

University of Western States

2024 ANNUAL SECURITY REPORT

Introduction

This report is provided in compliance with the Jeanne Clery Disclosure of Campus safety and security Policy and Crime Statistics Act, as amended. It provides students and employees of University of Western States ("University") with information on: the University's security arrangements, policies and procedures; programs that provide education on such things as drug and alcohol abuse, awareness of various kinds of sex offenses, and the prevention of crime generally; and procedures the University will take to notify the campus community in the event of an emergency. Its purpose is to provide students and employees with information that will help them make informed decisions relating to their own safety and the safety of others.

Policy for Preparing the Annual Report

This report is prepared by the Associate Vice President (AVP) of Student and University Affairs in cooperation with local law enforcement authorities and includes information provided by them as well as by the University's campus safety and security and various other elements of the University. Each year an e-mail notification is made to all enrolled students and employees that provides the website link to access this report. Prospective students and employees are also notified of the report's availability. Hard copies of the report may also be obtained at no cost by contacting Seth Brimhall, Campus Operations and Safety Manager, Second Floor, 8000 NE Tillamook St, Portland, OR 97213, 801-706-0715. The University is committed to taking the actions necessary to provide a safe and secure working/learning environment for all students and staff. As a member of the campus community, you can feel safe and comfortable knowing that security procedures are in place that represent best practices in the field and are constantly tested and re-evaluated for their effectiveness.

General Safety and Security Policies

Campus Security Personnel & Relationship with Local Law Enforcement

The University does have a Campus Safety and Security department.

UWS Campus safety and security personnel are not sworn officers and have no authority to make arrests. The Portland police have jurisdiction on the main campus located at 8000 NE Tillamook St. There is no memorandum of understanding in effect between UWS and the Portland police.

Campus Security Authorities

The University has designated certain officials to serve as campus safety and security authorities. Reports of criminal activity can be made to these officials. They in turn will

ensure that the crimes are reported for collection as part of the University's annual report of crime statistics. The campus safety and security to whom the University would prefer that crimes be reported are listed below.

- Title IX: at ehowells@uws.edu, 971-449-9257
- Campus Safety Specialist: at broot@uws.edu, 503-206-3206
- Campus Operations and Safety Manager: at sbrimhall@uws.edu, 801-706-0715

Reporting a Crime or Emergency

The University encourages accurate and prompt reporting of all criminal actions, emergencies, or other incidents occurring on campus, on other property owned by the University, or on nearby public property to the appropriate administrator and appropriate police agencies. Such a report is encouraged when the victim of a crime elects to, or is unable to, make such a report.

UWS encourages accurate and prompt reporting of all crimes and concerns to campus safety and security and appropriate police agencies.

Situation	Contact
Immediate life-threatening or emergency	Call 911, then call Campus Safety and Security at 503-206-3206 or from the UWS Safe application
Criminal offenses occurred in the past (burglary, theft, etc.)	Campus Safety and Security at 503-206-3206, or from the UWS Safe application

Details of incidents can be submitted via an online reporting system, incident management and prevention services reporting application known as UWS Safe, hosted by App Armor. UWS Safe is available directly through the downloaded phone application and the UWS website under the “Inside UWS” dropdown menu, at the bottom of the UWS main page, or on the [Campus Safety and Security webpage](#).

This reporting application is available to all UWS students, employees, neighbors and visitors and allows for confidential reporting of all incidents or safety concerns. This application will allow for anonymous reporting; however, users are encouraged to leave their contact information so that they can be contacted with follow-up information regarding their report.

UWS identifies and trains all staff and students on an annual basis to report crimes on campus.

Confidential Reporting

The University will protect the confidentiality of victims. Only those with a need to know the identity for purposes of investigating the crime, assisting the victim or disciplining the perpetrator will know the victim's identity.

Pursuant to the University’s sexual misconduct policy, when an employee who is not a confidential resource becomes aware of alleged misconduct under that policy (including, but not limited to, dating violence, domestic violence, sexual assault, and stalking), the employee is responsible for reporting that information, including the status of the parties if known, to the Title IX Coordinator. A victim of other types of crimes (e.g., aggravated assault, burglary, etc.) who does not want to pursue action within the University disciplinary system, or the

criminal justice system is nevertheless encouraged to make a confidential report to a campus safety and security. Upon the victim's request, a report of the details of the incident can be filed with the University without revealing the victim's identity. Such a confidential report complies with the victim's wishes, but still helps the University take appropriate steps to ensure the future safety of the victim and others. With such information, the University can keep an accurate record of the number of incidents involving members of the campus community, determine where a pattern of crime may be developing and alert the community to any potential danger. These confidential reports are counted and disclosed in the annual crime statistics for the University.

The University does not employ any pastoral or professional counselors and thus does not have procedures for these positions to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

Security of and Access to Campus Facilities

All academic buildings are secured during the evenings and weekends. Building hours are Monday through Friday 6:30 AM to 7:00 PM. Access to the buildings is only allowed for authorized students and employees and is controlled by access control cards.

Students and employees are asked to be alert and to not circumvent practices and procedures that are meant to preserve their safety and that of others.

- Do not prop doors open or allow strangers into campus buildings that have been secured.
- Do not lend keys or access cards to users who are not authorized and do not leave them unattended.
- Report missing keys or access cards immediately.

Keys to the offices, laboratories, and classrooms on campus will be issued to employees only as needed and after receiving the proper authorization. Each department supervisor is responsible for assuring his/her area is secured and locked.

Employee and student identification cards may be used to verify the identity of persons suspected to be in campus facilities without permission.

Security Considerations in the Maintenance of Facilities

The Campus Safety and Security Department works with the Facilities Department to identify maintenance issues on campus that may be safety hazards. Safety checks are completed to identify street or safety lights that are not functioning properly, or to determine if shrubs or other landscaping might need trimming. Maintenance personnel regularly check to ensure there is adequate lighting on pathways and that egress lighting is working in hallways and stairwells.

Educational Programs Related to Security Awareness and Prevention of Criminal Activity

The University seeks to enhance the security of its campus and the members of the campus community by periodically presenting educational programs to inform students and employees about campus safety and security procedures and practices, to encourage students and employees to be responsible for their own security and the security of others and to inform them about the prevention of crimes. These programs are discussed below.

Incoming on-campus students complete a Campus safety and security orientation during Welcome Day. The training includes important contact information, safety awareness education, and how to handle accidents and injuries. The UWS Annual Security Report is posted on the university website and distributed via email on or before October 1 of each year. A safety-related email is sent at the start of each quarter to all students and employees. This email includes important contact information as well as information about how to submit incident reports, reminders and information regarding pertinent safety information for the time of year, and links to local resources. In addition, pertinent information is accessed through the UWS SafeApp.

Monitoring Off Campus Locations of Recognized Student Organizations

The University does not have any officially recognized student organizations with off campus locations and therefore does not monitor or record criminal conduct occurring at such locations.

Disclosure of the Outcome of a Crime of Violence or Non-Forcible Sex Offense

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

The previous paragraph does not apply to victims of dating violence, domestic violence, sexual assault, or stalking because under the Violence Against Women Act both the accused and accuser in these cases are given the results without the need to make a written request.

Drug and Alcohol Policy

The University is committed to creating and maintaining an environment that is free of alcohol abuse. The University prohibits the possession, use, and sale of alcohol beverage on campus or as any part of the University's activities, unless it is done so in accordance with applicable University policies, and it also enforces the state's underage drinking laws.

Students, employees, trustees, guests, vendors/contractors, patients, visitors, and all others conducting official business with the university or participating in any activity within the scope of authority of the university's employees are prohibited from:

- The unlawful manufacture, distribution, possession, use, sale or distribution of alcohol, unlawful drugs, and/or drug paraphernalia, including the misuse of prescription drugs or other controlled substances and/or the use of substances not

lawfully prescribed for the individual, on all university property, and at any university activity, event and/or program. The serving of alcohol may be allowed on university property or at a university activity upon advance written approval by the university president or the president's designee.

