings/Crime Alerts when a serious or continuing threat to the safety and security of persons on campus for the following Clery Act crimes:

- Aggravated assault
- Arson
- Burglary
- Manslaughter by negligence
- Motor vehicle theft
- Murder/Non-negligent manslaughter
- Robbery
- Sex offenses (Rape, fondling, statutory rape and incest)
- Domestic violence
- Dating violence
- Stalking
- Violations of state laws concerning liquor, drug and weapons
- Any criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Bias categories include: race, gender, gender identity, religion, disability, sexual orientation, ethnicity or national origin.

MISSING PERSONS

PCC does not have residence halls or on campus housing at the time of this publication and is therefore not required to publish or have a policy on missing persons. DPS will however, collaborate with local law enforcement agencies should a student or employee be reported or considered to be a missing person.

CRIMES THAT MAY REQUIRE TIMELY WARNINGS

In the event that you are the victim of or witness to a crime that may require a timely warning alert because there is an immediate or ongoing threat to the safety of the campus community, you should immediately report the crime to the Department of Public Safety by calling 971-722-4444. Do not wait, contact DPS immediately.

Please remember:

If you are in immediate danger call 911

To report an on-campus emergency to DPS call 971-722-4444

To report an on-campus emergency using a PCC courtesy phone dial 4444

For non-emergency events call 971-722-4902

CRIMES INCLUDED IN THE ANNUAL STATISTICAL DISCLOSURES NOT REPORTED TO CAMPUS SAFETY OR LAW ENFORCEMENT

If a reporting party decides not to report a crime to campus safety or law enforcement, the crime can still be included in the annual crime statistical disclosures reflected in the Annual Security Report 2021. The crime reported must be a Clery crime, it must have been committed on a PCC owned or controlled location and it must be reported to a Campus Security Authority (CSA). If the crime meets all three of the aforementioned criteria (Clery crime, PCC owned and controlled location and reported to a Campus Security Authority), it will be recorded in the calendar year in which it was reported to the Campus Security Authority.

The following is a list of individuals and offices where students and employees can report criminal offenses (other than law enforcement) so the offense can be included in the annual statistical disclosures:

1. The Clery Specialist: Dr. Martha Walters via email: martha.walters@pcc.edu or by calling **971-200-9447**
2. Office of Equity & Inclusion and Title IX: Tricia Brand via email: equity.inclusion@pcc.edu or by calling **(971) 722-5840**
3. Student Care and Conduct: Charisse Loughery via email: conductandcare@pcc.edu
4. Outreach & Advocacy: Caroline Bartlett via email: roline.bartlett@pcc.edu or by calling **971-722-5633**
5. Human Resources: Cheryl Belt via email: cbelt@pcc.edu
6. Emergency Management: Brooke Loyd via email: brookeloyd@pcc.edu
7. Facilities Management: Brad Ortman via email: brad.ortman@pcc.edu
8. Athletics: Brad Barbarick via email: brad.barbarick@pcc.edu
9. Any other individual at PCC that is a designated Campus Security Authority.

7. EMERGENCY NOTIFICATIONS, SYSTEMS, PREPAREDNESS AND EVACUATIONS

The Department of Public Safety will immediately notify the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, faculty or staff occurring on campus. In accordance with the Higher Education Act of 1965 as amended, Portland Community College has developed a comprehensive multi-channel emergency notification system and procedures to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, staff or visitors occurring on the campus. DPS may place a hold on issuing the notification if, in the professional judgment of responsible authorities, issuing it would compromise efforts to assist victims, or contain, responds to or otherwise mitigate the emergency.

DPS uses a variety of methods, including but not limited to: email notices and text messages through PCC Alerts, phone, cellular phone, website notices and the On-Campus Emergency Alert and Notification System (OCEANS) which is designed to broadcast an alert tone and hazard specific voice message(s) using speaker/strobe devices located inside all campus buildings and or voice messages to the outside areas of campuses using high powered speaker arrays (HPSA). In situations where there is an armed subject(s) or other threat on or near a campus that requires all campus buildings to be locked down, the system will broadcast a unique alert tone indicating those inside buildings should "lock down and secure in place" and provide instructions regarding what is happening, followed by recommendations as to what protective actions they should take.

Updates can also be provided as appropriate, either by prepared message scripts or live voice messages. An "All Clear" message will be broadcast when it is safe to resume normal activity. This system is integrated within the Building Fire System and is used to evacuate buildings when the Fire Alarm is activated. The Fire Alarm broadcasts an industry standard "temporal three" alert tone followed by audible message instructing occupants to exit the building until deemed safe to reenter by Public Safety or the Fire Department.

The system is tested daily for network connectivity between all campuses. Evacuation and "lock down" drills are conducted in all campus buildings and outside areas at least once annually. See Appendix A for a summary of evacuation drills and exercises conducted this year.

Since PCC is a large multi-campus district it is important to understand that no single approach has the ability to reach 100% of the staff, faculty and student population. To optimize the efficiency and effectiveness of our emergency notification efforts, PCC maintains a multi-modal approach to all hazards emergency alert and notification. Because PCC uses several methods or communication channels to inform staff, students and the community, the appropriate communication channel(s) will be determined by the incident timelines, type of incident, scope of the incident and populations affected.

The following PCC officials have been identified as having authority to authorize and/or issue Emergency Notifications depending upon the situation and availability: District Vice President, Vice President for Administrative Services, Vice President for Academic Affairs, Chief Information Officer, Associate Vice President for Finance, Associate Vice President for College Advancement, Director of Facilities Management Services (FMS), Manager of Public Relations, the Director of Public Safety and Public Safety Officers and Public Safety Communication Officers. DPS is primarily responsible for confirming there is a significant emergency or dangerous situation on campus that could cause an immediate threat to the health and safety of the members of the campus community.

However, there are other departments on campus that could be in a position to confirm certain types of emergencies, such as a pandemic flu outbreak.

EMERGENCY PREPAREDNESS

Plans & Procedures

In an effort to provide a safe and secure campus environment, PCC has established the following district-wide plans: an Emergency Operations Plan, a Business Continuity Plan, a Crisis Prevention and Management Plan, and a Pandemic Plan. In terms of scope, the district-wide Emergency Operation Plan (EOP) is the most extensive plan; it not only accounts for the multiple PCC Campuses, Centers, and distance learning facilities, it also contains several appendixes regarding Standard Operating Procedures (SOPs) and Incident Action Plans (IAPs).

For more information on PCC's Emergency Operations Plan visit https://www.pcc.edu/public-safety/wp-content/uploads/sites/14/2020/11/Signed-LOP-21-075-Ex-A-EOP_PortlandCC_2020.pdf

Training & Exercises

In an effort to strengthen emergency planning and preparedness capabilities, PCC conducts exercises at least twice a year. These exercises are developed in accordance with the National Preparedness Goal, the National Preparedness System, the National Exercise Program (NEP), and the Homeland Security Exercise and Evaluation Program (HSEEP).

Strategic Implementation Of Standards And Regulations

To comply with various standards and regulations, PCC actively engages in the following activities:

- Performing Threat and Hazard Identification and Risk Assessments (THIRA).
- Developing plans that support all threats and hazards.
- Administering and attending comprehensive training and exercises.
- Incorporating the National Incident Management System (NIMS), the Incident Command System (ICS), and the National Response Plan (NRP) into various plans and standard operating procedures (SOPs).
- Building and sustaining core capabilities.

Exercise Design & Core Capabilities

Perhaps best stated by the Oregon Office of Emergency Management, "A well-designed exercise provides a low-risk environment to test capabilities, familiarize personnel with roles and responsibilities, and foster meaningful interaction and communication across organizations."

Exercises conducted at PCC are designed to test and validate various plans and capabilities in a safe and supportive environment. Additionally, PCC exercises adherence to the methodology incorporated in both the NEP and HSEEP by identifying capability gaps and achievable corrective actions.

Listed below are the phases in which these objectives are achieved:

- **Design & Development Phase:** This process focuses on identifying objectives, designing the scenario, creating documentation, coordinating logistics, planning exercises, and selecting an evaluation and improvement methodology.
- **Conduct Phase:** After the Design and Development steps are complete, the exercise takes place. Depending on the exercise type (discussion-based vs operational based), additional steps are taken to actually oversee the exercise. These steps include: setup, briefings, facilitation, control, evaluation, and wrap-up activities.
- **Analysis Phase:** This phase involves analyzing the documented strengths and weaknesses observed by participants and evaluators during the exercise. The evaluation phase for all exercises includes a formal exercise evaluation, integrated analysis, and an AAR/Improvement Plan that identifies action items to be tracked throughout the subsequent improvement planning phase.
- **Improvement Planning Phase:** During the Improvement Planning phase, the action items identified in the Evaluation phase are assigned to the appropriate parties with a timeline to track the when corrective actions are implemented so they can be validated during subsequent exercises.

Listed below are some of the many capabilities tested via trainings and exercises conducted at PCC:

- **Operable Communication**

Ensure the capacity for timely communications in support of security, situational awareness, and operations by any and all means available, among and between affected communities in the impact area and all response forces. This capability aligns with the following mission area: Response.

- **Public Information & Warning**

Deliver coordinated, prompt, reliable, and actionable information to the whole community through the use of clear, consistent, accessible, and culturally and linguistically appropriate methods to effectively relay information regarding any threat or hazard, as well as the actions being taken and the assistance being made available, as appropriate. This capability aligns with the following mission areas: Prevention, Protection, Mitigation, Response, and Recovery.

- **Operable Coordination**

Establish and maintain a unified and coordinated operational structure and process that appropriately integrates all critical stakeholders and supports the execution of core capabilities. This capability aligns with the following mission areas: Prevention, Protection, Mitigation, Response, and Recovery.

- **Intelligence and Information Sharing**

Provide timely, accurate, and actionable information resulting from the planning, direction, collection, exploitation, processing, analysis, production, dissemination, evaluation, and feedback of available information concerning physical and cyber threats to the United States, its people, property, or interests; the development, proliferation, or use of weapons of mass destruction (WMDs); or any other matter bearing on U.S. national or homeland security by local, state, tribal, territorial, federal, and other stakeholders. Information sharing is the ability to exchange intelligence, information, data, or knowledge among government or private sector entities, as appropriate. This capability aligns with the following mission areas: Prevention & Protection.

- **On-scene Security, Protection, and Law Enforcement**

Ensure a safe and secure environment through law enforcement and related security and protection operations for people and communities located within affected areas and also for response personnel engaged in lifesaving and life-sustaining operations. This capability aligns with the following mission area: Response.

- **Situational Assessment**

Provide all decision makers with decision-relevant information regarding the nature and extent of the hazard, any cascading effects, and the status of the response. This capability correlates with the following mission area: **Response**.

PARTNERSHIPS

Finally, PCC collaborates with many partners and stakeholders including, but not limited to, the following: the Portland Police Bureau, Portland Fire & Rescue, Portland Bureau of Emergency Management, Multnomah County Health Department, Multnomah County Office of Emergency Management, the Oregon Office of Emergency Management among others.

EMERGENCY EVACUATION PROCEDURES

Each PCC owned building is required to conduct fire drills in compliance with the Oregon fire code. Thus, the emergency response and evacuation procedures are tested at least twice each year and for some buildings four times a year. PCC uses trained Building Coordinators and Floor Monitors to assist DPS in conducting drills and actual evacuations. The purpose of these drills is to provide all staff, students, and visitors with the opportunity to practice in the event there is ever a real fire or other evacuation emergency. These evacuation drills prepare building occupants for an organized evacuation in case of a fire or other emergencies. Evacuation drills are used as a way to educate and train occupants on fire safety issues specific to their building. During the drill, occupants familiarize themselves with procedures, the location of exit routes, and the sound of the fire alarm.

Alarms and other components of the fire safety system are also checked to see that they are working properly. The fire drills are generally held within the first ten (10) days of the term, both in the daytime and in the evening. Following the drill, PCC employees, Building Coordinators, and Floor Monitors provide feedback that is then captured in an After Action Report (AAR) so that improvements can be implemented and tracked over time. You can review what a fire system tone and message sounds like by going to the PCC Public Safety website at: <https://www.pcc.edu/public-safety/safety-alerts-and-timely-warnings>.

8. REGISTERED SEX OFFENDER INFORMATION

ADAM WALSH CHILD PROTECTION SAFETY ACT OF 2006

In accordance with the Campus Sex Crimes Prevention Act of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act, and the Family Educational Rights and Privacy Act of 1974, PCC provides a link to Oregon's State Sex Offender Registry: <https://sexoffenders.oregon.gov/ConditionsOfUse>. Additional information on contacting Oregon State Police for sex offender information is listed below.

All sex offenders are required to register in the state of Oregon and to provide notice of each institution of higher education in Oregon at which the person is employed, carries out a vocation, or is a student. All sex offenders residing in the state of Oregon are required to deliver written notice of their status as a sex offender to the college or university's campus police or Department of Public Safety no later than three (3) business days prior to their enrollment in, employment with, volunteering at, or residence in said college or university.

How to Obtain Sex Offender Information from the Oregon State Police:

Oregon State Police will provide, upon request, a list (which is updated monthly) of sex offenders enrolled at, or employed at an institution of higher education. This list can be obtained by calling the Sex Offender Unit at 503-378-3725. A list of offenders, both on and off supervision, including those posted to the public website and those who are not, can be obtained by calling the Oregon State Police at **503-378-3725** Extension **44429** or by e-mailing a request to Sexoffender.Questions@state.or.us. Most requests are processed within 1 week, however, circumstances during the pandemic may require a longer response time.

To look up information on predatory sex offenders by name and location visit <http://sexoffenders.oregon.gov/>.

For information on the sex offender registration program: <http://www.oregon.gov/OSP/SOR/Pages/index.aspx>

Further questions may be directed to the Oregon State Police Sex Offender Unit:

Oregon State Police Sex Offender Registration Unit
3565 Trelstad Avenue SE
Salem, OR 97317
Phone - 503- 934-1258
Email - sexoffender.questions@osp.oregon.gov

9. ALCOHOL, DRUGS AND WEAPONS

PCC ALCOHOL POLICY

The PCC Alcohol and Drug Policy prohibit the use of, or being under the influence of alcoholic beverage on any property owned or controlled by the college. Any person drinking, or under the influence of alcohol on college property will be escorted off the property by a DPS officer and may face disciplinary action including exclusion from all PCC campuses.

PCC has an Alcohol and Controlled Substances Policy for employees that can be found at: <http://www.pcc.edu/about/administration/board/policies/b304.html>

PCC POLICY ON CONTROLLED SUBSTANCES

The College strictly prohibits the illegal use or possession of any controlled substance while on campus. The illegal use of controlled substances is incompatible with the goals of an academic community.

Students found guilty of possessing, using, distributing, or selling controlled substances will face serious disciplinary action that may include suspension and/or expulsion from PCC. Violations of state law should be reported to the Public Safety Department which will take appropriate enforcement actions, including referral to local law enforcement agencies.

PCC policy also prohibits the use, possession, sales or distribution of any illegal substance or drug on any property owned or controlled by the college. Any individual found to be using, possessing, selling or distributing such illegal substances may be subject to being escorted off campus by a Public Safety Officer, college disciplinary action and/or arrest in accordance with Oregon State or Federal laws.

PCC POLICY ON MARIJUANA

On July 1, 2015, Oregon state law decriminalized the limited recreational possession and use of marijuana. State law still prohibits the use of marijuana on public properties and on schools predominately inhabited by minors. While PCC is private property, we are a premise open to the public, therefore marijuana use is still a crime at the state level on PCC properties. Despite this change at the state level, there will not be changes in policy for PCC. Using or possessing marijuana in any form remains a crime under federal law as well. At the federal level, the Controlled Substances Act states that the growing and use of marijuana is a crime and federal enforcement agencies can prosecute users and growers of marijuana, regardless of state law. In addition to being a federal offense, the use of marijuana in the workplace and on campus is restricted by additional federal laws, such as the Federal Safe and Drug Free Schools and Communities Act and the Drug-Free Workplace Act.

PCC's receipt of federal funds, including funding for student financial assistance and federal grants requires that PCC continue to prohibit the use and possession of marijuana and other illegal drugs, as defined by federal law on all College properties or as part of College activities. These federal laws require PCC to prohibit the use and possession of marijuana on campus, irrespective of state law.

Consequently, such activity will remain prohibited by PCC policy and the PCC Student Conduct Code. Disciplinary sanctions may be imposed on any student or employee found to be in violation of the policies related to marijuana.