- Being under the influence of drug(s) or alcohol such that the person is unable to perform their assigned tasks properly, while on any university property or at any university activity/event.

Members of the university community are expected to refer suspected violations of this policy to university safety and security personnel.

The University also enforces federal and state drug laws. The possession, sale, manufacture or distribution of illegal drugs is prohibited on campus or as any part of the University's activities. Violators of the University's policies or federal and state laws regarding illegal drugs will be subject to disciplinary action and possibly criminal prosecution.

Federal Drug Laws (updated 08.05.2024)

Denial of Federal Benefits (21 U.S.C. § 862) A federal drug conviction may result in the loss of federal benefits, including loans, grants, scholarships, contracts, and licenses, although the Department of Education has said it will no longer disqualify students from Title IV aid for a federal or state conviction for possession or sale of a controlled substance.

Forfeiture of Personal Property and Real Estate (21 U.S.C. § 853) Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation. A warrant of seizure may be issued, and property seized at the time an individual is arrested on charges that may result in forfeiture.

Federal Drug Trafficking Penalties (21 U.S.C. § 841) Penalties for federal drug trafficking convictions vary according to the type and quantity of the controlled substance involved in the transaction. Penalties for subsequent convictions are more severe. Federally defined schedules of controlled substances are published at 21 U.S.C. 812.

In the case of a controlled substance in schedule I or schedule II, GHB (or, "liquid ecstasy"), or flunitrazepam (or, "Rohypnol"), a person shall be sentenced to a term of imprisonment of not more than 20 years. If death or serious bodily injury results from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces the possibility of a life sentence and fines ranging up to \$10 million.

In the case of a controlled substance in schedule III, a person shall be sentenced to a term of imprisonment of not more than 10 years, and if death or serious bodily injury results, shall be sentenced to a term of imprisonment of not more than 15 years or a fine not to exceed \$500,000, or both, for a first offense.

For less than 50 kilograms of marijuana, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

In the case of a schedule IV substance, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

Persons convicted on federal charges of drug trafficking within 1,000 feet of an elementary school, secondary school, college, or university (**21 U.S.C. § 860**) face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least one year, unless the offense involves five grams or less of marijuana.

Federal Drug Possession Penalties (21 U.S.C. § 844) Persons convicted on federal charges of possessing any controlled substance face penalties of up to one year in prison, a mandatory fine of no less than \$1,000, or both. Second convictions are punishable by not less than 15 days but not more than two years in prison and a minimum fine of \$2,500. Subsequent convictions are punishable by not less than 90 days but not more than three years in prison and a minimum fine of \$5,000.

For the most recent and complete Federal Trafficking Penalties information, visit the website of the U.S. Drug Enforcement Administration at www.campusdrugprevention.gov/sites/default/files/2022-07/Federal_Trafficking_Penalties_Chart_6-23-22.pdf.

Drug and Alcohol State Laws

Category	Summary (Oregon Revised Statutes)
Possession of Marijuana	<p>The recreational use of marijuana, under certain conditions, is permitted pursuant to the Adult and Medical Use of Cannabis Act. Or. Rev. Stat. §§ 475C.005 – 475C.525.</p> <p>It is unlawful for a person under 21 years of age to possess, attempt to purchase, or purchase a marijuana item, which includes accepting or consuming a marijuana item. Or. Rev. Stat. § 475C.317. A person who violates this provision commits a Class B violation, unless the person under 21 years old is operating a motor vehicle, which is a Class A violation. <i>Id.</i> Class A and B violations are punishable by fines of up to \$2,000 and \$1,000, respectively. Or. Rev. Stat. § 153.018. The court may order the person to undergo assessment and treatment. Or. Rev. Stat. § 475C.317. It is also a Class B violation for a person to sell or deliver, to possess with intent to sell or deliver or to manufacture with intent to sell or deliver marijuana paraphernalia to a person who is under 21 years of age, knowing that it will be used for the purpose for which it was marketed or designed. Or. Rev. Stat. § 475C.373. It is a Class C misdemeanor, punishable by a fine of up to \$1,250 or up to 30 days imprisonment, for any person under 21 years old to misrepresent their age in order to purchase or consume cannabis. Or. Rev. Stat. §§ 165.805, 161.615, 161.635.</p> <p>It is unlawful for any person to possess, knowingly or intentionally, more than four marijuana plants, more than eight ounces of usable marijuana, more than 16 ounces of cannabinoid products in solid form or cannabinoid concentrates, more than 72 ounces of cannabinoid products in liquid form,</p>

Category	Summary (Oregon Revised Statutes)
	<p>or more than one ounce of cannabinoid extracts. Or. Rev. Stat. § 475C.337; Or. Rev. Stat. § 475C.341. Unlawful possession of these amounts of marijuana by any person, including those under 21 years old, is a Class A misdemeanor. <i>Id.</i> The penalty for a Class A misdemeanor is a term of imprisonment of up to 364 days and/or fine not to exceed \$6,250. Or. Rev. Stat. § 161.615; Or. Rev. Stat. § 161.635.</p> <p>A person commits the offense of causing another person to ingest marijuana if the person knowingly or intentionally causes the other person to ingest a marijuana item without consent of the other person, which is a Class B felony punishable by up to 10 years' imprisonment and up to \$250,000 in fines. Or. Rev. Stat. §§ 475.908, 161.605, 161.625. It is a Class B violation for anyone to use marijuana items in a public place. Or. Rev. Stat. § 475C.377.</p> <p>The medicinal use of marijuana to treat certain medical conditions is legal. Or. Rev. Stat. §§ 475C.770 – 475C.919. Individuals must receive a registry identification card from the Oregon Health Authority, which requires written documentation from the applicant's attending provider stating that the attending provider has diagnosed the applicant as having a debilitating medical condition and that the medical use of marijuana may mitigate the symptoms or effects of the condition. Or. Rev. Stat. § 475C.783.</p>
Controlled Substances	<p>Oregon statutes cover a wide range of offenses related to the unlawful possession, manufacture, and delivery of controlled substances. Or. Rev. Stat. §§ 475.752 – 475.935. It is unlawful for any person to manufacture or deliver a controlled substance. Or. Rev. Stat. § 475.752. It is also unlawful for any person knowingly and intentionally to possess a controlled substance, unless the substance was obtained directly from, or pursuant to a valid prescription or order of, a practitioner while acting in the course of professional practice. <i>Id.</i></p> <p>Penalties vary widely based on the type and amount of the substance confiscated, the person's criminal history, location of the offense, and other surrounding circumstances. Or. Rev. Stat. § 475.752; Or. Rev. Stat. § 475.925. The penalty for unlawful delivery or manufacture of a controlled substance may include a term of imprisonment ranging between, at minimum, 34 months and, at most, 130 months. Or. Rev. Stat. § 475.925. It is unlawful for any person to deliver a controlled substance to a person under 18 years of age, and results in a Class A felony for a Schedule I or II controlled substance. Or. Rev. Stat. § 475.906.</p>
Alcohol and Minors	<p>A person must be at least 21 years of age to purchase alcoholic liquor. Or. Rev. Stat. § 471.105. A person under 21 years old may not attempt to purchase, purchase, or acquire alcoholic beverages. Or. Rev. Stat. § 471.430. Except when such a minor is in a private residence accompanied by a parent or guardian, and with such parent or guardian's consent, a person under 21 years of age may not have personal possession of alcoholic beverages. <i>Id.</i> A person under 21 years old also may not enter or attempt to enter any portion of a licensed premises that is identified as</p>