STUDENT CODE OF CONDUCT POLICY REGARDING ALCOHOL, DRUGS AND MARIJUANA

PCC is committed to the educational success of its students and is dedicated to the advancement of learning, student retention, and the development of responsible personal and social conduct. Each member of the PCC community must adhere to a code of responsible behavior. The Student Code of Conduct Policy and Procedures communicates the expectations that PCC has of students, and is intended to educate and guide students to understand their responsibilities. This Code is aligned with the College's Non-Discrimination Statement and shall not be administered in a discriminatory manner. Every effort will be made to balance the needs and rights of the individual with the welfare of the community as a whole. To view the Student Conduct Code in its entirety visit [Student Code of Conduct Policy and Procedures | Student Conduct and CARE at PCC](#).

The Student Code of Conduct applies to all students, recognized student organizations, and groups of students. In addition, students who are enrolled in specific educational programs are expected to follow those related academic and professional standards. The portion of the Student Code of Conduct Policy relevant to alcohol, drugs and Tobacco is Article IV, Section 2 (1), (2), and (3) which states as follows:

- 1. Alcohol.** The use, possession, delivery, sale, or being under the influence of any alcoholic beverage is prohibited on College premises and during College-related or sponsored events and activities, except as permitted by law and applicable College policies.
- 2. Drugs.** The use, possession, delivery, sale, or being under the influence of any illegal drugs is prohibited at all times. This includes unauthorized use of prescription drugs.
- 3. Marijuana.** The possession, consumption, being under the influence of, or furnishing marijuana, cannabis, or any of its derivatives is prohibited on College premises and during College-related or sponsored events and activities.

PCC POLICY ON WEAPONS ON CAMPUS

The possession of any dangerous weapon or deadly weapon (as defined in ORS 161.015) on college property is prohibited unless possessed by a certified law enforcement or public safety officer, as part of a college activity where such possession has been specifically granted, or in compliance with applicable Oregon State law (ORS 166.370).

The possession of a firearm, whether carried openly or otherwise in violation of ORS 166.370, is disruptive to the college's mission and authority to maintain a safe and uninterrupted educational environment on PCC facilities and properties.

The College through the Department of Public Safety will exercise its authority granted to the College by Oregon Revised Statutes to maintain a safe and uninterrupted educational environment at all times on PCC facilities and properties. Any individual who is disruptive to the educational environment on college property is subject to being escorted off campus by a Public Safety Officer or local law enforcement officer, college disciplinary action and/or arrest in accordance with state and federal laws, including ORS 166.370.

STUDENT CODE OF CONDUCT POLICY REGARDING WEAPONS ON CAMPUS

The portion of the Student Code of Conduct Policy relevant to weapons is Article IV, Section 18 which states as follows:

18. Weapons and Dangerous Materials. Possession of firearms, explosives, other weapons, or dangerous chemicals that it is prohibited on College Premises or use of any item in a manner that harms, threatens, or causes disruption to the educational environment. Exceptions to this policy are permitted when the weapon and/or dangerous materials are used in conjunction with an approved College instructional program, is carried by a duly constituted law enforcement officer, or is otherwise permitted by law.

10. PORTLAND COMMUNITY COLLEGE'S RESPONSE TO SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE AND STALKING

PCC'S CIVIL RIGHTS AND RESPONSIBILITIES POLICY

CRR 1.1 - Administration | Office of Equity and Inclusion at PCC

Policy Statement

PCC is committed to providing a workplace and educational environment, as well as other benefits, programs, and activities, that are free from sex based discrimination, harassment, and retaliation. To ensure compliance with federal laws and regulations, including Title IX of the Education Amendments of 1972, and to affirm its commitment to promoting the goals of fairness and equity in all aspects of the educational program or activity, PCC has developed internal policies and procedures that provide a prompt, fair, and impartial process for those involved in an allegation of sex based discrimination or harassment, and for allegations of retaliation. PCC values and upholds the equal dignity of all members of its community and strives to balance the rights of the parties in the grievance process during what is often a difficult time for all those involved.

Rationale for this Policy

Portland Community College's goal is to provide an atmosphere that encourages individuals to realize their potential. To ensure compliance with federal, state and local civil rights laws and regulations, and to affirm its commitment to promoting the goals of fairness and equity in all aspects of the educational enterprise, PCC has developed internal policies and procedures that provide a prompt, fair, and impartial process for addressing allegations of discrimination or harassment on the basis of protected class status. PCC values and upholds the dignity of all members of our community, and strives to balance the rights of the parties, the safety of our community, and the needs of the College in what is often a difficult time for all those involved.

Applicability of this Policy

The goal of this policy is to extend equal opportunity in employment, admission, and participation in the College's programs, services, and activities to all persons. Any person who believes they have been discriminated against, harassed, or retaliated against by a College employee, representative, student, or community member, is encouraged to address those concerns with the Office of Equity & Inclusion, which offers grievance procedures to resolve complaints of discrimination, harassment, and retaliation in a prompt and equitable manner. Complaints about issues other than alleged discrimination, harassment, or retaliation may be submitted in accordance with the applicable *collective bargaining agreement*, *Management/Confidential handbook*, *student grievance process*, *Standards for Professional Behavior*, *EthicsPoint*, or other college complaint process.

Scope of this Policy

This policy prohibits all forms of unlawful discrimination. Sometimes, discrimination involves exclusion from activities. Sometimes, discrimination takes the form of harassment or, in the case of sex-based discrimination, encompasses sexual violence, stalking, sexual exploitation, or intimate partner violence. This policy also prohibits retaliation for raising concerns of violations of this policy, participating in the process for addressing violations, or other protected activity. Creating an environment free from unlawful discrimination or harassment requires all members of the PCC community to be free to report discriminatory or harassing behaviors, and to participate in investigations or resolutions of those behaviors. Under this policy, discriminatory, harassing, or retaliatory behaviors will not be tolerated. It is the responsibility of every member of the College community to comply with PCC's Civil Rights and Responsibilities Policy. This includes notifying each employee/student of their rights and responsibilities under this Policy. Management and staff are expected to take reasonable action to maintain work sections and educational environments free of conduct that causes, or reasonably could be considered to cause discrimination or retaliation.

Independence and Conflict of Interest

The Office of Equity and Inclusion (OEI) is responsible for administering this policy and acts with independence and authority free from bias and conflicts of interest. The Director of Compliance & Title IX Coordinator oversees all resolutions under this policy and acts to promptly respond to complaints that may be violations of the Civil Rights and Responsibilities Policy. The Director of Compliance & Title IX Coordinator assesses the complaint process to ensure that Office of Equity and Inclusion representatives act with objectivity and impartiality, free from conflicts of interest and/or potential bias. If any College representatives who are typically involved in processing a Civil Rights & Responsibilities Policy complaint are, or become, the subject of the complaint (for example, any member of the Office of Equity & Inclusion staff) of allegations of harassment or discrimination, the complaint goes directly to the College President. To raise any concern involving bias or conflict of interest by an assigned Investigator, contact the Director of Compliance & Title IX Coordinator.

Prohibited Conduct

CRR 1.2 - Title IX | Office of Equity and Inclusion at PCC

1. Jurisdiction:

This policy applies to the education program and activities of PCC, to conduct that takes place on the campus or on property owned or controlled by PCC, at PCC-sponsored events, or in buildings owned or controlled by PCC's recognized student organizations. If the Respondent is unknown or is not a member of the PCC community, the Title IX Coordinator will assist the Reporting Party in identifying appropriate campus and local resources and support options and/or, when criminal conduct is alleged, in contacting local or campus law enforcement if the individual would like to file a police report. Further, even when the Respondent is not a member of PCC's community, supportive measures, remedies, and resources may be accessible to the Reporting Party by contacting the Title IX Coordinator. When the Respondent is enrolled in or employed by another institution, the Title IX Coordinator can assist the Reporting Party in liaising with the appropriate individual at that institution, as it may be possible to allege violations through that institution's policies. In addition, PCC may take other actions as appropriate to protect the Reporting Party against third parties, such as barring individuals from PCC property and/or events, or intervening with the third party's employer, if that employer is a PCC vendor. Similarly, the Title IX Coordinator may be able to advocate for a student or employee Reporting Party who experiences discrimination in an externship, study abroad program, or other environment external to PCC where sexual harassment or nondiscrimination policies and procedures of the facilitating or host organization may provide recourse.

2. Prohibited Conduct (Sexual Harassment):

CRR 1.2 prohibits sex-based discrimination and harassment that is specifically prohibited by Title IX of the Education Amendments of 1972, as defined by the Department of Education's Office for Civil Rights in its implementing regulations. Acts of sexual harassment may be committed by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity of those involved. "Sexual harassment" is an umbrella term which, includes the offenses of sexual harassment, sexual assault, domestic violence, dating violence, and stalking. This section describes the definitions of each of those terms. Sexual harassment is conduct on the basis of sex that satisfies one or more of the following:

1. Quid Pro Quo sexual harassment occurs when:

- An employee Respondent of PCC,
- Conditions the provision of an aid, benefit, or service of PCC,
- On an individual's participation in unwelcome sexual conduct.

2. Hostile environment sexual harassment (Title IX) occurs when:

- A Respondent engages in 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 PCC's workplace, education program or activity.

3. Sex Offenses:

- Any sexual act directed against a Reporting Party,
- Without the Reporting Party's consent, including instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental or physical incapacity.

4. Rape (except Statutory Rape):

- Penetration of the genital or anal opening of the Reporting Party's body,
- No matter how slight,
- Without the consent of the Reporting Party, including instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental or physical incapacity.

5. Sodomy:

- Oral or anal sexual intercourse with the Reporting Party,
- Without the consent of the Reporting Party, including instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental or physical incapacity.

6. Sexual Assault with an Object:

- The use of an object or instrument (anything the offender uses other their genitalia) to penetrate,
- However slightly,

- The genital or anal opening of the Reporting Party's body,
- Without the consent of the Reporting Party, including instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental or physical incapacity.

7. Fondling:

- The touching of the private body parts of a Reporting Party (buttocks, groin, breasts, etc.),
- For the purpose of sexual gratification,
- Without the consent of the Reporting Party, including instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental or physical incapacity.

8. Incest:

- Non-forcible sexual intercourse,
- Between a Reporting Party and a Respondent who are related to each other,
- Within the degrees wherein marriage is prohibited by Oregon state law.

9. Statutory Rape:

- Sexual intercourse with a Reporting Party who is under the statutory age of consent in Oregon. There is no force or coercion used in Statutory Rape; the act is not an attack.

10. Dating Violence:

- Violence against a Reporting Party,
- Who is or has been in a social relationship of a romantic or intimate nature with the Respondent. The existence of a relationship will be determined based on a consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

11. Domestic Violence:

- Violence committed by a current or former spouse or intimate partner of the Reporting Party,
- Violence committed by a person whom the Reporting Party shares a child in common, or
- Violence committed by a person who is cohabitating with, or has cohabitated with, the Reporting Party as a spouse or intimate partner, or
- Violence committed by a person similarly situated to a spouse of the Reporting Party under the domestic or family violence laws of Oregon, or
- Violence committed by any other person against an adult or youth Reporting Party who is protected from that person's acts under the domestic or family violence laws of Oregon.
- To categorize an incident as Domestic Violence, the relationship between the Respondent and the Reporting Party must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have a current or former intimate relationship.

12. Stalking:

- Engaging in a course of conduct (two or more acts, including, but not limited to, acts in which the Respondent directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a Reporting Party, or interferes with a Reporting Party's property),
- On the basis of sex,
- Directed at a Reporting Party, that would cause a reasonable person to fear for the person's safety, or
- Cause a reasonable person to fear the safety of others, or
- Cause a reasonable person to suffer substantial emotional distress (meaning significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling).

3. Force, Coercion, Consent, and Incapacitation

1. Force: Force is the use of physical violence and/or physical imposition to gain sexual access. Force also includes threats of physical violence, intimidation (implied threats of physical violence), and coercion that is intended to overcome resistance or produce consent (e.g. "Have sex with me or I'll hit you," "Okay, don't hit me, I'll do what you want."). Sexual activity that is forced is, by definition, non-consensual. However, non-consensual sexual activity is not necessarily forced. Silence or the absence of resistance alone is not consent. Consent is not demonstrated by the absence of resistance. While resistance is not required or necessary, it is a clear demonstration of non-consent.

2. Coercion: Coercion is unreasonable pressure for sexual activity. Coercive conduct differs from seductive conduct based on factors such as the type and/or extent of the pressure used to obtain consent. When someone makes clear that they do not want to engage in certain sexual activity, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

3. Consent: Consent is knowing, voluntary, and clear permission by word or action to engage in sexual activity. Since individuals may experience the same interaction in different ways, it is the responsibility of each party to determine that the other has consented before engaging in the activity. If consent is not clearly provided prior to engaging in the activity, consent may be ratified by word or action at some point during the interaction or thereafter, but clear communication from the outset is strongly encouraged. For consent to be valid, there must be a clear expression in words or actions that the other individual has consented to that specific sexual conduct. Reasonable reciprocation can be implied. For example, if someone kisses you, it is reasonable to kiss them back (if you want to) without the need to explicitly obtain their consent to being kissed back. Consent can also be withdrawn once given, as long as the withdrawal is reasonably and clearly communicated. If consent is withdrawn, that sexual activity should cease. Consent to one kind of sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous intimate relationship is not sufficient to constitute consent.

- Proof of consent or non-consent is not a burden placed on either party involved in an incident. Instead, the burden remains on PCC to determine whether its policy has been violated. The existence of consent is based on the totality of the circumstances evaluated from the perspective of a reasonable person in the same or similar circumstances, including the context in which the alleged incident occurred and any similar previous patterns that may be evidenced. Consent in relationships must also be considered in context.

4. Incapacitation: A person cannot consent if they are unable to understand what is happening or are disoriented, helpless, asleep, or unconscious for any reason, including by alcohol or other drugs. A person violates this policy if they engage in sexual activity with someone they know to be, or should know to be, physically or mentally incapacitated.

5. Incapacitation occurs when someone cannot make rational, reasonable decisions

because they lack the capacity to give knowing/informed consent (e.g. to understand the “who, what, when, where, why, or how” of their sexual interaction). Incapacitation is determined through consideration of all relevant indicators of an individual’s state and is not synonymous with intoxication, impairment, blackout, and/or being drunk. For consent to be valid, there must be a clear expression in words or actions that the other individual has consented to that specific sexual conduct. Reasonable reciprocation can be implied.

- Intoxication of the Respondent Party: It is not an excuse that the Responding party was intoxicated and, therefore, did not realize the incapacity of the Reporting Party. The question of whether the Respondent Party should have known of the incapacity is an objective question about what a reasonable person, exercising sober, good judgment, would have known, in the same or similar circumstances.

4. Violations: Potential violations of the policy can be reported using the procedures [online](#) or by email.

Supportive Measures

CRR 2.1 - Supportive measures | Office of Equity and Inclusion at PCC

1. Overview

1. This document provides a general outline of how PCC will provide Supportive Measures. Supportive Measures are nondisciplinary, nonpunitive individualized services offered to Reporting Party or Respondent before or after the filing of a formal complaint, or where no formal complaint has been filed.
2. This document does not constitute a contract or prevent PCC from varying from this general outline of how PCC’s provides Supportive.
3. Upon receiving notice or a complaint as defined in [CRR 1.2](#) – Title IX, the Director of Compliance and Title IX Coordinator (or designee) promptly will make supportive measures available to the Reporting Party. At the time that supportive measures are offered, PCC will inform the Reporting Party, in writing, that they may file a formal complaint with PCC, either at that time or in the future, if they have not done so already. The Title IX Coordinator (or designee) promptly makes supportive measures available to the Respondent upon notifying Respondent of notice or a complaint. The Title IX Coordinator (or designee) will work with the parties to ensure that their wishes are taken into account with respect to the supportive measures that are planned and implemented throughout any grievance process.

4. All employees covered by collective bargaining or other employment agreements or handbooks are subject to the terms of their agreements/employees' rights to the extent those do not conflict with federal or state compliance obligations.

2. Confidentiality

PCC will provide supportive measures on a confidential basis and will only share information with those on a need-to-know basis to enable PCC to provide the supportive measure.

3. Supportive Measures – Generally

1. The Director of Compliance and Title IX Coordinator has broad authority to implement Supportive Measures so long as any supportive measure is non-disciplinary, non-punitive individualized service offered as appropriate, as reasonably available, and without fee or charge to the parties to restore or preserve access to PCC's workplace, education program or activity, including measures designed to protect the safety of all parties or the PCC's educational environment, and/or deter harassment, discrimination, and/or retaliation.
2. PCC will use the least restrictive means possible when determining appropriate interim and supportive measures, will implement measures that do not unreasonably burden the other party or fundamentally alter their education or work requirements, and will regularly re-evaluate the interim and supportive measures to determine the necessity of their continued implementation.
3. Interim and Supportive actions may include, but are not limited to:
 - Referral to counseling, medical, and/or other health services
 - Referral to the Employee Assistance Program
 - Student financial aid counseling
 - Education to the community or community subgroup
 - Altering work arrangements for employees or student-employees
 - Safety planning
 - Providing campus escorts
 - Providing transportation accommodations
 - Implementing contact limitations (no contact directives) between the parties
 - Academic support, class schedule modifications, withdrawals, or leaves of absence

4. Requesting Supportive Measures

1. Any party or any person identified as a witness in an investigation may seek supportive measures at any time during the resolution process.
2. To request supportive measures a Reporting Party or respondent party should ask their assigned investigator, process advisor, or the Director of Compliance and Title IX Coordinator; a witness should request Interim or supportive measures from the assigned investigator or Director of Compliance and Title IX Coordinator.
3. The Director of Compliance and Title IX Coordinator will give full and thoughtful consideration

to a party or witness' requested supportive measures. Because PCC will use the least restrictive means possible when determining appropriate interim and supportive measures, a party or witness' particular requested interim or supportive measure may not be granted.

4. The Director of Compliance and Title IX Coordinator may need to consult other departments or stakeholders at PCC to implement interim or supportive measures. The Director of Compliance and Title IX Coordinator will take reasonable steps to keep the circle of people with knowledge of the matter as tight as possible.

5. No-Contact Directives – Generally

1. At the discretion of the Director of Compliance and Title IX Coordinator, in consultation with the applicable Dean of Students, Student Conduct and Retention Coordinator(s) and/or Director of Employee & Labor Relations, PCC shall have the authority to issue Interim No-Contact Directives to promote safety and access to educational and employment opportunities. Unless and until a resolution on the merits of a grievance, any Interim No-Contact Directive will apply equally to all parties.
2. For students, violations of Interim No-Contact Directives will be enforced as "Failure to Comply" under the Student Code of Conduct, and/or Retaliation under this policy. For employees, violations of Interim No-Contact Directives will be enforced as "Failure to Comply" with a directive under this policy.
3. Violating a No-Contact Directive will be grounds for discipline which may include expulsion or dismissal.

6. Requesting a No-Contact Directive

1. To request a No-Contact Directive, a Reporting Party or Respondent should ask their assigned investigator, process advisor, or the Director of Compliance and Title IX Coordinator; a witness should request Interim or supportive measures from the assigned investigator or Director of Compliance and Title IX Coordinator.
2. Upon agreement of the parties an Interim No-Contact Directive can be continued indefinitely as part of a resolution of a grievance.

7. Emergency Removal – Generally

1. PCC can act to remove a Respondent entirely or partially from its workplace, education program or activities on an emergency basis when an individualized safety and risk analysis has determined that an immediate threat to the physical health or safety of any student or other individual justifies removal. This risk analysis is performed by the Title IX Coordinator in conjunction with the appropriate PCC resources using PCC's standard risk assessment metrics and procedures.
2. PCC will implement the least restrictive emergency actions possible in light of all reasonably known circumstances and safety concerns. Such emergency removals could include, but are not limited to:
 - temporarily re-assigning an employee
 - temporarily suspending a student
 - restricting a student's or employee's access to or use of facilities or equipment,

- allowing a student to withdraw or take grades of incomplete without financial penalty,
 - authorizing an administrative leave (paid or unpaid) for employees subject to applicable employee and labor relations policy and practice,
 - suspending a student's participation in extracurricular activities, student employment, student organizational leadership, or intercollegiate/intramural athletics.
3. In all cases in which an emergency removal is imposed, the student or employee will be given notice of the Emergency Removal and the option to request to meet with the Title IX Coordinator prior to such Emergency Removal being imposed, or as soon thereafter as reasonably possible, to show cause why the Emergency Removal should not be implemented or should be modified. This meeting is not a hearing on the merits of the allegation(s), but rather is an administrative process intended to determine solely whether the emergency removal is appropriate. A Reporting Party and their Advisor may be permitted to participate in this meeting if the Title IX Coordinator determines it is equitable to do so. There is no appeal process for emergency removal decisions. A Respondent may be accompanied by an Advisor of their choice when meeting with the Title IX Coordinator for the show cause meeting. The Respondent will be given access to a written summary of the basis for the emergency removal prior to the meeting to allow for adequate preparation.
 4. The Title IX Coordinator has sole discretion under this policy to implement or stay an emergency removal and to determine the conditions and duration. Violation of an emergency removal under this policy will be grounds for discipline, which may include expulsion or termination.
 5. During an Emergency Removal, a student or employee may be denied access to any or all of the following; PCC classes, facilities, PCC events (internally or open to the public), and activities.
 6. At the discretion of the Title IX Coordinator, alternative coursework options may be pursued to ensure as minimal an academic impact as possible on the parties.

8. Requesting an Emergency Removal

1. PCC can only act to remove a Respondent entirely or partially on an emergency basis when an individualized safety and risk analysis has determined that an immediate threat to the physical health or safety of any student or other individual justifies removal. Generally, immediate threats to the physical health or safety of any student or other individual are identified early on, and those facts are typically in the notice or complaint received by the Office of Equity and Inclusion.
2. Any person with information regarding immediate threats to the health and safety of any student or other individual should contact the Director of Compliance and Title IX Coordinator or Department of Public Safety immediately.

Procedures For Resolving Title IX

CRR 2.2 - Resolving Title IX | Office of Equity and Inclusion at PCC

1. Overview

1. This document provides a general outline of how PCC will respond to alleged violations of [CRR 1.2 – Title IX Policy](#).
2. This document does not constitute a contract or prevent PCC from varying from this general outline of how PCC's responds to alleged violations of [CRR 1.2 – Title IX Policy](#).

3. PCC will process every report of sexual harassment under the procedures outlined in this policy unless and until a mandatory or discretionary dismissal occurs. Should a complaint be dismissed under these procedures, the complaint will be processed under the appropriate college Policy.
4. PCC will act on any formal or informal notice or complaint of violation of [CRR 1.2 – Title IX Policy](#) that is received by the Title IX Coordinator or any other Responsible Employee (as defined by [CRR 1.2 – Title IX Policy](#)) by applying the procedures outlined in this document.
5. The procedures contained in this document apply only to qualifying allegations of sexual harassment (including sexual assault, dating violence, domestic violence, and stalking) under [CRR 1.2 – Title IX Policy](#).
6. Mandatory and Discretionary Dismissals of Complaints – Generally:
 - Upon any dismissal, PCC will promptly send written notice of the dismissal and the rationale for doing so simultaneously to the parties.
 - This dismissal decision is appealable by any party under the procedures for appeal under [CRR 2.5 Appeals](#). The decision not to dismiss is also appealable by any party claiming that a dismissal is required or appropriate. A Reporting Party who decides to withdraw a complaint may later request to reinstate it or refile it.
7. Mandatory Dismissal of Complaints: PCC must dismiss a formal complaint or any allegations therein if, at any time during the investigation or hearing, it is determined that:
 - The conduct alleged in the formal complaint would not constitute sexual harassment as defined in [CRR 1.2 – Title IX Policy](#), even if proved; and/or
 - The conduct did not occur in an educational program or activity controlled by PCC (including buildings or property controlled by recognized student organizations); and/or
 - PCC does not have control over the Respondent; and/or
 - The conduct did not occur against a person in the United States; and/or
 - At the time of filing a formal complaint, a Reporting Party is not participating in or attempting to participate in PCC’s education program or activity.
8. Discretionary Dismissal of Complaints: PCC may dismiss a formal complaint or any allegations therein if, at any time during the investigation or hearing:
 - A Reporting Party notifies the Title IX Coordinator in writing that the Reporting Party would like to withdraw the formal complaint or any allegations therein; or
 - The Respondent is no longer enrolled in or employed by PCC; or
 - Specific circumstances prevent PCC from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.
9. Continuing Complaints after Mandatory or Discretionary Dismissal under this procedure:
 - Should the Director of Compliance and Title IX Coordinator determine that the allegations (even if found by a preponderance of the evidence) are subject to a mandatory or discretionary dismissal, the Director of Compliance and Title IX Coordinator may either initiate a resolution under a different section of the Civil Rights and Responsibilities Policy, or refer the Reporting Party to the appropriate PCC office should the complaint fall outside the purview of any Civil Rights and Responsibilities Policy.

10. All employees covered by collective bargaining or other employment agreements or handbooks are subject to the terms of their agreements/employees' rights to the extent those do not conflict with federal, or state compliance obligations.

2. Privacy

1. PCC will make every effort to preserve the privacy of reports and investigations. PCC will not share the identity of any individual who has made a report or complaint of harassment, discrimination, or retaliation; any Reporting Party, any individual who has been reported to be the perpetrator of sex discrimination, any Respondent, or any witness, except as permitted by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g; FERPA regulations, 34 CFR part 99; or as required by law; or to carry out the purposes of 34 CFR Part 106, including the conducting of any investigation, hearing, or grievance proceeding arising under these policies and procedures.
2. PCC reserves the right to designate which college officials have a legitimate educational interest in being informed about incidents that fall within this policy, pursuant to the Family Educational Rights and Privacy Act (FERPA).
3. Only a small group of officials who need to know will typically be told about the complaint outside of the Office of Equity and Inclusion, including but not limited to: Human Resources, Student Affairs, Department of Public Safety, PCC CARE team, or Academic Affairs.
4. Information will be shared as necessary with Investigators, hearing and Decision-makers, witnesses, and the parties. The circle of people with this knowledge will be kept as tight as possible to preserve the parties' rights and privacy.

3. Initial Assessment

1. Upon receipt of any notice, complaint, or report of alleged violations of [*CRR 1.2 – Title IX Policy*](#), PCC initiates an initial assessment to determine next steps, Reporting Party's desires, any threats to the health and safety of the PCC community, and any other information required to address the misconduct.
2. The Initial Assessment may include (but is not limited to):
 - The Title IX Coordinator reaches out to the Reporting Party to offer supportive measures.
 - The Title IX Coordinator will notify the Reporting Party of employee and student resources offered by PCC including: referrals to EAP, or counseling; connections with campus-based and community resources including confidential victim advocacy services.
 - The Title IX Coordinator seeks to determine if the Reporting Party wishes to make a formal complaint, and will assist them to do so, if desired.
 - If they do not wish to do so, the Title IX Coordinator determines whether to initiate a complaint because a risk assessment indicates a compelling threat to health and/or safety.
 - If a formal complaint is received, the Title IX Coordinator assesses its sufficiency and works with the Reporting Party to make sure it is correctly completed.
 - The Title IX Coordinator works with the Reporting Party to ensure they are aware of the right to have an Advisor.

- The Title IX Coordinator works with the Reporting Party to determine whether the Reporting Party prefers a supportive and remedial response, an informal resolution option, or a formal investigation and grievance process.
3. When an Initial Assessment results in a mandatory or discretionary dismissal, the Director of Compliance and Title IX Coordinator may either initiate a resolution under a different section of the Civil Rights and Responsibilities Policy, or refer the Reporting Party to the appropriate PCC office should the complaint fall outside the purview of any Civil Rights and Responsibilities Policy.
 4. When an Initial Assessment does not result in dismissal of the complaint under [CRR 1.2 – Title IX Policy](#), Director of Compliance and Title IX Coordinator will generally:
 - Offer supportive or emergency measures; and/or
 - Initiate an informal resolution; and/or
 - Initiate a Formal Grievance Process including an investigation and a hearing.

4. Supportive Measures

1. Any supportive or emergency measures are dependent on [CRR 2.1 – Procedures for Supportive or Protective Measures](#).

5. Informal Resolution

1. Informal Resolutions under this document typically include three different approaches:
 - the parties agree to resolve the matter through an alternate resolution mechanism including mediation, restorative practices, etc.;
 - the Respondent can accept responsibility for violating policy, and desires to accept a sanction and end the resolution process; or
 - the Title IX Coordinator can resolve the matter informally by providing supportive measures to remedy the situation.
2. Informal resolution may not be used to resolve allegations that an employee sexually harassed a student.
3. To initiate Informal Resolution, a Reporting Party needs to submit a formal complaint, as defined in [CRR 1.2 – Title IX Policy](#) (A document filed/signed by a Reporting Party or signed by the Title IX Coordinator alleging that a Respondent engaged in conduct that violates this Policy and requesting that PCC investigate the allegation). If a Respondent wishes to initiate Informal Resolution, they should contact the Title IX Coordinator
4. It is not necessary to pursue Informal Resolution first in order to pursue a Formal Grievance Process, and any party participating in Informal Resolution can stop the process at any time and begin or resume the Formal Grievance Process.
5. Prior to implementing Informal Resolution, PCC will provide the parties with written notice of the reported misconduct and any sanctions or measures that may result from participating in such a process, including information regarding any records that will be maintained or shared by PCC.
6. PCC will obtain voluntary, written confirmation that all parties wish to resolve the matter through Informal Resolution before proceeding and will not pressure the parties to participate in Informal Resolution.

6. Formal Grievance Process – Generally

1. The Formal Grievance Process applies to all students and employees equally.
2. The Formal Grievance Process at PCC generally has five steps:
 - Step 1: Notice of Investigation and Allegations
 - Step 2: Investigation
 - Step 3: Live Hearing
 - Step 4: Findings and Sanctions
 - Step 5: Appeal
3. Timing of the Formal Grievance Process: PCC will make a good faith effort to complete the Formal Grievance Process within 90 days from issuing the Notice of Investigation and Allegations. The Title IX Coordinator can extend this timeframe as necessary for appropriate cause. The Director of Compliance and Title IX Coordinator will provide notice and rationale for any extensions or delays to the parties as appropriate, as well as an estimate of how much additional time will be needed to complete the process.
4. Ensuring Impartiality: Any individual materially involved in the administration of the resolution process (including the Title IX Coordinator, Investigator(s), and Decision-maker(s)) may neither have nor demonstrate a conflict of interest or bias for or against a party generally, or for or against a specific Reporting Party or Respondent. The Title IX Coordinator will vet the assigned Investigator(s) to ensure impartiality by ensuring there are no actual or apparent conflicts of interest or disqualifying biases. The parties may, at any time during the resolution process, raise a concern regarding bias or conflict of interest, and the Title IX Coordinator will determine whether the concern is reasonable and supportable. If so, another Investigator will be assigned and the impact of the bias or conflict, if any, will be remedied. If the source of the conflict of interest or bias is the Title IX Coordinator, concerns should be raised with PCC's Chief Diversity Officer. The Formal Grievance Process involves an objective evaluation of all relevant evidence obtained, including evidence which supports that the Respondent engaged in a policy violation and evidence which supports that the Respondent did not engage in a policy violation. The Decision-maker will evaluate all relevant evidence and statements from parties and witnesses (subject to any limitations in these Procedures for Resolving Title IX Policy Violations) to determine the facts (by a preponderance of the evidence) necessary to reach a determination on responsibility. Any determination may not be based solely on an individual's status or participation as a Reporting Party, Respondent, or witness.
5. PCC operates with the presumption that the Respondent is not responsible for the reported misconduct unless and until the Respondent is determined to be responsible for a policy violation by the applicable standard of proof.
6. Delays in the Investigation Process and Interactions with Law Enforcement: PCC may undertake a delay in its investigation if circumstances require. Such circumstances include, but are not limited to:
 - a request from law enforcement to temporarily delay the investigation,
 - the need for language assistance,

- the absence of parties and/or witnesses, and/or accommodations for disabilities or health conditions. PCC will communicate in writing the anticipated duration of the delay and reason to the parties and provide the parties with status updates if necessary. OEI will not disclose personal information such as disability, health status, or other sensitive information. OEI will describe these instances as personnel reasons or student need. PCC will promptly resume its investigation and resolution process as soon as feasible. During such a delay, PCC will implement supportive measures as deemed appropriate.
7. PCC's actions are not typically altered or precluded on the grounds that civil or criminal charges involving the underlying incident(s) have been filed or that criminal charges have been dismissed or reduced.
8. Impact on Academic Standing: if the Respondent is a graduating student, a hold may be placed on graduation and/or official transcripts until the matter is fully resolved (including any appeal). A student facing charges under this Policy is not in good standing to graduate.
9. If a Student Respondent Withdraws While Charges are Pending:
- PCC may place a hold on a student's ability to graduate and/or to receive an official transcript/diploma.
 - Should a student decide to not participate in the resolution process, the process proceeds absent their participation to a reasonable resolution, subject to the provisions outlined in this document.
 - Should a student Respondent withdraw from PCC, the Title IX Coordinator shall consider a discretionary dismissal under this procedure.
 - The student who withdraws or leaves while the process is pending may not return to any PCC campus or center. A hold will be placed on their ability to be readmitted. They may also be trespassed from PCC property and/or events.
 - If the student Respondent only withdraws or takes a leave for a specified period of time (e.g., one semester or term), the resolution process may continue remotely and that student is not permitted to return to PCC unless and until all sanctions have been satisfied.
 - PCC will continue to address and remedy any systemic issues, variables that may have contributed to the alleged violation(s), and any ongoing effects of the alleged harassment, discrimination, and/or retaliation.
10. If an Employee Respondent Resigns While Charges Pending:
- Should an employee Respondent resign from PCC, the Title IX Coordinator shall consider a discretionary dismissal under this procedure.
 - An employee who resigns with unresolved allegations pending may not be eligible for rehire at PCC. If an employee resigns with unresolved allegations pending, they must contact the Director of Compliance and Title IX Coordinator, or Employee and Labor Relations should they subsequently seek employment at PCC.
 - All PCC responses to future inquiries regarding employment references for that individual

will include that the former employee resigned during a pending disciplinary matter.