Category	Summary (Oregon Revised Statutes)
	<p>being prohibited to the use of minors (such as a bar or nightclub). <i>Id.</i> A person who violates these provisions commits a Class B violation and is subject to a fine of up to \$1,000. <i>Id.</i>; Or. Rev. Stat. § 161.615; Or. Rev. Stat. § 161.635. A person under 21 years of age commits a Class A violation if the person has personal possession of alcoholic beverages while that person is operating a motor vehicle. Or. Rev. Stat. § 471.430. The court may also order a person who violates these provisions to undergo assessment and treatment.</p> <p>It is unlawful for a person other than the person's parent or guardian to sell, give or otherwise make available any alcoholic liquor to a person under 21 years old. Or. Rev. Stat. § 471.410. A person who violates these provisions commits a Class A misdemeanor and is subject to a minimum fine of \$500 for a first conviction. <i>Id.</i></p> <p>It is unlawful for any person under 21 years old to misrepresent their age in order to purchase or consume alcoholic liquor. Or. Rev. Stat. § 165.805. A person who violates these provisions commits a Class C misdemeanor and is subject to a term of imprisonment of up to 30 days and fine not to exceed \$1,250. <i>Id.</i>; Or. Rev. Stat. § 161.615; Or. Rev. Stat. § 161.635. In addition, the person may be required to perform community service and have the person's driving privileges suspended for a period not to exceed one year, depending on the situation. Or. Rev. Stat. § 165.805.</p>
Driving Under the Influence (DUI)	<p>A person commits the offense of driving while under the influence of intoxicants if the person drives a vehicle while the person has 0.08 percent or more by weight of alcohol in the blood of the person, or while under the influence of an intoxicant or any combination of intoxicants. Or. Rev. Stat. § 813.010. A person is also guilty of driving under the influence if the person has 0.08 percent or more by weight of alcohol in the blood of the person within two hours after driving a vehicle. <i>Id.</i> Driving while under the influence of intoxicants is a Class A misdemeanor. <i>Id.</i> Persons convicted of driving under the influence of intoxicants must also complete a treatment program, pay an additional fee, and serve either a 48 hour minimum sentence or perform community service. Or. Rev. Stat. § 813.022, 813.020. Additional penalties may apply depending on the circumstances of the offense and based on the presence of prior offenses. Or. Rev. Stat. § 813.010, 813.011.</p>

Drug and Alcohol Abuse Prevention Program

In compliance with the Drug Free Schools and Communities Act (DFSCA), the University has a drug and alcohol abuse and prevention program, which includes an annual notification to students and employees regarding certain drug/alcohol-related information (such as legal sanctions for violations of applicable laws, health risks, etc.) and a biennial review of this program to evaluate its effectiveness and assess whether sanctions are being consistently enforced. For more information, see below.

- Student alcohol/drug policy: https://ftp.uws.edu/udocs/public/Policies_Public_Access/Institutional_Policies_1000s/Policy1008_Drugs_and_Alcohol.pdf
- Employee alcohol/drug policy: https://ftp.uws.edu/udocs/public/Policies_Public_Access/Institutional_Policies_1000s/Policy1008_Drugs_and_Alcohol.pdf
- Alcohol/drug webpage: <https://www.uws.edu/consumer-information/>
- Biennial review of the University's drug and alcohol abuse prevention program: <https://www.uws.edu/consumer-information/>

Policies, Procedures, and Programs Related to Dating Violence, Domestic Violence, Sexual Assault, and Stalking

Consistent with applicable laws, the University prohibits dating violence, domestic violence, sexual assault, and stalking. The University's policy used to address complaints of this nature, as well as the procedures for filing, investigating and resolving complaints, may be found at:

- Title IX Sexual Harassment: https://ftp.uws.edu/udocs/public/Policies_Public_Access/Institutional_Policies_1000s/Policy1016_Title_IX_Sexual_Harassment.pdf
- Nondiscrimination and Anti-Harassment: https://ftp.uws.edu/udocs/Public/Policies_Public_Access/Institutional_Policies_1000s/Policy1004_Nondiscrimination_and_Anti-Harassment.pdf
- Student Conduct : https://ftp.uws.edu/udocs/Public/Policies_Public_Access/Student_Policies_9000s/Policy9001_Student_Conduct.pdf
- Employee Conduct and Behavior Expectations: https://ftp.uws.edu/udocs/public/Policies_Public_Access/Institutional_Policies_1000s/Policy1006_Employee_Conduct_and_Behavior_Expectations.pdf

The following sections of this report discuss the University's educational programs to promote the awareness of dating violence, domestic violence, sexual assault and stalking; provides information concerning procedures students and employees should follow and the services available in the event they do become a victim of one of these offenses, and advises students and employees of the disciplinary procedures that will be followed after an allegation that one of these offenses has occurred.

Primary Prevention and Awareness Program:

The University conducts a Primary Prevention and Awareness Program (PPAP) for all incoming students and new employees. The PPAP advises campus community members that the University prohibits the offenses of dating violence, domestic violence, sexual assault and stalking. They are also informed of the topics discussed below, including relevant definitions, risk reduction, and bystander intervention.

Crime Definitions

Crime Type (Oregon Revised Statutes)	Definitions
Dating Violence	<p>The institution has determined, based on good-faith research, that Oregon's criminal statutes do not define the term dating violence.</p> <p>Oregon law provides the following definition of “teen dating violence”</p> <ul style="list-style-type: none"> a. A pattern of behavior in which a person uses or threatens to use physical, mental or emotional abuse to control another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age; or b. Behavior by which a person uses or threatens to use sexual violence against another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age. <p>Or. Rev. Stat. §§ 147.450; 339.366.</p>
Domestic Violence	<p>Oregon law provides the following definitions (Or. Rev. Stat. § 135.230):</p> <ul style="list-style-type: none"> • “Domestic violence” means abuse between family or household members. • “Abuse” means: (a) Attempting to cause or intentionally, knowingly or recklessly causing physical injury; (b) Intentionally, knowingly or recklessly placing another in fear of imminent serious physical injury; or (c) Committing sexual abuse in any degree [see definitions later in this chart]. • “Family or household members” means any of the following: (a) Spouses; (b) Former spouses; (c) Adult persons related by blood or marriage; (d) Persons cohabiting with each other; (e) Persons who have cohabited with each other or who have been involved in a sexually intimate relationship; (f) Unmarried parents of a minor child. <p>In addition, Oregon's Family Abuse Prevention Act (Or. Rev. Stat. § 107.705) provides the following:</p> <ul style="list-style-type: none"> • “Abuse” means the occurrence of one or more of the following acts between family or household members: (a) Attempting to cause or intentionally, knowingly or recklessly causing bodily injury; (b) Intentionally, knowingly or recklessly placing another in fear of imminent bodily injury; (c) Causing another to engage in involuntary sexual relations by force or threat of force. • “Family or household members” means any of the following: (a) Spouses; (b) Former spouses; (c) Adult persons related by blood, marriage or adoption; (d) Persons who are cohabiting or who have cohabited with each other; (e) Persons who have been involved in a sexually intimate relationship with each other within two years immediately preceding the filing by one of them of a petition under ORS 107.710; (f) unmarried parents of a child.