11. Regardless if a student or employee separates their relationship with PCC, PCC will continue to address and remedy any systemic issues or variables that may have contributed to the alleged violation(s), and any ongoing effects of the alleged harassment, discrimination, and/or retaliation.

7. Formal Grievance Process – Step 1: Notice of Investigation and Allegations

1. The Director of Compliance and Title IX Coordinator will provide a written Notice of Investigation and Allegations (the "NOIA") to the Respondent upon commencement of the Formal Grievance Process. This facilitates the Respondent's ability to prepare for the interview, gather evidence, and identify potential witnesses. The NOIA is also copied to the Reporting Party, who is to be given advance notice of when the NOIA will be delivered to the Respondent. The NOIA will, at minimum, include:

- A meaningful summary of all of allegations,
- The identity of the involved parties (if known),
- The precise misconduct being alleged,
- The date and location of the alleged incident(s) (if known),
- The specific policies implicated,
- A description of the applicable procedures,
- A statement of the potential sanctions/responsive actions that could result,
- A statement that PCC presumes the Respondent is not responsible for the reported misconduct unless and until the evidence supports a different determination,
- A statement that determinations of responsibility are made at the conclusion of the process and that the parties will be given an opportunity to inspect and review all directly related and/or relevant evidence,
- A statement about PCC's policy on retaliation,
- Information about the privacy of the process,
- Information on that each party must have an Advisor, information on their assigned Advisor, a mechanism to seek a different Advisor from PCC, and a mechanism to alert PCC that they prefer to use an Advisor of their choosing,
- A statement informing the parties that PCC's Policy prohibits knowingly making false statements, including knowingly submitting false information during the resolution process,
- Detail on how the party may request disability accommodations during the interview and grievance process,
- A link to PCC's VAWA Brochure,
- The name(s) of the Investigator(s), Decision-maker(s), appellate officers, along with a process to identify, in advance of the interview process, to the Title IX Coordinator any conflict of interest that the Investigator(s), Decision-maker(s), or appellate officers may have, and
- An instruction to preserve any evidence that is directly related to the allegations.

2. Amendments and updates to the NOIA may be made as the investigation progresses and more information becomes available regarding the addition or dismissal of various charges.
3. The NOIA will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address(es) of the parties as indicated in official PCC records, or emailed to the parties' PCC-issued email or designated accounts. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.
4. PCC may, at its option, consolidate the complaints and investigations in cases that arise out of the same facts and circumstances and involve more than one Reporting Party, more than one Respondent, or counter complaints between parties.

8. Formal Grievance Process – Step 2: Investigation

1. PCC endeavors to provide investigations that are trauma-informed, thorough, reliable, impartial, prompt, and fair. Investigations involve interviews with all relevant parties and witnesses; obtain available, relevant evidence; and identify sources of expert information, as necessary. All parties have a full and fair opportunity, through the investigation process, to suggest witnesses and questions, to provide evidence and expert witnesses, and to fully review and respond to all evidence on the record.
2. Upon issuance of the NOIA, the Investigator(s) typically take(s) the following steps (not necessarily in this order):
 - Commence a thorough, reliable, and impartial investigation by identifying issues and developing a strategic investigation plan, including a witness list, evidence list, intended investigation timeframe, and order of interviews for all witnesses and the parties
 - Meet with the parties
 - Provide each interviewed party and witness an opportunity to review and verify the Investigator's summary notes of the relevant evidence/testimony from their respective interviews and meetings
 - Make good faith efforts to notify the parties of any meeting or interview involving the other party, in advance when possible
 - When participation of a party is expected, provide that party with written notice of the date, time, and location of the meeting, as well as the expected participants and purpose
 - Interview all available, relevant witnesses and conduct follow-up interviews as necessary
 - Allow each party the opportunity to suggest witnesses and questions they wish the Investigator(s) to ask of the other party and witnesses, and document in the report which questions were asked, with a rationale for any changes or omissions
 - Complete the investigation promptly and without unreasonable deviation from the intended timeline
 - Provide regular status updates to the parties throughout the investigation
 - Prior to the conclusion of the investigation, provide the parties and their respective Advisors (if so desired by the parties) with a list of witnesses whose information will be used to render a finding
 - Write a comprehensive investigation report fully summarizing the investigation, all witness

interviews, and addressing all relevant evidence. Appendices including relevant physical or documentary evidence will be included

- Prior to the conclusion of the investigation, provide the parties and their respective Advisors (if so desired by the parties) a secured electronic draft of the investigation report as well as an opportunity to inspect and review all of the evidence obtained as part of the investigation that is directly related to the reported misconduct, including evidence upon which PCC does not intend to rely in reaching a determination
 - Parties will have, at minimum ten (10) days to review and comment on the report so that each party may meaningfully respond to the evidence
 - The parties may elect to waive the full ten days
 - The Investigator(s) will incorporate relevant elements of the parties' written responses into the final investigation report, include any additional relevant evidence, make any necessary revisions, and finalize the report which will be shared with all parties and their Advisors through secure electronic transmission or hard copy at least ten (10) days prior to any live hearing
 - The parties are also provided with a file of any directly related evidence that was not included in the report
3. Employee Witnesses: Witnesses (as distinguished from the parties) who are employees of PCC are expected to fully cooperate with (and participate in) PCC's investigation and resolution process. Failure of an employee to cooperate with and/or participate in the investigation or resolution process constitutes a violation of policy and may warrant discipline. Witness employees may have a third party support person present when meeting with an Investigator.
4. Interview Methods: While in-person interviews for parties and all potential witnesses are ideal, circumstances may require individuals to be interviewed remotely. PCC video or telephone conferencing will be used for any remote interview if the Investigator(s) determine that timeliness or efficiency dictate a need for remote interviewing. PCC will take appropriate steps to reasonably ensure the security/privacy of remote interviews.
5. Recording Interviews: No investigatory interviews may be recorded except as a reasonable accommodation or otherwise required by law.
6. Evidence Issues in the Investigation: The Investigator(s) and investigation report will not consider:
- incidents not directly related to the possible violation, unless they evidence a pattern;
 - the character of the parties;
 - questions and evidence about the Reporting Party's sexual predisposition or prior sexual behavior, unless such questions and evidence about the Reporting Party's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Reporting Party, or if the questions and evidence concern specific incidents of the Reporting Party's prior sexual behavior with respect to the Respondent and are offered to prove consent; or
 - evidence that was gathered in violation of state law or this policy.
7. Referral for Hearing: Provided that the complaint is not resolved through an Informal Resolution,

once the final investigation report is shared with the parties, the Title IX Coordinator will refer the matter for a live hearing. The hearing cannot be less than ten (10) days from when the final investigation report is transmitted to the parties and the Decision-maker, unless all parties and the Decision-maker agree to an expedited timeline. The Title IX Coordinator will select an appropriate Decision-maker depending on whether the Respondent is an employee or a student. Allegations involving student-employees will be directed to the appropriate Decision-maker depending on the context of the alleged misconduct and who the Respondent is.

9. Formal Grievance Process – Step 3: Live Hearing

1. The Director of Compliance and Title IX Coordinator will designate a Decision-maker who will also Chair the hearing. The Decision-maker will not have had any previous involvement with the investigation. The Decision-maker may not be an individual who has served in any other role in that matter.
2. The Title IX Coordinator may not serve as a Decision-maker or Chair but may serve as an administrative facilitator of the hearing if their previous role(s) in the matter do not create a conflict of interest.
3. Notice of Hearing: No less than ten (10) days prior to the hearing, the Decision-maker will send notice of the hearing to the parties. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered. The Notice of Hearing will contain:
 - A description of the alleged violation(s), a list of all policies allegedly violated, a description of the applicable procedures, and a statement of the potential sanctions/responsive actions that could result.
 - The time, date, and location of the hearing and a reminder that attendance is mandatory, superseding all other student or employee activities.
 - Information on any technology that will be used to facilitate the hearing.
 - A list of all those who will attend the hearing, along with an invitation to object to any Decision-maker on the basis of demonstrated bias. This must be raised with the Title IX Coordinator at least two (2) business days prior to the hearing.
 - Information on how the hearing will be recorded and on access to the recording for the parties after the hearing.
 - A statement that if any party or witness does not appear at the scheduled hearing, the hearing may be held in their absence, and the party's or witness's testimony and any statements given prior to the hearing will not be considered by the Decision-maker.
 - Notification that each party must have an Advisor present; there are no exceptions.
 - Notification that only the Advisor may ask questions and provide assistance at the hearing
 - A copy of all the materials provided to the Decision-maker(s) about the matter, unless they have been provided already.
 - An invitation to each party to submit to the Chair an impact statement pre-hearing that the Decision-maker will review during any sanction determination.
 - An invitation to contact the Title IX Coordinator to arrange any disability accommodations, language assistance, and/or interpretation services that may be needed at the hearing, at least seven (7) days prior to the hearing.

4. Evidence and Witnesses Presented at the Hearing: the Investigator(s) must have first interviewed any witness scheduled to participate in the hearing, unless all parties and the Chair agree to the witness's participation in the hearing. All evidence the parties intend to offer must first have been submitted to the Investigator(s) unless the parties and Chair agree. If the evidence is newly available, not available during the investigation, and could impact the outcome of the hearing, the Chair will delay the hearing and instruct that the investigation be reopened to consider that evidence. The Title IX Coordinator will give the Decision-maker(s) a list of the names of all parties, witnesses, and Advisors at least five (5) days in advance of the hearing. Any Decision-maker who cannot make an objective determination must recuse themselves from the proceedings when notified of the identity of the parties, witnesses, and Advisors in advance of the hearing. If a Decision-maker is unsure of whether a bias or conflict of interest exists, they must raise the concern to the Title IX Coordinator as soon as possible. During the ten (10) day period prior to the hearing, the parties have the opportunity for continued review and comment on the final investigation report and available evidence. That review and comment can be shared with the Chair at the pre-hearing meeting or at the hearing and will be exchanged between each party by the Chair.
5. Evidence Admissible for a Responsibility Determination: Any evidence that the Decision-maker(s) determine(s) is relevant and credible may be considered, subject to the following exceptions:
 - incidents not directly related to the possible violation, unless they evidence a pattern;
 - the character of the parties; or
 - questions and evidence about the Reporting Party's sexual predisposition or prior sexual behavior, unless such questions and evidence about the Reporting Party's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Reporting Party, or if the questions and evidence concern specific incidents of the Reporting Party's prior sexual behavior with respect to the Respondent and are offered to prove consent.
6. Evidence Admissible for Sanctioning: The following evidence is admissible and relevant only to determining sanctions after a finding of responsibility:
 - Respondent's previous disciplinary history of any kind may be considered to determine an appropriate sanction or remedy.
 - The parties may each submit a written impact statement prior to the hearing for the consideration of the Decision-maker(s) at the sanction stage of the process if a determination of responsibility is reached.

10. Formal Grievance Process – Step 4: Findings and Sanctions

1. Standard of Proof for Findings: All findings in the proceedings will be by a preponderance of the evidence, which means that the Decision-maker will determine whether the sum of all the evidence shows that it is more likely than not that the Respondent violated College policy. This standard will be used in any Title IX fact-finding and related proceedings, including any hearings. It will be used for cases involving student and employee Reporting Parties and/or student and employee Respondents. Decision-makers will independently reach a determination about responsibility, based on the evidence, without deference to the investigative report.
2. Sanctions: If the Respondent is found responsible, PCC will determine appropriate sanctions. Sanctions will be determined by majority rule of the Decision-maker in conjunction with two

other PCC administrators. These administrators will be present for the hearing, and have an opportunity to submit questions for the parties, though they will not vote regarding responsibility.

- The Decision-maker and PCC Administrators will issue appropriate sanctions considering factors such as (but not limited to):
 - Employee longevity;
 - Work history;
 - Nature and severity of violation;
 - The Respondent's disciplinary history;
 - Fair, sufficient investigation supported by evidence;
 - Notice and equal treatment;
 - Previous allegations or allegations involving similar conduct;
 - The need for sanctions/responsive actions to bring an end to the discrimination, harassment, and/or retaliation;
 - The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment, and/or retaliation;
 - The need to remedy the effects of the discrimination, harassment, and/or retaliation on the Reporting Party and the community;
 - The impact on the parties; and
 - Any other information deemed relevant by the Decision-maker or PCC administrators.
 - For student Sanctions, the Decision-maker and PCC Administrators will consider factors such as (but not limited to):
 - The Respondent's disciplinary history;
 - Previous allegations or allegations involving similar conduct;
 - The need for sanctions/responsive actions to bring an end to the discrimination, harassment, and/or retaliation;
 - The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment, and/or retaliation;
 - The need to remedy the effects of the discrimination, harassment, and/or retaliation on the Reporting Party and the community;
 - The impact on the parties; and
 - Any other information deemed relevant by the Decision-maker or PCC administrators.
3. The sanctions will be implemented as soon as is feasible, either upon the outcome of any appeal or the expiration of the window to appeal without an appeal being requested. The sanctions described in this policy are not exclusive of, and may be in addition to, other actions taken or sanctions imposed by authorities and entities other than PCC.

4. Possible Student Sanctions: The following are examples of sanctions that may be imposed upon students or organizations singly or in combination:

- Educational Sanctions: The Responding Party may be required to complete tasks such as assignments, interviews, reflection papers, educational meetings, or other educational activities.
- Warning: A formal statement that the conduct was unacceptable and a warning that further violation of any PCC policy, procedure, or directive will result in more severe sanctions/ responsive actions.
- Probation: A written reprimand for violation of institutional policy, providing for more severe disciplinary sanctions in the event that the student or organization is found in violation of any institutional policy, procedure, or directive within a specified period of time. Terms of the probation will be articulated and may include denial of specified social privileges, exclusion from co-curricular activities, exclusion from designated areas of campus, no-contact orders, and/or other measures deemed appropriate.
- Suspension: Termination of student status for a definite period of time not to exceed two years and/or until specific criteria are met. A student returning from suspension will be required to meet with a Student Conduct and Retention Coordinator prior to returning to PCC. The Student Conduct and Retention Coordinator may place the student on probation or require additional education measures be put in place.
- Expulsion: Permanent termination of student status and revocation of rights to be on campus for any reason or to attend PCC-sponsored events.
- Withholding Diploma: PCC may withhold a student's diploma for a specified period of time and/or deny a student participation in commencement activities if the student has an allegation pending or as a sanction if the student is found responsible for an alleged violation.
- Revocation of Degree: PCC reserves the right to revoke a degree previously awarded from PCC for fraud, misrepresentation, and/or other violation of PCC policies, procedures, or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- Organizational Sanctions: Deactivation, loss of recognition, loss of some or all privileges (including PCC registration) for a specified period of time.
- Other Actions: In addition to or in place of the above sanctions, PCC may assign any other sanctions as deemed appropriate.

5. Possible Employee Sanctions: The following are the examples of sanctions that may be imposed upon employees:

- Warning – Verbal or Written
- Performance Improvement Plan
- Mandatory EAP Referral
- Required Training

- Disciplinary Probation
 - Suspension without pay
 - Dismissal
 - Other Actions: In addition to or in place of the above sanctions, PCC may assign any other sanctions as deemed appropriate.
6. Notice of Outcome: the Decision-maker and Director of Compliance and Title IX Coordinator will draft and issue a Notice of Outcome to the parties. This notice will be made simultaneously, in writing, and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official PCC records, or emailed to the parties' PCC-issued email or otherwise approved account. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.
7. The Notice of Outcome will identify the specific policy sections found to be violated, and will contain:
- a description of the procedural steps taken by PCC since the receipt of the Formal Complaint;
 - the finding on each alleged policy violation, which will include supporting findings of fact and conclusions regarding the application of the relevant policy to the facts at issue;
 - a statement of, and rationale for, the result of each allegation to the extent PCC is permitted to share such information under state or federal law;
 - any sanctions issued which PCC is permitted to share according to state or federal law; and
 - any remedies provided to the Reporting Party designed to ensure access to PCC's educational or employment program or activity, to the extent PCC is permitted to share such information under state or federal law (this detail is not typically shared with the Respondent unless the remedy directly relates to the Respondent)The Notice of Outcome will also include information on when PCC considers the results to be final, any changes that occur prior to finalization, and the relevant procedures and bases for any available appeal options.

11. Formal Grievance Process – Step 5: Appeals

1. Any Appeal under any this policy or procedure shall be processed under, and comply with [CRR 2.5 – Appeals](#).

Appeals

[CRR 2.5 - Appeals](#) | [Office of Equity and Inclusion at PCC](#)

1. Overview

1. This document provides a general outline of how PCC will respond to requests for Appeals under any PCC Civil Rights and Responsibilities Policy.
2. This document does not constitute a contract or prevent PCC from varying from this general outline of how PCC will respond to requests for Appeals under any PCC Civil Rights and Responsibilities Policy.

3. All employees covered by collective bargaining or other employment agreements or handbooks are subject to the terms of their agreements/employees' rights to the extent those do not conflict with federal or state compliance obligations.
4. Any party may file a request for appeal ("Request for Appeal") in writing to the Title IX Coordinator within 5 days of the delivery of the Notice of Outcome.
5. Parties will be notified of their appellate officer in the Notice of Outcome. No Appellate Officer will have previously been involved in the investigation or grievance process of the complaint.

2. Appeals – Generally

1. Grounds for Appeal:
 - Procedural irregularity that affected the outcome of the matter;
 - New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
 - The Title IX Coordinator, Investigator(s), or Decision-maker(s) had a conflict of interest or bias for or against Reporting Parties or Respondents generally or the specific Reporting Party or Respondent that affected the outcome of the matter.
2. If any of the grounds for appeal in the Request for Appeal are not met, that request will be denied by the Appellate Officer, and the parties and their Advisors will be notified in writing of the denial and the rationale.

3. Appeals – Sanctions and Remedies

1. Any sanctions imposed as a result of the decision making are stayed during the appeal process. Supportive measures may be reinstated, subject to the same supportive measure procedures contained in the applicable Procedure.
2. If any of the sanctions are to be implemented immediately, and not subject to appeal, then emergency removal procedures contained in the applicable Procedure, and a request for consideration of the justification for doing so must be permitted within two days of implementation.
3. PCC may still place holds on official transcripts, diplomas, graduations, and course registration pending the outcome of an appeal when the original sanctions included separation.

4. Appeals – Findings

1. A Notice of Appeal Outcome will be sent to all parties simultaneously including the decision on each approved ground and rationale for each decision. The Notice of Appeal Outcome will specify:
 - the finding on each ground for appeal,
 - any specific instructions for remand or reconsideration,
 - any sanctions that may result which PCC is permitted to share according to state or federal law, and

- the rationale supporting the essential findings to the extent PCC is permitted to share under state or federal law.
2. Notification will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official institutional records, or emailed to the parties' PCC email or otherwise approved account. Once mailed, emailed and/or received in-person, notice will be presumptively delivered.

5. Appeals – Finality

1. All appeals are final and may not be appealed internally to PCC again, except as provided under the applicable Collective Bargaining Agreement, college policy, or as required by law.
2. Inquiries and complaints can also be made externally to:

Federal Resources:

Office for Civil Rights (OCR) U.S. Department of Education

400 Maryland Avenue, SW
Washington, D.C. 20202-1100
Customer Service Hotline:
800-421-3481
Fax: 202-453-6012
TDD: 877-521-2172
Email: OCR@ed.gov
Website: www.ed.gov/ocr
[Complaint form](#)

Oregon Resources:

Office of Community Colleges and Workforce Development

255 Capitol Street NE
Salem, OR 97310
Phone: 503-947-2401
Email: ccwd.info@state.or.us
Website: www.oregon.gov/highered

Equal Employment Opportunity Commission (EEOC)

Federal Office Building
909 First Avenue
Suite 400
Seattle, WA 98104-1061
Phone: 800-669-4000
Fax: 206-220-6911
TTY: 800-669-6820
ASL Video Phone: 844-234-5122
Website: www.eeoc.gov

Bureau of Labor and Industries (BOLI) Civil Rights Division

800 NE Oregon St.
Suite 1045
Portland 97232
Phone: 971-673-0764
Email: crdemail@boli.state.or.us
Website: www.oregon.gov/boli

PROCEDURES VICTIM SHOULD FOLLOW IF CRIME OF SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE AND STALKING HAS OCCURRED

Where and How to Get Immediate Assistance Following an Incident of Sexual Assault

Any PCC student, faculty, or staff member who has experienced sexual assault is strongly encouraged to seek immediate medical assistance by calling 911 and notifying PCC's Public Safety at (971) 722-4444. PCC Public Safety will offer guidance to assist in evidence preservation and will also notify the proper law enforcement agency to respond if the victim chooses to do so.

Immediate Care Following an Assault

If you experience sex or gender based discrimination, harassment, or violence; or incidents of rape, acquaintance rape, sexual assault, sexual harassment, stalking, dating violence, or domestic violence, some or all of these safety suggestions may guide you after an incident has occurred:

1. Go to a safe place and speak with someone you trust. Tell this person what happened. If there is any immediate danger, contact Portland Community College's Department of Public Safety if you are on campus (dial 4444 from any campus phone) or call 911.
2. Consider securing immediate professional support (e.g., counseling, victim advocacy, medical services, etc.) to assist you in the crisis.
3. If you are a student on campus during regular business hours, you may go to one of *PCC's Counseling Centers*, as well as the *Campus Outreach and Advocacy Project* for support and guidance. These are both confidential resources. After regular business hours, or in any situation where an individual wishes, local resources are also available and may be able to provide confidential assistance through Call to Safety, more information on resources can be found at : <https://calltosafety.org/resources/portland-metro-resources/>.
4. For your safety and well-being, immediate medical attention is encouraged. In the event of a sexual assault or a sexual misconduct incident requiring medical attention, visiting a hospital emergency room will ensure treatment is provided for possible injuries, pregnancy, or sexually transmitted disease.

Forensic Rape Examination May Help Preserve Evidence

A Sexual Assault Nurse Examiner (SANE) can obtain forensic evidence of an assault up to five days after the incident. This can be important if legal options are pursued later. Locally, Oregon Health and Sciences University (OHSU), located at 3181 SW Sam Jackson Park Rd, Portland, OR, 97239, provides 24-hour emergency services for immediate medical needs and forensic exams for survivors of sexual assault. Sexual assault exams are offered by SANE.

SANE providers are available at several locations throughout Oregon, and they will ensure you receive proper care. The hospital will arrange for a specific medical examination at no charge or can work with you to arrange state reimbursement. You can find a list of Oregon SANE providers at: <http://rsipdx.com/facilities/>.

Call to Safety (formerly the Portland Women's Crisis Line) can be reached by calling 503-235-5333, and the Sexual Assault Resource Center (503-640-5311) have trained crisis counselors who can accompany a victim to the hospital 24 hours a day. Additional community resources can be found here: <https://calltosafety.org/resources/>.

Recommendations to Preserve Evidence Following a Sexual Assault

- To preserve evidence, it is recommended that you do not bathe, shower, douche, eat, drink, smoke, brush your teeth, urinate, defecate, or change clothes before receiving medical attention. Even if you have already taken any of these actions, you are still encouraged to have prompt medical care, and evidence may still be recoverable.
- Typically, if police are involved or will be involved, they will obtain evidence from the scene, and it is best to leave things undisturbed until their arrival. They will gather bedding, linens or unlaundered clothing, and any other pertinent items that may be used for evidence. It is best to allow police to secure items in evidence containers, but if you are involved in transmission of items of evidence, such as to the hospital, secure them in a clean paper bag or clean bedsheet to avoid contamination.

- If you have physical injuries, photograph or have them photographed, with a date stamp on the photo.
 - Record the names of any witnesses and their contact information. This information may be helpful as proof of a crime, to obtain an order of protection, or to offer proof of a campus policy violation.
 - Try to memorize details (e.g., physical description, names, license plate number, car description, etc.), or even better, write notes to remind you of details, if you have time and the ability to do so.
 - If you obtain external orders of protection (e.g., restraining orders, injunctions, protection from abuse), please notify PCC's Department of Public Safety or the campus Title IX Coordinator so that those orders can be observed on campus.
- 5.** Even after the immediate crisis has passed, consider seeking support from [PCC's Counseling Centers](#), the [Campus Outreach and Advocacy Project](#), and/or through Call to Safety, more information on resources can be found at : <https://calltosafety.org/resources/portland-metro-resources/>.
- 6.** Contact the Office of Equity and Inclusion, or the Department of Public Safety if you need assistance [with concerns, such as no-contact orders or other supportive measures](#). Portland Community College's Title IX Coordinator will also assist in any needed advocacy for students who wish to obtain protective or restraining orders from local authorities. Portland Community College is able to offer reasonable academic supports, changes to living arrangements, transportation resources or modifications, safety escorts, no contact orders, counseling services access, and other supports and resources as needed by a victim. Portland Community College is able to offer information about legal assistance, visa/immigration assistance, and student financial aid considerations for victims.

Law Enforcement Jurisdiction On-Campus

If the assault occurred on campus, it falls under the jurisdiction of the Portland Community College Department of Public Safety and/or the law enforcement agency having jurisdiction where the offense occurred. If the assault occurred off campus in the City of Portland, it falls under the jurisdiction of the Portland Police Bureau. If the assault occurred in Washington County, it falls under the jurisdiction of the Washington County Sheriff's Office. If the assault occurs in a jurisdiction other than on a PCC campus or those locations listed above, the PCC Department of Public Safety will assist the student in notifying these authorities, if the student requests their assistance. In addition, DPS works very closely with the Dean of Students Office, the Women's Resource Center, the Title IX Coordinator and local law enforcement agencies when sexual assaults are reported.

In the case of allegations of sexual misconduct on the part of a staff member, the disciplinary review could result in required counseling, suspension, and/or termination of employment in addition to potential criminal prosecution.

Preponderance of the Evidence Standard

The standard of proof established by PCC for cases involving sexual assault, sexual misconduct, domestic violence, dating violence and stalking is the "preponderance of evidence." The definition of the preponderance of evidence standard is:

"The party bearing the burden of proof must present evidence which is more credible and convincing than that presented by the other party or which shows that the fact to be proven is more probable than not."¹

Many victims believe that if they do not file criminal charges immediately, they lose that option. This may not be the case. There are statutes of limitation for filing criminal charges, but they are typically several years in

1. Merriam Webster Law Dictionary: [Preponderance Of The Evidence Legal Definition](#) | Merriam-Webster Law Dictionary.

duration. Certainly, it is best to go to the police as soon as possible after an assault, in order to preserve as much evidence as possible. The victim serves as the primary witness to the crime, and his or her testimony is crucial to the case. Criminal cases may take considerable time to proceed through the justice system. Typically, the press protects the identity of the victim, although the identity of the accused perpetrator is not protected.

Response to Domestic Violence, Dating Violence and Stalking

PCC collects and reports statistics for reported incidents of domestic violence, dating violence and stalking and has developed policies and procedures for responding to reported incidents of Domestic, Dating Violence and Stalking by students and employees.

PCC will provide a student or employee a written explanation of their rights and options when they report that they have been the victim of domestic violence, dating violence, sexual assault or stalking, whether the offense occurred on or off campus. Resources, locations and contact information can be found at: <https://www.pcc.edu/about/administration/board/documents/title-ix.pdf>.

Outreach & Advocacy Project

Survivors come from all backgrounds regardless of class status, race, ethnicity, ability, gender identity, or spiritual, religious, or faith based identities. We know that dating/intimate partner and sexual violence impacts all of us, whether we have experienced harm directly or someone we know has. PCC has a shared commitment to provide support to our peers and to call an end to this violence.

If you have experienced harm resulting from intimate partner/dating violence, sexual violence, harassment, or stalking, or have questions and want to talk to someone, we are here to help.

The Outreach & Advocacy Project collaborates with staff, faculty, and students across PCC to ensure equitable access to student centered support. This includes direct advocacy support, co-advocacy with multiple departments, referrals, training, and outreach events for the PCC community, and the development of college wide protocols to further support students.

You may connect directly with the Outreach and Advocacy Response Lead in whichever way feels most comfortable to you:

Phone call, text message, email, FaceTime, Google Hangouts or Zoom meeting.

To quickly get in touch with a confidential advocate for direct support and resources, contact:

Hayley Hayes (she/her), Response Lead:

Regular hours: Monday – Friday, 8:00am – 4:30pm

Email: advocacy@pcc.edu | Work cell: 503-619-7041 (text ok)

Response time: same day or within 1 business day.

For program questions and training inquiries for staff and faculty, contact:

Caroline Bartlett (she/her), Program Coordinator:

Email: caroline.bartlett@pcc.edu

Phone: 971-722-5633

ADDITIONAL REPORTING OPTIONS

Reporting to Law Enforcement

It is the policy of Portland Community College not to notify local/campus law enforcement when sex or gender-based discrimination, harassment, or violence occurs, unless a Complainant wishes, or there is an emergency threat to health or safety, or in certain reports of child abuse allegations.

Complainants have the option to notify law enforcement directly, or to be assisted in doing so by campus authorities. If requested, campus officials can facilitate reporting to campus or local law enforcement but will also respect a Complainant's request not to do so.

Reporting to Portland Community College

Complainants are encouraged to make formal reports of incidents. In the event that sex or gender-based discrimination, harassment, or violence or the crimes of sexual assault, stalking, dating violence or domestic violence do occur, Portland Community College takes the matter very seriously.

The incidents will be investigated and properly resolved through administrative procedures. PCC will seek to maintain privacy at all times during the process consistent with our responsibility to ensure individual and community safety, as well as its commitment to providing an environment free from discrimination. This means that only people who need to know will be told and information will be shared only as necessary with investigators, witnesses, interpreters/translators, Complainants, and Respondents.

If a student is accused of sex or gender-based discrimination, harassment, or violence, they are subject to action in accordance with the Civil Rights and Responsibilities Policy. A student wishing to officially report such an incident may do so by contacting the Office of Equity and Inclusion or Department of Public Safety.

Anyone with knowledge about sex- or gender-based discrimination, harassment, or violence, or the crimes of rape, sexual assault, sexual harassment, stalking, dating violence, or domestic violence is encouraged to report it immediately to the Office of Equity and Inclusion, or Department of Public Safety.

PCC staff or students who wish to make a confidential report of sexual assault, domestic violence and/or other Title IX related offenses may do so by visiting the following web site and completing the attached form:

https://pcc-gme-advocate.symplicity.com/public_report/index.php/pid318440?

Portland Community College employs supportive and protective measures such as no contact orders or emergency removal in cases in which a violence risk assessment indicates such action is warranted. Supportive and protective measures for individuals who have experienced these incidents are available from the campus whether or not the individual chooses to report to local and/or campus law enforcement, and irrespective of whether the individual pursues a formal complaint through the Portland Community College resolution process.