Crime Type (Oregon Revised Statutes)	Definitions
Stalking	<ul style="list-style-type: none"> • Stalking (Or. Rev. Stat. § 163.732): 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. • Or. Rev. Stat. § 163.730 provides the following definitions that apply to the crime of stalking: <ul style="list-style-type: none"> ○ “Alarm” means to cause apprehension or fear resulting from the perception of danger. ○ “Coerce” means to restrain, compel or dominate by force or threat. ○ “Contact” includes but is not limited to: (a) Coming into the visual or physical presence of the other person; (b) Following the other person; (c) Waiting outside the home, property, place of work or school of the other person or of a member of that person's family or household; (d) Sending or making written or electronic communications in any form to the other person; (e) Speaking with the other person by any means; (f) Communicating with the other person through a third person; (g) Committing a crime against the other person; (h) Communicating with a third person who has some relationship to the other person with the intent of affecting the third person's relationship with the other person; (i) Communicating with business entities with the intent of affecting some right or interest of the other person; (j) Damaging the other person's home, property, place of work or school; (k) Delivering directly or through a third person any object to the home, property, place of work or school of the other person; or (l) Service of process or other legal documents unless the other person is served as provided in ORCP 7 or 9; (m) Obtaining, possessing, transferring, creating, uttering or converting to the person’s own use the personal identification of the other person; (n) Disclosing an image of the other person, whose intimate parts are visible or who is engaged in sexual conduct, without the consent of the other person; (o) The use of an electronic service, application, device or other electronic means to obtain, monitor or interfere with the location, communication or activities of the other person, without the consent of the other person; or (p)_Causing a third person to harass, humiliate or injure the other person by disclosing the other person’s name, image or personal information, as

Crime Type (Oregon Revised Statutes)	Definitions
	<p>that term is defined in ORS 30.835, without the consent of the other person.</p> <ul style="list-style-type: none"> • “Disclose” has the meaning given that term in ORS 163.472 (includes, but is not limited to, transfer, publish, distribute, exhibit, advertise and offer). • “Household member” means any person residing in the same residence as the victim. • “Immediate family” means father, mother, child, sibling, spouse, grandparent, stepparent and stepchild. • Repeated” means two or more times.
Sexual Assault	<p>The institution has determined, based on good-faith research, that Oregon law does not define the term sexual assault. However, Oregon's Public Officers and Employees, Workplace Harassment provisions define “sexual assault” as unwanted conduct of a sexual nature that is inflicted upon a person or compelled through the use of physical force, manipulation, threat or intimidation. Or. Rev. Stat. § 243.317(3).</p>
Rape, Fondling, Incest, Statutory Rape	<p>For purposes of the Clery Act, the term “sexual assault” includes the offenses of rape, fondling, incest, and statutory rape. These definitions under Oregon law are as follows:</p> <ul style="list-style-type: none"> • Rape in the third degree (Or. Rev. Stat. § 163.355): 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. • Rape in the second degree (Or. Rev. Stat. § 163.365): 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. • Rape in the first degree (Or. Rev. Stat. § 163.375): 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 incapacitation, physical helplessness or incapability of appraising the nature of the victim's conduct. • Fondling: The institution has determined, based on good-faith research, that Oregon law does not define the term fondling. • Incest (Or. Rev. Stat. § 163.525): A person commits the crime of incest if the person marries or engages in sexual intercourse or oral or anal sexual intercourse with a person whom the person knows to be related to the person, either legitimately or illegitimately, as an ancestor, descendant or brother or sister of either the whole or half blood.

Crime Type (Oregon Revised Statutes)	Definitions
	<ul style="list-style-type: none"> Statutory Rape: The institution has determined, based on good-faith research, that Oregon law does not define the term statutory rape. Oregon prosecutes such offenses under its rape statutes. <i>See Or. Rev. Stat. § 163.355 et. seq.</i>
Other "sexual assault" crimes	<p>Other crimes under Oregon law that may be classified as a "sexual assault" include the following:</p> <ul style="list-style-type: none"> Sodomy in the third degree (Or. Rev. Stat. § 163.385): A person commits the crime of sodomy in the third degree if the person engages in oral or anal sexual intercourse with another person under 16 years of age or causes that person to engage in oral or anal sexual intercourse. Sodomy in the second degree (Or. Rev. Stat. § 163.395): A person who engages in oral or anal sexual intercourse with another person or causes another to engage in oral or anal sexual intercourse commits the crime of sodomy in the second degree if the victim is under 14 years of age. Sodomy in the first degree (Or. Rev. Stat. § 163.405): A person who engages in oral or anal sexual intercourse with another person or causes another to engage in oral or anal sexual intercourse commits the crime of sodomy in the first degree if: (a) The victim is subjected to forcible compulsion by the actor; (b) The victim is under 12 years of age; (c) The victim is under 16 years of age and is the actor's brother or sister, of the whole or half blood, the son or daughter of the actor or the son or daughter of the actor's spouse; or (d) The victim is incapable of consent by reason of mental incapacitation, physical helplessness or incapability of appraising the nature of the victim's conduct. Unlawful sexual penetration in the second degree (Or. Rev. Stat. § 163.408): (1) Except as permitted under ORS 163.412 [for the purpose of a medical procedure or in order to search for evidence of crime], a person commits the crime of unlawful sexual penetration in the second degree if the person penetrates the vagina, anus or penis of another with any object and the victim is under 14 years of age. (3) As used in this section, "object" includes any body part of the actor. Unlawful sexual penetration in the first degree (Or. Rev. Stat. § 163.411): (1) Except as permitted under ORS 163.412 [for the purpose of a medical procedure or in order to search for evidence of crime], a person commits the crime of unlawful sexual penetration in the first degree if the person penetrates the vagina, anus or penis of another with any object and: (a) The victim is subjected to forcible compulsion; (b) The victim is under 12 years of age; or (c) The victim is incapable of consent by reason of mental incapacitation, physical helplessness or incapability of

Crime Type (Oregon Revised Statutes)	Definitions
	<p>appraising the nature of the victim's conduct. (3) As used in this section, "object" includes any body part of the actor.</p> <ul style="list-style-type: none"> • Sexual abuse in the third degree (Or. Rev. Stat. § 163.415): A person commits the crime of sexual abuse in the third degree if: (a) The person subjects another person to sexual contact and: (A) The victim does not consent to the sexual contact; or (B) The victim is incapable of consent by reason of being under 18 years of age; or (b) For the purpose of arousing or gratifying the sexual desire of the person or another person, the person intentionally propels any dangerous substance at a victim without the consent of the victim. • Sexual abuse in the second degree (Or. Rev. Stat. § 163.425): A person commits the crime of sexual abuse in the second degree when: (a) The person subjects another person to sexual intercourse, oral or anal sexual intercourse or, except as provided in ORS 163.412 [for the purpose of a medical procedure or in order to search for evidence of crime], penetration of the vagina, anus or penis with any object other than the penis or mouth of the actor and the victim does not consent thereto; or (b) (A) The person violates ORS 163.415(1)(a)(B); (B) The person is 21 years of age or older; and (C) At any time before the commission of the offense, the person was the victim's coach or teacher as defined in Or. Rev. Stat. § 163.426. • Sexual abuse in the first degree (Or. Rev. Stat. § 163.427): A person commits the crime of sexual abuse in the first degree when that person: (a) Subjects another person to sexual contact and: (A) The victim is less than 14 years of age; (B) The victim is subjected to forcible compulsion by the actor; or (C) The victim is incapable of consent by reason of being mentally incapacitated, physically helpless or incapability of appraising the nature of the victim's conduct; or (b) Intentionally causes a person under 18 years of age to touch or contact the mouth, anus or sex organs of an animal for the purpose of arousing or gratifying the sexual desire of a person. • Contributing to the sexual delinquency of a minor (Or. Rev. Stat. § 163.435): A person 18 years of age or older commits the crime of contributing to the sexual delinquency of a minor if: (a) Being a male, he engages in sexual intercourse with a female under 18 years of age; or (b) Being a female, she engages in sexual intercourse with a male under 18 years of age; or (c) The person engages in oral or anal sexual intercourse with another person under 18 years of age or causes that person to engage in oral or anal sexual intercourse. • Sexual misconduct (Or. Rev. Stat. § 163.445): A person commits the crime of sexual misconduct if the person engages in sexual intercourse or oral or anal sexual intercourse with an unmarried person under 18 years of age.