Reports of incidents of gender-based or sexual misconduct or discrimination may be made to any of the following College officials, who are designated and trained as Title IX "Deputies" and are charged with ensuring that any misconduct is eliminated, its recurrence is prevented, and addressing the effects. The following individuals will also provide information regarding grievance procedures, interim measures during any investigation or policy process, and ongoing emotional support:

TITLE IX DEPUTY	NAME	CONTACT INFORMATION
Chief Diversity Officer/ Title IX Co-Coordinator, District	Tricia Brand	DTC 301 971-722-5841
Director of Compliance/ Title IX Co-Coordinator, District	Tricia Brand	DTC 301 971-722-5841
Director of Public Safety, District	Derrick Foxworth	CSB 320 971-722-4980
Labor Relations/Employee Relations Manager, Human Resources	Cheryl Belt	DTC 307 971-722-5104

TITLE IX COORDINATOR

Portland Community College's (PCC) Title IX co-coordinators are the Chief Diversity Officer and Title IX Co-Coordinator, and the Director of Compliance and Title IX Co-Coordinator. The PCC Title IX Co-Coordinators ensure that PCC faculty, staff, and students are aware of their legal rights under Title IX. The Title IX co-coordinators also work to ensure that PCC complies with Title IX. The Title IX co-coordinators will be informed of all complaints or reports of violations of this policy, and they oversee the College's coordinated response to ensure compliance with Title IX. The Title IX Co-Coordinators activities include, but are not limited to:

- Communicating with all members of the College community regarding Title IX and providing information about how individuals may access their rights;
- Reviewing applicable College policies to ensure institutional compliance with Title IX and The Violence Against Women Act ("VAWA");
- Monitoring the College's administration of its own applicable policies, including record keeping, timeframes, and other procedural requirements;
- Conducting training regarding Title IX and prohibited conduct defined in this policy; and
- Responding to any complaint or report regarding conduct that violates this policy. In this capacity, the Title IX Coordinator oversees the investigation and resolution of such alleged misconduct, directs the provision of any remedial measures, and monitors the administration of any related appeal.
- The Title IX Coordinator may delegate responsibilities under this policy to designated administrators, who will be appropriately trained annually.

The PCC Chief Diversity Officer and Title IX Co-Coordinator's contact information is as follows:

Tricia Brand

Campus Phone: (971) 722-5841
 Chief Diversity Officer and Title IX Co- Coordinator
 722 SW 2nd Ave \ Room 301
 Portland, OR 97204 tricia.brand@pcc.edu

The PCC Director of Compliance and Title IX Co-coordinator's contact information is as follows:

Tricia Brand

Campus Phone: (971) 722-5841

Chief Diversity Officer and Title IX Co- Coordinator

722 SW 2nd Ave \ Room 301

Portland, OR 97204 tricia.brand@pcc.edu

CAMPUS PROCEDURES FOR ADDRESSING SEX OR GENDER-BASED DISCRIMINATION, HARASSMENT, AND VIOLENCE

Supportive Measures

Procedurally, when Portland Community College receives a report of sex or gender-based discrimination, harassment, or violence, the campus Title IX Coordinator is notified. If the Complainant wishes to access local community agencies and/or law enforcement for support, Portland Community College can assist the Complainant in making these contacts.

The Title IX Coordinator will offer assistance to Complainants in the form of supportive measures such as opportunities for academic adjustments; changes in working situations; and other assistance as may be appropriate and available on campus or in the community, including, but not limited to, no contact orders, campus safety escorts, transportation assistance, targeted interventions, etc.

The Title IX Coordinator can connect the Complainant with resources on and off campus to provide support and assistance. Similar supports can be made available to Respondents, upon request.

Protection Orders

Portland Community College does not issue orders of protection. Orders of protection, restraining orders, injunctions, or similar lawful orders may be obtained through the court system and can be enforced by Portland Community College. Individuals who have obtained a protection order are encouraged to provide a copy to the Portland Community College Department of Public Safety as soon as possible following the issuance to ensure full enforcement.

Although the Portland Community College does not issue orders of protection, individuals may request that Portland Community College issue an administrative no-contact directive. Upon request, a determination will be made by Portland Community College whether to issue an administrative no-contact directive.

Process Rights

A summary of rights, options, supports, and procedures, is provided to all Complainants, whether they are students, employees, guests, or visitors.

When appropriate upon receipt of notice and/or a formal complaint, the Title IX Coordinator will initiate a prompt, fair, and impartial process, commencing with an investigation, which may lead to the imposition of sanctions for a Respondent based upon a preponderance of evidence (more likely than not).

Procedures detailing the investigation and informal and formal resolution processes at Portland Community College can be found online here: <https://www.pcc.edu/equity/policy/>. The Title IX Coordinator is ultimately responsible for assuring in all cases that the behavior is brought to an end, Portland Community College acts to reasonably prevent its recurrence, and the effects on the Complainant and the community are remedied.

The institution's investigative process does not replace or substitute for criminal prosecutions, and Complainants who choose the campus disciplinary process may also seek redress through the criminal justice system and civil court.

The burden of proof is lower than in a criminal court and is based on a **preponderance of the evidence** standard. The college considers sexual misconduct an act of violence and discrimination which may result in verbal warning, disciplinary probation, limitation of privileges, reassignment of classes, restitution, community service, expulsion, disciplinary suspension or other remedies, sanctions.

All parties are entitled to a process which is prompt, fair, and impartial from initial investigation to final result, including being:

- Completed within reasonably prompt time frames, including allowing for the extension of time frames for good cause with written notice to the parties of the delay and the reason for the delay;
- Conducted in a manner that is consistent with the institution's policies and transparent to the parties;
- Given timely notice of meetings at which the parties (one or all) may be present;
- Given timely provision to the parties and any appropriate officials of equal access to any information that will be used during informal and formal disciplinary meetings and hearings; and is
- Conducted by officials who do not have a conflict of interest or bias for or against the any of the parties;
- Is conducted by administrators who, at minimum, receive annual training on:
 - Issues related to dating violence, domestic violence, sexual assault, and stalking; and
 - How to conduct an investigation and hearing process that protects the safety of the parties and promotes accountability.
- Allows all parties the same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice;
- Does not limit the choice of advisor or presence for any party in any meeting or institutional disciplinary proceeding; however, the institution may establish regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to all parties;
- Provides for simultaneous written notification to all parties of:
 - The result of any institutional disciplinary proceeding that arises from an allegation of dating violence, domestic violence, sexual assault, or stalking;
 - The institution's procedures for the parties to appeal the result of the institutional disciplinary proceeding, if such procedures are available;
 - Any change to the result; and
 - When such results become final; and
 - Prohibits retaliation.

Process Outcomes

For offenses including sex or gender-based discrimination, harassment, and violence, which typically include the crimes of domestic violence, dating violence, sexual assault, and stalking, sanctions range from warning to expulsion. These sanctions include, but are not limited to, verbal warnings, last change agreements, written warnings, dismissal or suspension without pay, mandatory EAP referral, disciplinary probation, training, transfer, and demotion.

Serious and violent incidents and acts of sexual assault usually result in suspension, expulsion, or termination of employment.

Training

The Title IX Coordinator is also responsible for assuring that training is conducted annually for all institution-provided advisors, investigators, decision-makers, and appeal decision-makers involved in the resolution of formal complaints through a process which ensures the safety of all parties and promotes accountability.

Training will focus on sexual assault, domestic violence, dating violence, stalking, sexual harassment, retaliation, and other behaviors that can be forms of sex or gender-based discrimination, harassment, or violence covered by Title IX and Clery Act.

Record keeping and Privacy

Records of investigations and resolutions are maintained in privacy in accordance with the institution's record retention policy for a minimum of seven years. Information is shared internally between administrators who need to know in order to complete their job duties.

When information must be shared to permit the investigation to move forward, the parties will be informed. Privacy of the records specific to the investigation is maintained in accordance with Oregon law and the federal FERPA statute. Any public release of information needed to comply with the open crime logs or timely warning provisions of the Clery Act will not include the names of Complainant or information that could easily lead to a Complainant's identification.

Additionally, Portland Community College maintains privacy in relation to any supportive measures afforded to a Complainant, except to the extent necessary to provide the supportive measures. Typically, if faculty members or administrators are asked to provide supportive measures for a specific student, they are told that such measures are necessary under Title IX or the Clery Act, but they are not given any details of the incident, or what kind of incident it is.

Irrespective of state law or public records access provisions, information about Complainants is maintained privately in accordance with Title IX and FERPA.

In any complaint of sex or gender-based discrimination, harassment, or violence covered under Title IX and/or the Clery Act, the Complainant and Respondent are entitled to the same opportunities for a support person of their choice throughout and to fully participate in the process, including any meeting, conference, hearing, appeal, or other procedural action.

Delivery of written notifications to the parties will occur simultaneously (without undue delay between notifications). All parties will be informed of Portland Community College's appeal processes, and their rights to exercise a request for appeal. Should any change in outcome occur prior to finalization, all parties will be timely informed in writing, and will be notified when the results of the resolution process become final.

Protection Against Retaliation

PCC Policy and Title IX prohibit retaliation against a Complainant or witnesses for filing or participating in the investigation of a sexual misconduct complaint. Retaliation is any overt or covert act of reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment against individuals for exercising their rights (or supporting others for exercising their rights) under this policy. PCC will investigate any reports of retaliation and take appropriate disciplinary action.

SEXUAL ASSAULT PREVENTION AND EDUCATION PROGRAMS

Prevention and Education

Portland Community College offers a range of campaigns, strategies, and initiatives to promote awareness, education, risk reduction, and prevention in an effort to reduce the frequency of sex or gender-based discrimination, harassment, and violence amongst members of the campus community.

It is the policy of the Portland Community College to offer programming to identify and prevent domestic violence, dating violence, sexual assault (including stranger and known offender assaults), and stalking each year.

Educational programs are offered to raise awareness for all incoming students and employees.

Programs and other campaigns offered throughout the year to all students and employees include strong messages regarding not just awareness, but also primary prevention (including normative messaging, environmental management, and bystander intervention), and discuss institutional policies on sex or gender-based discrimination, harassment, and violence as well as Oregon definitions of domestic violence, dating violence, sexual assault, stalking, and consent in reference to sexual activity.

Programs also offer information on risk reduction that strives to empower individuals who experience these incidents, how to recognize warning signs, and how to avoid potential attacks, and do so without biased approaches. Programs are informed by evidence-based research and/or are assessed for their effectiveness.

Bystander engagement is encouraged through safe and positive intervention techniques and by empowering third-party intervention and prevention such as calling for help, using intervention-based apps, identifying allies, and/or creating distractions.

Bystander empowerment training highlights the need for those who intervene to ensure their own safety in the intervention techniques they choose and motivates them to intervene as stakeholders in the safety of the community when others might choose to be bystanders.

CAMPUS AND COMMUNITY RESOURCES

Portland Community College shall provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for Complainants, both within Portland Community College and outside in the community.

PCC SAFE

PCC SAFE (Sexual Assault Free Environment) is a grant funded program by Oregon's Sexual Assault Task Force with funding from the Center for Disease Control and Prevention. PCC SAFE is the only program of its kind at a Community College in the United States. The goal is to promote a Sexual Assault Free Environment throughout the Portland Community College district through the implementation of primary prevention strategies.

PCC has designed and implemented a comprehensive educational outreach program that benefits students, staff and faculty at every level of the social ecological model. Guided by social justice principles, PCC SAFE is focused on promoting skill development for bystander interventions; augmenting opportunities for men to engage in creating and supporting a safe campus environment; and increasing understanding of socially accepted beliefs and attitudes that perpetuate a rape culture in and around PCC.

Men's Anti-Violence Education Network (M.A.V.E.N.)

MAVEN is a student group working alongside PCC SAFE with the goal of providing men with innovative opportunities to engage in, learn about and support the prevention of sexual violence in and around PCC.

Membership is open to all PCC. Students interested in the promotion of a Sexual Assault Free Environment through education, community organizing, and social media. We coordinate events and education opportunities about the role of men in preventing sexual violence.

For information and to contact us, visit our Facebook page at: [MAVEN PCC](#) or <http://www.pcc.edu/resources/women/sylvania/safe/maven.html>

Public awareness events such as "Take Back the Night," the Clothesline Project, and other forums, including a week-long participation during Domestic Violence Awareness week, are examples of prevention and education efforts. In addition, the Office of Equity and Inclusion has conducted several trainings regarding Title IX responsibilities for PCC Staff and Faculty.

COUNSELING AND EMOTIONAL SUPPORT - PCC RESOURCES

WOMEN'S RESOURCE CENTERS		
Cascade Student Union	Room 301	971-722-5249
Rock Creek Building 7	Room 119	971-722-7432
Southeast Mt Tabor	Room 148	971-722-6055
Sylvania College Center	Room 232	971-722-8101

COUNSELING		
Cascade Student Service Building	Room 124	971-722-5271
Rock Creek Building 9	Room 117E	971-722-7300
Southeast Student Commons	Room 116	971-722-6240
Sylvania College Center	Room 210	971-722-8153

OTHER RESOURCES

Call to Safety's crisis line (formerly Portland Women's Crisis Line) is answered by dedicated staff and volunteer advocates who are available every hour of the day, every day of the year to provide support for survivors of domestic and sexual violence as well as non-offending family members, friends, and community partners. The crisis line operates as the central point for all of our services, whether you are calling for sexual assault response services or signing up for a support group. Using a database of over 1,000 resources, advocates can link a survivor to the services he or she needs. The primary goal of each advocate is to offer non-judgmental support to a caller, offer options, and link the caller to the options that will work best. Language line services allow advocates to speak to any caller, regardless of language. To reach the crisis line now, please call **503-235-5333** or toll-free **888-235-5333**.

CITY AND COUNTY RESOURCES

Additional resources can be found at: <https://www.doj.state.or.us/crime-victims/>

LINKS TO PROCEDURES FOR DISCIPLINARY ACTIONS

Disciplinary actions procedures, steps and timelines are identified in the below identified documents, each of which can be accessed online.

For employees:

- Classified Agreement, Article 21:
<https://www.pcc.edu/hr/wp-content/uploads/sites/49/contracts/documents/classified-agreement.pdf>
- Faculty and Academic Professional Agreement, Article 22:
<https://www.pcc.edu/hr/wp-content/uploads/sites/49/contracts/documents/faculty-ap-agreement.pdf>
- Management and Confidential Handbook, Section 10, Performance Management:
https://www.pcc.edu/hr/contracts/management/section_10/

Regarding students:

- To view the full text of PCC's Student Code of Conduct Policy visit [Student Code of Conduct Policy and Procedures | Student Conduct and CARE at PCC](#)
- For relevant definitions and the procedures for addressing possible sexual misconduct are included in the College's Gender-based and Sexual Misconduct Policy. URL: <https://www.pcc.edu/about/administration/board/policies/b216.html>

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11. FACILITIES MANAGEMENT SERVICES

As stewards of PCC's built and natural environment our services range from planning, design, construction projects, and agency interaction to maintenance, custodial, mail distribution, warehouse, property management, surplus, grounds and landscaping, sustainability initiatives, recycling, environmental management, occupational safety, and utility/energy efficiency.

FMS includes several key departments: Project Development and Construction, Sustainability, Central Distribution Services, Custodial, Grounds, Maintenance, Energy Management, Environmental Health and Safety, Support Services, and Administration.

The FMS team includes more than 185 talented and engaged individuals who are dedicated to providing the most effective, safe, and customer-oriented service to the College community maintaining an educational environment in support of recruitment, retention, and PCC's strategic plan. Our staff includes a culturally diverse team of managers, technical professionals, administrative support, skilled trades, support staff, and students that ensures the best learning environment on one of the most beautifully-built and operated colleges among Oregon's 17 community colleges.

Any facility questions, concerns, and feedback can be submitted by: Emailing Service Request Center: src@pcc.edu or by calling SRC: 971.722.4800.

For additional resources, such as a room locator visit [Resources | Facilities Management Services at PCC](#). Other resources can be located at [Resources | Facilities Management Services at PCC](#).

12. CLERY ACT REQUIREMENTS

DEFINITIONS USED IN CLASSIFICATION OF CRIME STATISTICS

Clery Crime Categories

Under the Clery Act, PCC must annually publish and distribute statistics on the reported occurrences for the following offenses:

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

NOTE: Deaths caused by negligence, attempts to kill, assaults to kill, suicides, accidental deaths, and justifiable homicides are excluded.

Negligent Manslaughter: The killing of another person through gross negligence.

Sexual Assault (Sex Offenses): Any sexual act directed against another person, without 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 offense includes the rape of both males and females.

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 because his/her temporary or permanent mental 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 or violence and/or by putting the victim in fear.

Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

Burglary: The unlawful entry of a structure to commit a felony or a theft. An incident must meet three conditions to be classified as a burglary: (1) there must be evidence of unlawful entry (trespass). Both forcible entry and unlawful entry are counted; (2) the unlawful entry must occur within a structure (four walls, a roof and a door); and (3) the unlawful entry into a structure must show evidence that the entry was made in order to commit a felony or theft.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access, even though the vehicles are later abandoned – including joy riding).