Crime Type (Oregon Revised Statutes)	Definitions
Consent (as it relates to sexual activity) (Or. Rev. Stat. § 163.315)	<p>A person is considered incapable of consenting to a sexual act if the person is: (a) Under 18 years of age; (b) Incapable of appraising the nature of the person's conduct; (c) Mentally incapacitated; or (d) Physically helpless. A lack of verbal or physical resistance does not, by itself, constitute consent but may be considered by the trier of fact along with all other relevant evidence.</p> <p>A person is incapable of appraising the nature of the person's conduct if: (a) The person is unable to understand the nature of the conduct; (b) The person is unable to understand the right to choose whether and how to engage in conduct, including the right to revoke a prior decision to engage in conduct; or (c) The person is unable to communicate a decision to engage in conduct.</p>

University Definition of Consent

The University uses the following definition of consent in its sexual misconduct policy for the purpose of determining whether sexual violence (including sexual assault) has occurred:

Consent is a free and clearly given yes, not the absence of a no. Consent is knowing, voluntary and clear permission to engage in mutually agreed upon sexual activity. Each person is responsible for gaining consent. A person cannot consent if they are unable to understand what is happening, helpless, asleep or unconscious for any reason, including due to alcohol or other drugs.

Risk Reduction

If you find yourself in an uncomfortable sexual situation, these suggestions may help you reduce your risk:

- Make your limits known before going too far.
- You can withdraw consent to sexual activity at any time. Do not be afraid to tell a sexual aggressor "NO" clearly and loudly.
- Try to remove yourself from the physical presence of a sexual aggressor. Be direct as possible about wanting to leave the environment.
- Grab someone nearby and ask them for help.
- Be responsible about your alcohol and/or drug use. Alcohol and drugs can lower your sexual inhibitions and may make you vulnerable to someone who views an intoxicated/high person as a sexual opportunity.
- Attend large parties with friends you trust. Watch out for your friends and ask that they watch out for you.
- Be aware of someone trying to slip you an incapacitating "rape drug" like Rohypnol or GHB.

If you find yourself in the position of being the initiator of sexual behavior, these suggestions may help you to reduce your risk of being accused of sexual assault or another sexual crime:

- Remember that you owe sexual respect to the other person.
- Don't make assumptions about the other person's consent or about how far they are willing to go.
- Remember that consent to one form of sexual activity does not necessarily imply consent to another form of sexual behavior.
- If your partner expresses a withdrawal of consent, stop immediately.
- Clearly communicate your sexual intentions so that the other person has a chance to clearly tell you, their intentions.
- Consider "mixed messages" a clear sign that the other person is uncomfortable with the situation and may not be ready to progress sexually.
- Don't take advantage of someone who is really drunk or on drugs, even if they knowingly and intentionally put themselves in that state. Further, don't be afraid to step in if you see someone else trying to take advantage of a nearly incapacitated person.
- Be aware of the signs of incapacitation, such as slurred speech, bloodshot eyes, vomiting, unusual behavior, passing out, staggering, etc.

It is also important to be aware of the warning signs of an abusive person. Some examples include past abuse; threats of violence or abuse; breaking objects; using force during an argument; jealousy; controlling behavior; quick involvement; unrealistic expectations; isolation; blames others for problems; hypersensitivity; cruelty to animals or children; "playful" use of force during sex; Jekyll-and-Hyde personality.

Bystander Intervention

In addition to reporting incidents to appropriate authorities, below are some ways in which individuals can take safe and positive steps to prevent harm and intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking against another person.

- Look out for those around you.
- Realize that it is important to intervene to help others.
- Treat everyone respectfully. Do not be hostile or an antagonist.
- Be confident when intervening.
- Recruit help from others if necessary.
- Be honest and direct.
- Keep yourself safe.
- If things get out of hand, don't hesitate to contact the police.

Other Information Covered by the PPAP

The PPAP also provides information on possible sanctions and protective measures that may be imposed following a determination that an offense of dating violence, domestic violence, sexual assault, or stalking has occurred, an explanation of the disciplinary procedures that will be followed when one of these offenses is alleged, the rights of the parties in such a proceeding, available resources, and other pertinent information. Much of this information is set forth in the upcoming sections of this security report.

Ongoing Prevention and Awareness Campaign:

The University also conducts an Ongoing Prevention and Awareness Campaign (OPAC) aimed at all students and employees. This campaign covers the same material as provided in the PPAP but is intended to increase the understanding of students and employees on these topics and to improve their skills for addressing the offenses of dating violence, domestic violence, sexual assault and stalking.

PPAP and OPAC Programming Methods:

The PPAP and OPAC are carried out in a variety of ways, using a range of strategies, and, as appropriate, targeting specific audiences throughout the University. Methods include, but are not limited to: presentations, online training modules, distribution of written materials, and periodic email blasts. A summary of this programming is provided below.

- New students receive education on the prevention of dating violence, domestic violence, sexual assault, and stalking through a presentation by the Office of Student Success during orientation. All new employees are required to complete an online training module on these topics upon hire and are required to retake the online training each year.
- As part of its ongoing campaign, the University uses a variety of strategies, such as emails blasts with pertinent information, portal announcements, etc.
- University employees receive period announcements in the HR Round Up publication related to prevention and awareness and faculty trainings are held periodically during faculty meetings.

Procedures to Follow if You are a Victim of Dating Violence, Domestic Violence, Sexual Assault, or Stalking:

If you are a victim of dating violence, domestic violence, sexual assault, or stalking, go to a safe place and call 911 or the Campus Safety and Security Department at 503-206-3206. You may also contact the University's Title IX Coordinator at ehowells@uws.edu or 971-449-9257.

Victims will be notified in writing of the procedures to follow, including:

1. To whom and how the alleged offense should be reported (contact the Title IX Coordinator or refer to the other resources listed in this report).
2. The importance of preserving evidence that may be necessary to prove the offense in a criminal proceeding or disciplinary action or to obtain a protective order.
3. The victim's options regarding notification to law enforcement, which are: (a) the option to notify either on-campus or local police; (b) the option to be assisted by campus safety and security authorities in notifying law enforcement if the victim so chooses (the institution is obligated to comply with such a request if it is made); and (c) the option to decline to notify such authorities.
4. Where applicable, the rights of victims and the institution's responsibilities regarding orders of protection, no-contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

Preservation of Evidence & Forensic Examinations

Victims of physical assault are advised to not remove clothing items worn during or

following an assault, as they frequently contain valuable fiber, hair, and fluid evidence. Don't bathe or wash, or otherwise clean the environment in which the assault occurred. You can obtain a forensic examination at Below is a list of hospitals where UWS has confirmed that rape kits and training are available. This is not an exhaustive list and UWS does not advocate for any particular health care system.

Hospital	Address	Phone	Website
Portland Adventist	10123 SE Market St, Portland, OR 97216	503-257-2500	www.adventisthealthnw.com
Kaiser Sunnyside	10180 SE Sunnyside Rd, Clackamas, OR 97015	503-652-2880	www.kaiserpermanente.org
Portland Providence Medical Center ER	4805 NE Glisan St, Portland, OR 97213	503-215-1111	https://www.providence.org/locations/or/portland-medical-center
OHSU	3181 SW Sam Jackson Park Rd, Portland, OR 97230	503-494-8311	www.ohsu.edu

Completing a forensic examination does not require you to file a police report, but having a forensic examination will help preserve evidence in case you decide at a later date to file a police report.

Victims are also advised to retain evidence in electronic formats (e.g., text messages, emails, photos, social media posts, screenshots, etc.). Such evidence is valuable in all situations, and it may be the only type of evidence available in instances of stalking.

Security/Law Enforcement & How to Make a Police Report

- Campus Safety and Security - 8000 NE Tillamook St, Portland, OR 97213 503-206-3206
- Portland Police Department - East Precinct 737 SE 106th Ave, Portland, OR 97216 503-824-4800
- To make a police report, a victim should contact the local police agency listed above either by phone or in-person. The victim should provide as much information as possible, including name, address, and when and what occurred, to the best of the victim's ability.

Information about Legal Protection Orders

In Oregon, victims may obtain a Family Abuse Prevention Act Order to provide for protection from abuse by a family, household member, or someone with whom they have had a sexual relationship. The abuse must have been committed within the last 180 days. Information about Adult Orders of Protection may be found at: <https://www.multco.us/dv/get-help-domestic-sexual-violence>.

A protection order may be obtained by filing a petition with the court.

- A Petition for Order of Protection may be filed at the Multnomah County Circuit Court's Central Courthouse at 1200 SW 1st Ave, Portland, OR 97204. The courthouse is open Monday through Friday, 8 AM–4:30 PM. The phone number is 503-988-6400.
- Domestic Violence Advocates are available at the Multnomah County Courthouse to help with filing protection orders on a walk-in basis. Victims can also work with Gateway Center advocates remotely to file an application. **The Gateway Center does not accept walk-ins.** Victims may call **503-988-6400** during regular business hours for one-on-one support with experienced advocates. More information can be found here: <https://www.multco.us/dv>

When a protection order is granted, it is enforceable statewide. If you have obtained a protection order and need it to be enforced in your area, you should contact the local police department.

The institution will also enforce any temporary restraining order or other no contact order against the alleged perpetrator from a criminal, civil, or tribal court. Any student or employee who has a protection order or no contact order should notify the Title IX Coordinator and provide a copy of the restraining order so that it may be kept on file with the institution and can be enforced on campus, if necessary. Upon learning of any orders, the institution will take all reasonable and legal action to implement the order.

The institution does not issue legal orders of protection. However, as a matter of institutional policy, the institution may impose a no-contact order between individuals in appropriate circumstances. The institution may also issue a “no trespass warning” if information available leads to a reasonable conclusion that an individual is likely to cause harm to any member of the campus community. A person found to be in violation of a No Trespass Warning may be arrested and criminally charged.

Available Victim Services:

Victims will be provided written notification about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to them, both within the University and in the surrounding community. Those services include:

University Resources

- WellConnect Student Assistance Program – 866-640-4777
Free and confidential mental health counseling for all UWS students (online and on-campus). Partners with BetterHelp for online counseling **or** provides referrals for a local-to-you mental health counselor (call to relate to a local provider). Up to five (5)

visits per issue per calendar year. Call to request additional visits for a separate issue – be sure to say that it’s a new issue and ask them to add visits.

- Connected Whole Health Clinic – 971-449-9277
Health care for students and their families – almost all services free of charge.
- Campus Safety and Security – 503-206-3206 or via the UWS Safe app
Report safety concerns, request a vehicle escort. For emergencies, call 911.
- Student Affairs – 971-449-9264 or email studentsuccess@uws.edu
Discuss options for temporary withdrawal, academic accommodations or academic support, such as tutoring or academic coaching.
- Student Financial Aid – Sometimes a victim of a crime may feel the need to temporarily withdraw from school. If a student is considering a temporary withdrawal based on the circumstances of a complaint, the student should understand there may be financial aid implications in taking such break. This should be discussed with financial aid personnel, and the Title IX Coordinator can assist in facilitating this conversation if desired. The [University’s] financial aid website can be found at: <https://www.uws.edu/admissions/financial-aid/>.

State/Local Resources

Organization	Services	Phone	Website
Cascadia Health Urgent Walk-In Clinic 4212 SE Division, Suite 100, Portland, OR 97206	Free walk-in mental health care and assessment. Referrals to additional services.	503-963-2575	cascadiahealth.org/services/crisis-intervention/
211	Free, confidential referrals for finding food, utility assistance, housing resources, health care and more.	211	www.211info.org/
Portland Vet Center	Free, confidential help for veterans,	503-688-5361	www.vetcenter.va.gov/

1505 NE 122nd Ave, Portland, OR 97230	service members and their families.		
Legal Aid Services of Oregon Portland Regional Office 520 SW 6th Avenue, Suite 700 Portland, OR 97204	Free or low-cost legal services in the following areas of law: family law, government benefits, housing law for tenants, senior Issues, individual tax issues, discrimination based on a protected class, and other civil legal matters, and free legal clinics in the areas of consumer law, bankruptcy, expungements and more.	503-244-4086	lasoregon.org/
Portland Women's Crisis Line	Free, confidential 24-hr crisis line for men and women.	503-235-5333	www.pwd.org
Bradley-Angle House 5432 N Albina Ave, Portland, OR 97214	Services for survivors of domestic violence including a 24-hr crisis line, an emergency shelter,	503-281-2442	www.bradleyangle.org

	support groups and LGBTQ services.		
Men's Resource Center 12 SE 14th Ave, Portland, OR 97214	Services for men and women, domestic violence counseling, anger management, therapy for individuals who were sexually abused as children.	503-235-3433	www.portlandmrc.com
Oregonians Against Human Trafficking	Free, confidential 24-hr hotline for information and help.	888-373-7888	https://www.endslaverynow.org/oregonians-against-the-trafficking-of-humans-oath

National Resources

- National Domestic Violence Hotline: 1-800-799-7233
- National Sexual Assault Hotline: 1-800-656-4673
- Rape, Abuse and Incest National Network (RAINN): <https://www.rainn.org/>
- US Dept. of Justice Office on Violence Against Women: <https://www.justice.gov/ovw>
- National Coalition Against Domestic Violence: <http://www.ncadv.org/>
- National Sexual Violence Resource Center: <http://www.nsvrc.org/>
- U.S. Citizenship and Immigration Services: <https://www.uscis.gov/>
- Immigration Advocates Network: <https://www.immigrationadvocates.org/>

- National Suicide Prevention Lifeline: call or text 988

Accommodations and Protective Measures:

The University will provide written notification to victims about options for, and available assistance in, changing academic, living, transportation, and working situations or protective measures. If victims request these accommodations or protective measures and they are reasonably available the University is obligated to provide them, regardless of whether the victim chooses to report the crime to campus safety and security or local law enforcement.

Requests for accommodations or protective measures should be made to the Title IX Coordinator at ehowells@uws.edu or 971-449-9257, and the Title IX Coordinator is responsible for deciding what, if any, accommodations or protective measures will be implemented.

When determining the reasonableness of such a request, the University may consider, among other factors, the following:

- The specific need expressed by the complainant.
- The age of the students involved.
- The severity or pervasiveness of the allegations
- Any continuing effects on the complainant
- Whether the complainant and alleged perpetrator share the same class or job location.
- Whether other judicial measures have been taken to protect the complainant (e.g., civil protection orders).

The University will maintain as confidential any accommodations or protective measures provided a victim to the extent that maintaining confidentiality would not impair the University's ability to provide them. However, there may be times when certain information must be disclosed to a third party in order to implement the accommodation or protective measure. Such decisions will be made by the University considering the surrounding circumstances, and disclosures of this nature will be limited so that only the information necessary to implement the accommodation or protective measure is provided. In the event it is necessary to disclose information about a victim to provide an accommodation or protective order, the University will inform the victim of that necessity prior to the disclosure, including which information will be shared, with whom it will be shared and why.

Procedures for Disciplinary Action:

Allegations of domestic violence, dating violence, sexual assault, or stalking will be managed through the University's Title IX Policy, Nondiscrimination and Anti-Harassment Policy, the Student Conduct Policy or the Employee Conduct and Behavior Expectations policy, as appropriate to the specific details of the allegations.