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

(Crime definitions are from the Uniform Crime Reporting Handbook. Sex offense definitions are from the National Incident-Based Reporting System edition of the Uniform Crime Reporting Program.)

CLERY ACT HATE CRIME DEFINITIONS

Under the Clery Act, Portland Community College is required to report statistics for hate (bias) related crimes by the type of bias as defined below for the following classifications: murder/non-/negligent manslaughter, negligent manslaughter, sex offenses (forcible and non-forcible), robbery, aggravated assault, burglary, motor vehicle theft, arson, liquor law violations, drug violations and/or illegal weapons possession (see definitions above), and larceny, simple assault, intimidation and vandalism (see definitions below).

Hate Crimes: Defined as any crime that manifests evidence that a victim was selected because of his/her actual or perceived race; religion; gender; sexual orientation; ethnicity; or physical/mental disabilities. A hate crime is not a separate, distinct crime, but is the commission of a criminal offense which was motivated by the offender's bias. If the facts of the case indicate that the offender was motivated to commit the offense because of his/her bias against the victim's race, religion, ethnicity, national origin, gender, gender identity, sexual orientation, or disability, the crime is classified as a hate crime.

If a hate crime occurs during an incident involving any of the four below listed crimes, Clery law requires that the statistic be reported as a hate crime even though these four crime classifications by themselves are not Clery-reportable crimes.

Larceny-Theft: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. (Note: Constructive possession is defined by Black's Law Dictionary, 6th ed. as "where one does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.")

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.

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

CLERY ARRESTS AND DISCIPLINARY REFERRALS FOR ALCOHOL, DRUGS AND WEAPONS VIOLATIONS

The Clery Act also requires disclosure of statistics for liquor law violations, drug law violations and weapons offenses. These violations are reported according to the total number of individuals arrested or referred for campus disciplinary action, rather than total number of incidents.

Liquor Law Violation: 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. This includes: the manufacture, sale, transporting, furnishing, possessing, etc., of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating still; furnishing liquor to a minor or intemperate person; underage possession; using a vehicle for illegal transportation of liquor; drinking on train or public conveyance; and attempts to commit any of the above.

Drug Law Violation: The violation of 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 laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.

Illegal Weapons Possession: The violation of laws or ordinances 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. This also includes the manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; using, manufacturing, etc., of silencers; furnishing deadly weapons to minors; aliens possessing deadly weapons; and attempts to commit any of the above.

Arrest: Persons processed by arrest, citation or summons. An arrest has occurred when a law enforcement officer detains an adult with the intention or seeking charges against the individual for the specific offense(s) and a record is made of the detention. A juvenile should be counted as "arrested" when the circumstances are such that if the individual were an adult, an arrest would have been counted.

Referred for Disciplinary Action: The referral of any person to any official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.

DEFINITIONS OF DOMESTIC VIOLENCE, DATING VIOLENCE AND STALKING

Pursuant to the Violence Against Women Reauthorization Act of 2013 (VAWA) (Public Law 113-14) which was signed into law which included the following amendments to the Clery Act. The mandated reporting requirements and crime definitions are as follows:

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. Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. The existence of a social relationship of a romantic or intimate nature with the victim is determined based on: 1) The reporting party's statement; 2) The length of the relationship; 3) The type of relationship; and 4) The frequency of interaction between the persons involved in the relationship. The term dating violence excludes acts covered under the definition of domestic violence.

Domestic violence: A felony or misdemeanor crime of violence committed by any of the following individuals: 1) A current or former spouse or intimate partner of the victim; or 2) A person with whom the victim shares a child in common; or 3) A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; or 4) A person similarly situated to a spouse of the victim under the domestic or family laws of the jurisdiction in which the crime of violence occurred; or 5) Any other person against an adult or youth victim who is protected under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

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. A course of conduct is two or more acts, including, but not limited to: 1) Acts in the 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. Substantial emotional distress is significant mental suffering or anguish that may, but does not necessarily require, medical or other professional treatment or counseling. A reasonable person is one under similar circumstances and with similar identities to the victim.

13. DEFINITIONS OF CLERY GEOGRAPHY

A. On-Campus is property owned and controlled by the Institution of Higher Education (IHE), which is in the same reasonably contiguous geographic area and is used to meet or support the IHE's educational purposes. Examples are: Administrative buildings, residence halls, dormitories, buildings that house classrooms and labs and fraternity and sorority houses.

On-Campus also includes any on-campus building or property on-campus which is owned by the IHE but controlled by another person or company but which is frequently used by students and used to support the IHE's institutional purposes. Examples are: Food vendors, book stores and retail vendors.

Student Residential Facilities are considered on-campus and must be reported in a separate subset of the on-campus category. Crimes which occurred in an on-campus student residence or housing are counted only in the on-campus category but are reflected separately in the on-campus Student Housing category but are not counted twice.

B. Non-Campus is any building or property not part of the main campus, nor a separate campus, and is owned and controlled by the IHE and used in support or in relation to the IHE's educational purposes. Examples are: Remote classrooms or off-campus student housing, research facilities, institution owned hospitals, space rented or leased for the purpose of offering classes for set periods of time or for trips of more than one night and off-campus residential units owned or controlled by the IHE.

C. Public Property includes streets, thoroughfares, sidewalks, public parking facilities on-campus or immediately adjacent to and accessible from campus, sidewalks across the street from campus and public parks adjacent to and accessible from campus.

14. CRIME STATISTICS 2018-2020

CASCADE CAMPUS

CRIMINAL OFFENSES	ON CAMPUS			PUBLIC PROPERTY		
	2018	2019	2020	2018	2019	2020
Murder/Non-negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Rape	1	0	0	0	0	0
Fondling	0	0	0	1	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	2	0
Aggravated Assault	0	0	0	1	3	0
Burglary	1	4	0	0	0	0
Motor Vehicle Theft	0	1	1	2	3	0
Arson	0	0	0	0	0	0

VAWA OFFENSES	ON CAMPUS			PUBLIC PROPERTY		
	2018	2019	2020	2018	2019	2020
Domestic Violence	0	0	0	0	0	0
Dating Violence	2	0	1	0	0	0
Stalking	0	3	0	0	0	0

ARRESTS AND REFERRALS FOR DISCIPLINARY ACTION	ON CAMPUS			PUBLIC PROPERTY		
	2018	2019	2020	2018	2019	2020
Weapon Law Arrests	0	0	0	0	0	0
Drug Law Arrests	0	1	0	1	0	0
Liquor Law Arrests	0	0	0	0	0	0
Weapon Law Referrals for Disciplinary Action	0	0	0	0	0	0
Drug Law Referrals for Disciplinary Action	0	0	0	0	0	0
Liquor Law Referrals for Disciplinary Action	0	0	0	0	0	0

Hate crimes: 2018-2020: None

Unfounded crimes 2018-2020: None

CLIMB CENTER

CRIMINAL OFFENSES	ON CAMPUS			PUBLIC PROPERTY		
	2018	2019	2020	2018	2019	2020
Murder/Non-negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	1	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0

VAWA OFFENSES	ON CAMPUS			PUBLIC PROPERTY		
	2018	2019	2020	2018	2019	2020
Domestic Violence	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0
Stalking	0	0	0	0	0	0

ARRESTS AND REFERRALS FOR DISCIPLINARY ACTION	ON CAMPUS			PUBLIC PROPERTY		
	2018	2019	2020	2018	2019	2020
Weapon Law Arrests	0	0	0	0	0	0
Drug Law Arrests	0	0	0	0	0	0
Liquor Law Arrests	0	0	0	0	0	0
Weapon Law Referrals for Disciplinary Action	0	0	0	0	0	0
Drug Law Referrals for Disciplinary Action	0	0	0	0	0	0
Liquor Law Referrals for Disciplinary Action	0	0	0	0	0	0

Hate crimes: 2018-2020: None

Unfounded crimes 2018-2020: None

HILLSBORO CENTER

CRIMINAL OFFENSES	ON CAMPUS			PUBLIC PROPERTY		
	2018	2019	2020	2018	2019	2020
Murder/Non-negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0

VAWA OFFENSES	ON CAMPUS			PUBLIC PROPERTY		
	2018	2019	2020	2018	2019	2020
Domestic Violence	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0
Stalking	0	0	0	0	0	0

ARRESTS AND REFERRALS FOR DISCIPLINARY ACTION	ON CAMPUS			PUBLIC PROPERTY		
	2018	2019	2020	2018	2019	2020
Weapon Law Arrests	0	0	0	0	0	0
Drug Law Arrests	0	0	0	0	1	0
Liquor Law Arrests	0	0	0	0	0	0
Weapon Law Referrals for Disciplinary Action	0	0	0	0	0	0
Drug Law Referrals for Disciplinary Action	0	0	0	0	0	0
Liquor Law Referrals for Disciplinary Action	0	0	0	0	0	0

Hate crimes: 2018-2020: None

Unfounded crimes 2018-2020: None

NEWBERG CENTER

CRIMINAL OFFENSES	ON CAMPUS			PUBLIC PROPERTY		
	2018	2019	2020	2018	2019	2020
Murder/Non-negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0

VAWA OFFENSES	ON CAMPUS			PUBLIC PROPERTY		
	2018	2019	2020	2018	2019	2020
Domestic Violence	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0
Stalking	0	0	0	0	0	0

ARRESTS AND REFERRALS FOR DISCIPLINARY ACTION	ON CAMPUS			PUBLIC PROPERTY		
	2018	2019	2020	2018	2019	2020
Weapon Law Arrests	0	0	0	0	0	0
Drug Law Arrests	0	0	0	0	0	0
Liquor Law Arrests	0	0	0	0	0	0
Weapon Law Referrals for Disciplinary Action	0	0	0	0	0	0
Drug Law Referrals for Disciplinary Action	0	0	0	0	0	0
Liquor Law Referrals for Disciplinary Action	0	0	0	0	0	0

Hate crimes: 2018-2020: None

Unfounded crimes 2018-2020: None

PORTLAND METRO WORKFORCE TRAINING CENTER

CRIMINAL OFFENSES	ON CAMPUS			PUBLIC PROPERTY		
	2018	2019	2020	2018	2019	2020
Murder/Non-negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	1	0
Arson	0	0	0	0	0	0

VAWA OFFENSES	ON CAMPUS			PUBLIC PROPERTY		
	2018	2019	2020	2018	2019	2020
Domestic Violence	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0
Stalking	0	0	0	0	0	0

ARRESTS AND REFERRALS FOR DISCIPLINARY ACTION	ON CAMPUS			PUBLIC PROPERTY		
	2018	2019	2020	2018	2019	2020
Weapon Law Arrests	0	0	0	0	0	0
Drug Law Arrests	0	0	0	0	0	0
Liquor Law Arrests	0	0	0	0	0	0
Weapon Law Referrals for Disciplinary Action	0	0	0	0	0	0
Drug Law Referrals for Disciplinary Action	0	0	0	0	0	0
Liquor Law Referrals for Disciplinary Action	0	0	0	0	0	0

Hate crimes: 2018-2020: None

Unfounded crimes 2018-2020: None

ROCK CREEK CAMPUS

CRIMINAL OFFENSES	ON CAMPUS			NON-CAMPUS			PUBLIC PROPERTY		
	2018	2019	2020	2018	2019	2020	2018	2019	2020
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	1	0	0	0	0	0	1	0	0
Motor Vehicle Theft	0	1	1	0	0	0	0	1	1
Arson	0	1	0	0	0	0	0	1	0

VAWA OFFENSES	ON CAMPUS			NON-CAMPUS			PUBLIC PROPERTY		
	2018	2019	2020	2018	2019	2020	2018	2019	2020
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

ARRESTS AND REFERRALS FOR DISCIPLINARY ACTION	ON CAMPUS			NON-CAMPUS			PUBLIC PROPERTY		
	2018	2019	2020	2018	2019	2020	2018	2019	2020
Weapon Law Arrests	0	0	0	0	0	0	0	0	0
Drug Law Arrests	0	0	0	0	0	0	0	0	0
Liquor Law Arrests	0	0	0	0	0	0	0	0	0
Weapon Law Referrals for Disciplinary Action	0	0	0	0	0	0	0	0	0
Drug Law Referrals for Disciplinary Action	0	0	0	0	0	0	0	0	0
Liquor Law Referrals for Disciplinary Action	0	0	0	0	0	0	0	0	0

Hate crimes: 2018-2020: None

Unfounded crimes 2018-2020: None

SOUTHEAST CAMPUS

CRIMINAL OFFENSES	ON CAMPUS			NON-CAMPUS			PUBLIC PROPERTY		
	2018	2019	2020	2018	2019	2020	2018	2019	2020
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	1	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	1	0	0	0	0	1	0	0
Aggravated Assault	1	0	0	0	0	0	3	2	0
Burglary	1	0	1	0	0	0	0	0	0
Motor Vehicle Theft	3	7	0	0	0	0	3	1	1
Arson	0	0	0	0	0	0	0	1	0

VAWA OFFENSES	ON CAMPUS			NON-CAMPUS			PUBLIC PROPERTY		
	2018	2019	2020	2018	2019	2020	2018	2019	2020
Domestic Violence	1	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	1	0	0	0	0	0	0

ARRESTS AND REFERRALS FOR DISCIPLINARY ACTION	ON CAMPUS			NON-CAMPUS			PUBLIC PROPERTY		
	2018	2019	2020	2018	2019	2020	2018	2019	2020
Weapon Law Arrests	0	0	0	0	0	0	0	0	0
Drug Law Arrests	1	0	1	0	0	0	4	1	0
Liquor Law Arrests	0	0	0	0	0	0	0	0	0
Weapon Law Referrals for Disciplinary Action	0	0	0	0	0	0	0	0	0
Drug Law Referrals for Disciplinary Action	1	0	0	0	0	0	0	0	0
Liquor Law Referrals for Disciplinary Action	0	0	0	0	0	0	0	0	0

Hate crimes: 2018-2020: None

Unfounded crimes 2018-2020: None

SWAN ISLAND TRADES CENTER

CRIMINAL OFFENSES	ON CAMPUS			NON-CAMPUS			PUBLIC PROPERTY		
	2018	2019	2020	2018	2019	2020	2018	2019	2020
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	1	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	1	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	2	5	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0

VAWA OFFENSES	ON CAMPUS			NON-CAMPUS			PUBLIC PROPERTY		
	2018	2019	2020	2018	2019	2020	2018	2019	2020
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

ARRESTS AND REFERRALS FOR DISCIPLINARY ACTION	ON CAMPUS			NON-CAMPUS			PUBLIC PROPERTY		
	2018	2019	2020	2018	2019	2020	2018	2019	2020
Weapon Law Arrests	0	0	0	0	0	0	0	0	0
Drug Law Arrests	0	0	0	0	0	0	0	0	0
Liquor Law Arrests	0	0	0	0	0	0	0	0	0
Weapon Law Referrals for Disciplinary Action	0	0	0	0	0	0	0	0	0
Drug Law Referrals for Disciplinary Action	0	0	0	0	0	0	0	0	0
Liquor Law Referrals for Disciplinary Action	0	0	0	0	0	0	0	0	0

Hate crimes: 2018-2020: None

Unfounded crimes 2018-2020: None

SYLVANIA CAMPUS

CRIMINAL OFFENSES	ON CAMPUS			NON-CAMPUS*			PUBLIC PROPERTY		
	2018	2019	2020	2018	2019	2020	2018	2019	2020
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	1	1	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	1	2	1	0	0	0	0	0	0
Motor Vehicle Theft	0	1	1	0	0	0	0	1	0
Arson	0	0	0	0	0	0	0	0	0

VAWA OFFENSES	ON CAMPUS			NON-CAMPUS			PUBLIC PROPERTY		
	2018	2019	2020	2018	2019	2020	2018	2019	2020
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	2	2	0	0	0	0	1	0	0
Stalking	4	3	0	0	0	0	0	0	0

ARRESTS AND REFERRALS FOR DISCIPLINARY ACTION	ON CAMPUS			NON-CAMPUS			PUBLIC PROPERTY		
	2018	2019	2020	2018	2019	2020	2018	2019	2020
Weapon Law Arrests	0	0	0	0	0	0	0	0	0
Drug Law Arrests	0	0	2	0	0	0	0	0	0
Liquor Law Arrests	0	0	0	0	0	0	0	0	0
Weapon Law Referrals for Disciplinary Action	0	0	0	0	0	0	0	0	0
Drug Law Referrals for Disciplinary Action	3	3	2	0	0	0	0	0	0
Liquor Law Referrals for Disciplinary Action	0	1	0	0	0	0	0	0	0

*Non-campus crime statistics include PCC Downtown Center.