The complaint resolution procedures are invoked once a report is made to one of the following individuals:

Elena Howells
Associate Vice President (AVP) of Student and University Affairs
Title IX Coordinator

971-449-9257
ehowells@uws.edu

Cindy Leger
Director, Human Resources
971-418-9073
cleger@uws.edu

Reports may be made in-person, electronically, or by phone. An electronic form available via the UWS Safe Application can also be used to file a report.

Title IX Investigation and Resolution Procedures

Once a formal complaint is made, the Title IX Coordinator, or other University employee as appropriate, will provide notice to the parties of the investigation, including a description of the process to be utilized, the identities of the parties, the conduct at issue, and the date and location of the alleged incident.

During the investigation, the complainant and respondent will each have an equal opportunity to describe the situation and present witnesses, including both fact and expert witnesses, and other supporting evidence. The investigator(s) will review the statements and evidence presented and may, depending on the circumstances, interview others with relevant knowledge, review documentary materials, and take any other appropriate action to gather and consider information relevant to the complaint. Prior to the conclusion of the investigation, both parties will be provided an opportunity to review the evidence gathered during the investigation that is directly related to the allegations raised in the formal complaint. Upon completion of the investigation, both parties will be given a copy of an investigation report.

In Title IX cases, a live hearing will be conducted to decide as to whether any allegations in the complaint were found to be substantiated by a preponderance of the evidence. During the hearing, each party's advisor will be permitted to ask the other party and any witnesses all relevant questions and follow-up questions including those bearing on credibility. The decision maker(s) will issue a written determination of responsibility, a statement of any disciplinary sanctions and whether any remedies will be provided to the complainant, and a description of the procedures and permissible grounds for appeal. The parties will be notified of this determination in writing within five (5) business days of it being made. The University strives to complete investigations of this nature within sixty (60) business days, though the timeline may be extended for good cause.

Both parties have an equal opportunity to appeal the determination by filing a written appeal with the Provost within five (5) business days of being notified of the outcome of the investigation. The non-appealing party will be notified of the appeal and permitted to submit a written statement in response. The Provost will resolve the appeal within ten (10) business days of receiving it, and may take any and all actions that he/she determines to be in the interest of a fair and just decision.

Nondiscrimination and Anti-harassment Investigation and Resolution Procedures

Once a formal complaint is made, the Title IX Coordinator, or other University employee as appropriate, will provide notice to the parties of the investigation, including a description of the process to be utilized, the identities of the parties, the conduct at issue, and the date and location of the alleged incident.

During the investigation, the complainant and respondent will each have an equal opportunity to describe the situation and present witnesses, including both fact and expert witnesses, and other supporting evidence. The investigator(s) will review the statements and evidence presented and may, depending on the circumstances, interview others with relevant knowledge, review documentary materials, and take any other appropriate action to gather and consider information relevant to the complaint. Upon completion of the investigation, both parties will be given a copy of an investigation report.

In harassment or discrimination cases, the investigator makes a determination as to whether any allegations in the complaint were found to be substantiated by a preponderance of the evidence standard. The decision maker(s) will issue a written determination of responsibility, a statement of any disciplinary sanctions and whether any remedies will be provided to the complainant, and a description of the procedures and permissible grounds for appeal. The parties will be notified of this determination in writing within five (5) business days of it being made. The University strives to complete investigations of this nature within sixty (60) business days, though the timeline may be extended for good cause.

Both parties have an equal opportunity to appeal the determination by filing a written appeal with the Provost within five (5) business days of being notified of the outcome of the investigation. The non-appealing party will be notified of the appeal and permitted to submit a written statement in response. The Provost will resolve the appeal within ten (10) business days of receiving it and may take all actions that he/she determines to be in the interest of a fair and just decision.

Student Conduct Investigation and Resolution Procedures

Upon receipt of a report of an alleged violation of the student conduct code, the associate vice president (AVP) of student and university affairs, or designee, reviews the report to determine if (a) additional information is needed, and (b) the complaint or allegation is a violation of the student conduct code or needs to be referred to another university policy or procedure. In cases in which the conduct is or may be a safety or security threat, the university may take interim actions to mitigate risk to the student and/or the university community.

Once determined that the complaint or allegation is a violation of the student conduct code, the AVP of Student and University Affairs (or designee) determines if a formal investigation is warranted to collect additional information or facts, or if there is sufficient and clear evidence of a student conduct violation to proceed. In cases in which there is sufficient and clear evidence of a violation, a written incident report outlining the incident, evidence, and other information will be created and provided to appropriate parties.

Following the conclusion of a formal investigation or incident report, the AVP of Student and University Affairs (or designee) determines, in consultation with the dean of the student's college, an appropriate forum for resolution (as outlined in sections A-D below). The appropriate forum will be initiated and applied in accordance with the student conduct incident response, investigation, and adjudication procedures document.

The determination of an appropriate forum for resolution is based on an assessment of the:

- Nature of the violation,
- Context in which it occurred,
- Potential sanctions for the violation in question,
- Frequency of the behavior or violation in question,
- Severity and pervasiveness of the behavior per violation in question,
- Desired forum for resolution by the complainant (if applicable) and the respondent, and
- Most appropriate forum to redress behavior and/or violation.

A. Informal Resolution

The AVP of Student and University Affairs, or a designated university administrator (such as a dean of a college), reviews the report and works with the student toward a resolution. Outcomes in this forum may include, but are not limited to, informal discussion, mentoring and coaching, conflict mediation, restorative justice, non-disciplinary intervention, and no-contact directives. Informal resolution meetings may include other university personnel such as faculty, staff, or administrators.

B. Conduct Conference

The conduct conference is a meeting between the respondent and a university designated administrator (e.g., dean of a college, vice president of academic affairs, etc.). The conduct conference will also include a second university representative who will be selected by the designated administrator.

C. Resolution by Agreement

UWS may, in its discretion, seek a resolution by agreement at any stage in the disciplinary process. Under a resolution by agreement, a respondent may agree to accept specific terms for disciplinary action presented by the AVP of Student and University Affairs, or designated university administrator, in lieu of participating in an administrative hearing.

D. Administrative Hearing

Administrative hearings may be held where there is substantial dispute as to the facts regarding the incident(s) in question, and/or where the allegations are sufficiently serious and therefore may result in dismissal or expulsion from the university.

Employee Conduct Investigation and Resolution Procedures

Upon receipt of a report of an alleged violation of the employee conduct and behavior expectations, the Director of Human Resources, or designee, reviews the report to determine if (a) additional information is needed, and (b) the complaint or allegation is a violation of the employee conduct and behavior expectations or needs to be referred to another university policy or procedure. In cases in which the conduct is or may be a safety or security threat, the university may take interim actions to mitigate risk to the employee and/or the university community.

The Director of Human Resources (or designee) may collect additional information, including speaking with witnesses. Following the collection of information, a written incident report outlining the incident, evidence, and other information will be created and provided to appropriate parties. The university reserves the right to facilitate an investigation.

The Director of Human Resources (or designee) collaborates with the employee's supervisor to determine an appropriate corrective action in accordance with the UWS Employee Handbook.

Progressive discipline identifies, discusses, and corrects behaviors or issues that affect an employee's work conduct or performance. Progressive discipline may include counseling, verbal warning, written warning, final warning, and/or termination (see UWS Employee Handbook for definitions). The university reserves the right to immediately terminate an employee or skip any step(s) in the progressive discipline process.

The determination of an appropriate progressive discipline is based on an assessment of the:

- Nature of the violation,
- Context in which it occurred,
- Frequency of the behavior or violation in question,
- Severity and pervasiveness of the behavior per violation in question, and
- Most appropriate forum to redress behavior and/or violation.