Hate crimes: 2018-2020: None

Unfounded crimes 2018-2020: None

WILLOW CREEK CENTER

CRIMINAL OFFENSES	ON CAMPUS			PUBLIC PROPERTY		
	2018	2019	2020	2018	2019	2020
Murder/Non-negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Fondling	2	0	0	1	1	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	1	0	0	0	2	0
Aggravated Assault	0	0	1	1	0	0
Burglary	1	0	0	0	0	0
Motor Vehicle Theft	0	0	0	1	1	0
Arson	0	0	0	0	0	0

VAWA OFFENSES	ON CAMPUS			PUBLIC PROPERTY		
	2018	2019	2020	2018	2019	2020
Domestic Violence	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0
Stalking	0	0	0	0	0	0

ARRESTS AND REFERRALS FOR DISCIPLINARY ACTION	ON CAMPUS			PUBLIC PROPERTY		
	2018	2019	2020	2018	2019	2020
Weapon Law Arrests	0	0	0	0	0	0
Drug Law Arrests	0	0	0	2	3	0
Liquor Law Arrests	0	0	0	0	1	0
Weapon Law Referrals for Disciplinary Action	0	0	0	0	0	0
Drug Law Referrals for Disciplinary Action	0	0	0	0	0	0
Liquor Law Referrals for Disciplinary Action	0	0	0	0	0	0

Hate crimes: 2018: One on-campus intimidation incident with bias of gender.
2019-2020: No hate crimes.

Unfounded crimes 2018-2020: None

DEFINITIONS OF CRIMES: SEXUAL ASSAULT, DOMESTIC VIOLENCE, INTIMATE PARTNER VIOLENCE AND STALKING

RAPE AND SEXUAL ASSAULT

ORS 163.375 Rape in the first degree. [Known as Rape 1]

- (1) A person who has sexual intercourse with another person commits the crime of rape in the first degree if:
 - (a) The victim is subjected to forcible compulsion by the person;
 - (b) The victim is under 12 years of age;
 - (c) The victim is under 16 years of age and is the person's sibling, of the whole or half blood, the person's child or the person's spouse's child; or
 - (d) The victim is incapable of consent by reason of mental defect, mental incapacitation or physical helplessness.
- (2) Rape in the first degree is a Class A felony. Penalties include a fine of up to \$375,000, up to 20 years in prison, or both. (Ore. Rev. Stat. §§ 161.605, 161.625, 163.375 (2017).)

ORS 163.365 Rape in the second degree. [Known as Rape 2]

- (1) A person who has sexual intercourse with another person commits the crime of rape in the second degree if the other person is under 14 years of age.
- (2) Rape in the second degree is a Class B felony. Penalties include a fine of up to \$250,000, up to ten years in prison, or both. (Ore. Rev. Stat. §§ 161.605, 161.625, 163.345, 163.365 (2018).)

ORS 163.355 Rape in the third degree. [Known as Rape 3]

- (1) A person commits the crime of rape in the third degree if the person has sexual intercourse with another person under 16 years of age.
- (2) Rape in the third degree is a Class C felony. Penalties include a fine of up to \$125,000, up to five years in prison, or both. (Ore. Rev. Stat. §§ 161.605, 161.625, 163.345, 163.355 (2018).)

First degree unlawful sexual penetration includes sexual penetration (with a body part or object other than the penis or mouth) that occurs between a minor younger than 12 and a defendant of any age. This offense is a Class A felony, which can incur a fine of up to \$375,000, up to 20 years in prison, or both. (Ore. Rev. Stat. §§ 161.605, 161.625, 163.411 (2018).)

Second degree unlawful sexual penetration includes sexual penetration between a minor who is 12 or 13, and a defendant who is at least three years older than the victim. This offense is a Class B felony. Penalties include a fine of up to \$250,000, up to ten years in prison, or both. (Ore. Rev. Stat. §§ 161.605, 161.625, 163.345, 163.408 (2018).)

First degree sexual abuse includes sexual contact (sexual touching, other than penetration, meant to arouse or gratify sexual desire) between a minor younger than 14 and a defendant who is at least three years older. This offense is a Class B felony. Penalties include a fine of up to \$250,000, up to ten years in prison, or both. (Ore. Rev. Stat. §§ 161.605, 161.625, 163.345, 163.427 (2018).)

Second degree sexual abuse includes sexual penetration, oral sex, or anal sex between a minor who is 14, 15, 16, or 17 and a defendant over the age of 21 who is or was the victim's coach. Punishments can include imprisonment and post-prison supervision, depending on such factors as the defendant's criminal history. (Ore. Rev. Stat. §§ 163.425, 163.426 (2018).)

APPENDIX A

Third degree sexual abuse includes sexual contact between a minor who is 14, 15, 16, or 17, and a defendant who is at least three years older. This offense is a class A *misdemeanor*. Penalties include a fine of up to \$6,250, up to one year in jail, or both. (Ore. Rev. Stat. §§ 161.615, 161.635, 163.345, 163.415 (2018).)

ORS 107.705(1) DOMESTIC VIOLENCE

Domestic abuse is when a family or household member:

- attempts to hurt you physically;
- actually hurts you physically (intentionally, recklessly or knowingly);
- intimidates or makes you afraid of serious physical injury (intentionally, recklessly or knowingly); or
- makes you have sex against your will by force or threat of force.

All forms of *assault and battery* are illegal. However, there are special *domestic violence laws* that criminalize acts of assault and battery between family and household members. Under Oregon's Family Abuse Protection Act, domestic abuse is defined as the occurrence of one or more of the following acts between family or household members:

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

Under Oregon's domestic violence laws, "family or household members" can only mean one of the following groups of people:

- Spouses
- Former spouses
- Adults related by blood, marriage, or adoption
- People who are living together, or who have previously lived together
- People who have been involved in a sexually intimate relationship within the last two years, or
- The unmarried parents of a child.

INTIMATE PARTNER VIOLENCE

Intimate partner violence is physical, sexual, or psychological harm by a current or former intimate partner or spouse. The partners do not have to be living together and can be the same or opposite sex.

Physical Violence: Using force to hurt someone

Sexual Violence: Use of physical force to compel a person to engage in a sexual act against their will, or when they are unable to give consent

Threats of Violence or Sexual Violence: Use of words, gestures, weapons, etc. to communicate intent to cause harm

Psychological/Emotional Violence: Attacking one's psychological/emotional

For more information visit [Intimate Partner Violence |Violence Prevention|Injury Center|CDC](#)

TEEN DATING VIOLENCE

Teen dating violence (TDV), also called, “dating violence”, is an [adverse childhood experience](#) that affects millions of young people in the United States. Dating violence can take place in person, online, or through technology. It is a type of [intimate partner violence](#) that can include the following types of behavior:

- Physical violence is when a person hurts or tries to hurt a partner by hitting, kicking, or using another type of physical force.
- Sexual violence is forcing or attempting to force a partner to take part in a sex act and or sexual touching when the partner does not or cannot consent. It also includes non-physical sexual behaviors like posting or sharing sexual pictures of a partner without their consent or sexting someone without their consent.
- Psychological aggression is the use of verbal and non-verbal communication with the intent to harm a partner mentally or emotionally and/or exert control over a partner.
- Stalking is a pattern of repeated, unwanted attention and contact by a partner that causes fear or concern for one’s own safety or the safety of someone close to the victim.

Teen dating violence has profound impact on lifelong health, opportunity, and well-being. Unhealthy relationships can start early and last a lifetime. The good news is violence is preventable and we can all help young people grow up violence-free.

For more information visit [Preventing Teen Dating Violence |Violence Prevention|Injury Center|CDC](#)

ORS 163.732 STALKING

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

- (a) The person knowingly alarms or coerces another person or a member of that person’s immediate family or household by engaging in repeated and unwanted contact with the other person;
- (b) It is objectively reasonable for a person in the victim’s situation to have been alarmed or coerced by the contact; and
- (c) The repeated and unwanted contact causes the victim reasonable apprehension regarding the personal safety of the victim or a member of the victim’s immediate family or household.

(2) (a) Stalking is a Class A misdemeanor.

(b) Notwithstanding paragraph (a) of this subsection, stalking is a Class C felony if the person has a prior conviction for:

- (A) Stalking; or
- (B) Violating a court’s stalking protective order.

(c) When stalking is a Class C felony pursuant to paragraph (b) 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]

For more information visit [Stalking - Oregon Department of Justice \(state.or.us\)](#)

For more information visit [Stalking Resource Center – The National Center for Victims of Crime.](#)

DEFINITION: CONSENT

WHAT IS CONSENT?

Consent is an agreement between participants to engage in sexual activity. Consent should be clearly and freely communicated. A verbal and affirmative expression of consent can help both you and your partner to understand and respect each other's boundaries.

Consent cannot be given by individuals who are underage, intoxicated or incapacitated by drugs or alcohol, or asleep or unconscious. If someone agrees to an activity under pressure of intimidation or threat, that isn't considered consent because it was not given freely. Unequal power dynamics, such as engaging in sexual activity with an employee or student, also mean that consent cannot be freely given.

HOW DOES CONSENT WORK?

When you're engaging in sexual activity, consent is about communication. And it should happen every time for every type of activity. Consenting to one activity, one time, does not mean someone gives consent for other activities or for the same activity on other occasions. For example, agreeing to kiss someone doesn't give that person permission to remove your clothes. Having sex with someone in the past doesn't give that person permission to have sex with you again in the future. It's important to discuss boundaries and expectations with your partner prior to engaging in any sexual behavior.

YOU CAN CHANGE YOUR MIND AT ANY TIME.

You can withdraw consent at any point if you feel uncomfortable. One way to do this is to clearly communicate to your partner that you are no longer comfortable with this activity and wish to stop. Withdrawing consent can sometimes be challenging or difficult to do verbally, so non-verbal cues can also be used to convey this. The best way to ensure that all parties are comfortable with any sexual activity is to talk about it, check in periodically, and make sure everyone involved consents before escalating or changing activities.

WHAT IS ENTHUSIASTIC CONSENT?

Enthusiastic consent is a newer model for understanding consent that focuses on a positive expression of consent. Simply put, enthusiastic consent means looking for the presence of a "yes" rather than the absence of a "no." Enthusiastic consent can be expressed verbally or through nonverbal cues, such as positive body language like smiling, maintaining eye contact, and nodding. These cues alone do not necessarily represent consent, but they are additional details that may reflect consent. It is necessary, however, to still seek verbal confirmation. The important part of consent, enthusiastic or otherwise, is checking in with your partner regularly to make sure that they are still on the same page.

ENTHUSIASTIC CONSENT CAN LOOK LIKE THIS:

- Asking permission before you change the type or degree of sexual activity with phrases like "Is this OK?"
- Confirming that there is reciprocal interest before initiating any physical touch.
- Letting your partner know that you can stop at any time.
- Periodically checking in with your partner, such as asking "Is this still okay?"
- Providing positive feedback when you're comfortable with an activity.

APPENDIX B

- Explicitly agreeing to certain activities, either by saying “yes” or another affirmative statement, like “I’m open to trying.”
- Using physical cues to let the other person know you’re comfortable taking things to the next level (see note below).

Note: Physiological responses like an erection, lubrication, arousal, or orgasm are involuntary, meaning your body might react one way even when you are not consenting to the activity. Sometimes perpetrators will use the fact that these physiological responses occur to maintain secrecy or minimize a survivor’s experience by using phrases such as, “You know you liked it.” In no way does a physiological response mean that you consented to what happened. If you have been sexually abused or assaulted, it is not your fault.

CONSENT DOES NOT LOOK LIKE THIS:

- Refusing to acknowledge “no.”
- A partner who is disengaged, nonresponsive, or visibly upset.
- Assuming that wearing certain clothes, flirting, or kissing is an invitation for anything more.
- Someone being under the legal age of consent, as defined by the state.
- Someone being incapacitated because of drugs or alcohol Pressuring someone into sexual activity by using fear or intimidation.
- Assuming you have permission to engage in a sexual act because you’ve done it in the past.

If you’ve experienced sexual assault, you’re not alone. To speak with someone who is trained to help, call the National Sexual Assault Hotline at 800.656.HOPE (4673) or chat online at online.rainn.org.

DEFINITION: BYSTANDER INTERVENTION

Everyone has a role to play in preventing sexual assault and there are many different ways you can step up to make a difference, notably through **bystander intervention**. An active bystander is someone who interrupts a potentially harmful situation, especially when it comes to sexual violence. They may not be directly involved but they do have the choice and opportunity to speak up and intervene.

We can all be bystanders at any point. Every day events and potentially unsafe situations unfold around us at an alarming rate. In these situations, you can play an important role in addressing interpersonal violence on and off campus. There may be many situations that happen that require you to intervene and act accordingly. Taking action and interfering safely is an essential skill. Stepping in can make all the difference, but it should never put your own safety at risk.

Below are ways you can be an effective, active bystander without posing risk to yourself.

CREATE A DISTRACTION

Distracting is a subtle and innovative way of intervening. The purpose of distraction is to interrupt the incident, safely, by communicating with the individual at risk and giving them an opportunity to safely exit the potentially dangerous situation. Try creating a distraction as early as possible.

This technique can be used to de-escalate the situation and re-direct the attention of the aggressor or the individual at risk to something else. For example, creating a conversation with the individual at risk is helpful. At this moment, make sure not to leave them alone. This technique can be used to dilute the tension before it escalates to further danger.

Other ideas include:

- Cut off the conversation with a diversion like, "Let's get pizza, I'm starving," or "This party is lame. Let's try somewhere else."
- Bring out fresh food or drinks and offer them to everyone at the party, including the people you are concerned about.
- Start an activity that draws other people in, like a game, a debate, or a dance party.

ASK DIRECTLY

Asking directly to the individual at risk can help you determine if an action needs to be taken immediately to ensure a safe environment. You can address the individual at risk directly. You can ask the following, "Do you need help?" or "Would you like me to stay with you?" or "Would you like to get out of here and go somewhere safe?"

Make sure to ask the question when the perpetrator is not listening or nearby in order to de-escalate the situation from turning into a crisis. Asking them if they need any support or assistance at the moment can help you determine if an authority needs to be contacted. If the answer is yes, proceed to contact a safe emergency personnel.

RALLY OTHERS

It can be intimidating to approach a situation alone. If you need to, enlist another person to support you:

Ask someone to come with you to approach the person at risk. When it comes to expressing concern, sometimes there is power in numbers.

Ask someone to intervene in your place. For example, you could ask someone who knows the person at risk to escort them to the bathroom.

Enlist the friend of the person you're concerned about. "Your friend looks like they've had a lot to drink. Can you check on them?"

Sometimes the safest way to intervene is to enlist an authority figure like a resident assistant, bartender, bouncer, or security guard. This option will allow you to have others on your side and can offer additional safety from the perpetrator.

If the situation has escalated and involves imminent danger and actual harm, the best intervention technique that can be used is to call 9-1-1. When calling, be prepared to identify yourself, your location, and the nature of the situation. Be sure to stay present when help arrives and near the individual that was harmed. Remain calm, friendly, and supportive.

EXTEND SUPPORT

After experiencing such a situation, the individual at risk may feel panicked and be unsure about what to do next. Extending a helping hand and empathetic ear can make a huge difference. Offer them appropriate resources and options for how you can support them. You can ask: "Do you want me to walk with you to your destination?" or "Is there anything I can do to support you?" or "Would you like resources for support and guidance following this incident?"

If they want resources, you can extend contact numbers of your campus' health, student support, and advocacy centers. You can also share the National Sexual Assault Hotline (800.656-HOPE (4673) or rainn.org); it's free, confidential, and available 24/7. Extending support is an important part of bystander intervention because it allows the individual at risk to heal and connect with a supportive community for recovery and restoration.

YOUR ACTIONS MATTER

Whether or not you were able to change the outcome, by stepping in you are helping to change the way people think about their role in preventing sexual assault. If you suspect that someone you know has been sexually assaulted, there are steps you can take to support that person and show you care. You can learn more at www.rainn.org/TALK.

To speak with someone who is trained to help, call the National Sexual Assault Hotline at **800.656.HOPE (4673)** or chat online at online.rainn.org.