Rights of the Parties in an Institutional Proceeding:

During the course of the process described in the previous section, both the accuser and the individual accused of the offense are entitled to:

1. A prompt, fair and impartial process from the initial investigation to the final result.
 - A prompt, fair and impartial process is one that is:
 - Completed within reasonably prompt timeframes designated by the institution's policy, including a process that allows for the extension of timeframes for good cause, with written notice to the accuser and the accused 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 accuser and the accused.
 - Includes timely notice of meetings at which the accuser or accused, or both, may be present; and

- Provides timely access to the accuser, the accused and appropriate officials to any information that will be used during the informal and formal disciplinary meetings and hearings.
 - Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.
- 2. Proceedings conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.
- 3. Hearing officers and decision-makers are neutral, third-party experts from a firm specializing in Title IX and discrimination investigations who are hired by the university to conduct the necessary investigation and decision-making steps. The hearing officers and decision-makers are trained by their firm in the definition of sexual harassment; the scope of the University's education programs and activities; how to conduct investigations, hearings, and appeals and informal resolutions (as applicable); relevant evidence and how it should be used during a proceeding; proper techniques for questioning witnesses; basic procedural rules for conducting a proceeding; and avoiding actual and perceived conflicts of interest.
- 4. 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. The institution may not limit the choice of advisor but may establish limits regarding the extent to which that advisor may participate in the proceeding, as long as those limits apply equally to both parties.
- 5. Have the outcome determined using the preponderance of the evidence standard.
- 6. Simultaneous, written notification of the results of the proceeding, any procedures for either party to appeal the result, any change to the result, and when the result becomes final. For this purpose, "result" means "any initial, interim and final decision by an official or entity authorized to resolve disciplinary matters" and must include the rationale for reaching the result and any sanctions imposed.

Possible Sanctions or Protective Measures that the University May Impose for Dating Violence, Domestic Violence, Sexual Assault or Stalking Offenses:

Following a final determination in the institution's disciplinary proceeding that dating violence, domestic violence, sexual assault, or stalking has been committed, the institution may impose a sanction depending on the mitigating and aggravating circumstances involved. The possible sanctions include: warning; no-contact directive; mandatory health evaluation; probation; restriction or loss of privileges; suspension; dismissal; expulsion/termination; or other sanctions as determined by the decision-maker. If a suspension is imposed on a student, it may be for part of an academic term, a full academic term, or an entire academic year. An employee may be suspended for any length of time determined appropriate by the Director of Human Resources. Following a suspension, the individual will be required to meet with the Associate Vice President for Student and University Affairs (student) or Director of Human Resources (employee) to discuss re-entry and expectations going forward.

In addition, the University can make available to the victim a range of protective measures. They include: forbidding the accused from communicating with the victim, other institutional

no-contact orders, security escorts, modifications to academic requirements or class schedules, changes in working situations, etc.

Publicly Available Recordkeeping:

The University will complete any publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifiable information about victims of dating violence, domestic violence, sexual assault, and stalking who make reports of such to the University to the extent permitted by law.

Victims to Receive Written Notification of Rights:

When a student or employee reports to the University that he or she has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, the University will provide the student or employee a written explanation of his or her rights and options as described in the paragraphs above.

Sex Offender Registration Program:

The Campus Sex Crimes Prevention Act of 2000 requires institutions of higher education to advise members of the campus community where they can obtain information provided by the state concerning registered sex offenders. It also requires sex offenders to notify the state of each institution of higher education in the state at which they are employed or enrolled or carrying on a vocation. The state is then required to notify the University of any such information it receives. Anyone interested in determining whether such people are on this campus may do so by contacting the Campus Operations and Safety Manager at Campus Operations and Safety Manager. State registry of sex offender information may be accessed at the following link: <http://sexoffenders.oregon.gov/>

Timely Warnings and Emergency Response

Timely Warnings

In the event of criminal activity occurring either on campus or off campus that in the judgment of the Campus Safety and Security constitutes a serious or continuing threat to members of the campus community, a campus-wide “timely warning” will be issued. Examples of such situations may include a sexual assault or a series of motor vehicle thefts in the area that merit a warning because they present a continuing threat to the campus community. Warnings will be communicated to students and employees via one or more of the methods discussed later in this section. Updates to the warnings will be provided as appropriate.

Anyone with information warranting a timely warning should immediately report the circumstances to:

- Campus Safety and Security, 503-206-3206

The University has communicated with local law enforcement asking them to notify the University if it receives reports or information warranting a timely warning.

Emergency Response

The University has an emergency management plan designed to ensure there is a timely and effective response in the event of a significant emergency or dangerous situation occurring on campus involving an immediate threat to the health or safety of members of the campus community. Such situations include, but are not limited to: tornadoes, bomb threats, chemical spills, disease outbreaks, fires, active shooters, etc. The University has communicated with local police requesting their cooperation in informing the University about situations reported to them that may warrant an emergency response.

Students, staff and visitors are encouraged to notify the Campus Operations and Safety Manager at Campus Operations and Safety Manager of any emergency or potentially dangerous situation.

Campus Safety and Security will access available sources of information from campus administrative staff and local authorities to confirm the existence of the danger and will be responsible for initiating the institution's response and for marshaling the appropriate local emergency response authorities for assistance. Depending on the nature of the emergency, other University departments may be involved in the confirmation process.

Once the emergency is confirmed and based on its nature, the Campus Operations and Safety Manager will consult with other appropriate University officials to determine the appropriate segment or segments of the University community to be notified.

The Campus Operations and Safety Manager in collaboration with other appropriate personnel, will determine who should be notified, and will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

Depending on the segments of the campus the notification will target, the content of the notification may differ. When appropriate, the content of the notification will be determined in consultation with local authorities. Also, as appropriate, the notification will give guidance as to whether its recipients should shelter in place or evacuate their location.

The Campus Operations and Safety Manager will direct the issuance of emergency notifications, which will be accomplished using one or more of methods discussed later in this section, depending on the nature of the threat and the segment of the campus community being threatened.

At the direction of the Campus Operations and Safety Manager, the University's Communications Strategist will notify local law enforcement of the emergency if they are not already aware of it and local media outlets in order that the larger community outside the campus will be aware of the emergency.

Methods for Issuing Timely Warnings and Emergency Notifications

The method(s) listed below may be utilized when the University issues a timely warning or emergency notification to the campus community.

Method	Sign Up Instructions
UWS Safe App	Learn more and download the app at https://www.uws.edu/alerts/
Postings on the UWS website	View https://www.uws.edu/
UWS Email	No sign-up needed
Campus Loudspeakers and Alarms	No sign-up needed

Testing & Documentation

The University tests its emergency response and evacuation procedures at least once a year. The tests may be announced or unannounced. Also, at various times the Emergency Management Team will meet to train and test and evaluate the University's emergency response plan.

The Campus Operations and Safety Manager maintains a record of these tests and training exercises, including a description of them, the dates and times they were held and an indication of whether they were announced or unannounced. In connection with at least one such test, the University will distribute to its students and employees' information to remind them of the University's emergency response and evacuation procedures.

Crime Statistics

The statistical summary of crimes for this University over the past three calendar years follows:

[illegible]

Crime	On Campus			Non Campus			Public Property		
	2023	2022	2021	2023	2022	2021	2023	2022	2021
Disciplinary Referral - Drug Abuse Violation	0	0	0	0	0	0	0	0	0
Disciplinary Referral - Weapon Violation	0	0	0	0	0	0	0	0	0
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

* The University does not have on-campus student housing facilities.

Hate crimes:

2023: No hate crimes reported.

2022: No hate crimes reported.

2021: No hate crimes reported.

Crimes unfounded by the University:

2023: 0 unfounded crimes.

2022: 0 unfounded crimes.

2021: 0 unfounded crimes.

Statistics for unfounded crimes provided by law enforcement agencies:

2023: 0 unfounded crimes.

2022: 0 unfounded crimes.

2021: 0 unfounded crimes.