

**Lane Community College
Annual Security Report
2015 Calendar Year**

**Report Date
September 30, 2016**

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1. Introduction – The Clery Act: The *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act)* requires educational institutions to provide current and prospective students and employees with the security policies, regulations and crime statistics of the college. Lane Community College Public Safety protects individuals and property by providing a range of public safety services and information. LCC Public Safety believes that an informed community is a safer community. The following policies, procedures, statistics and programs are intended to increase awareness of, and to provide data on, the incidence of reported crimes, and certain arrests on college property, in areas adjacent to the campus and at college-sponsored events.

For more information regarding LCC Public Safety or to request a printed copy of this report, contact the LCC Public Safety Office at (541) 463-5558. Additional information about LCC Public Safety and links to this report may also be found at www.lanecc.edu/psd.

2. Campus Public Safety Office Mission:

- Provide a safe educational environment
- Provide informative, educational public safety information
- Detect and respond to emergency situations
- Integrate best standards of law enforcement and student development into operational practices and into the learning experience

2.1 Vision. Create, foster and maintain a quality educational learning environment by ensuring that professional service is provided to all students, staff, faculty and visitors at Lane Community College.

2.2 Contact Information. The LCC Public Safety Office at Lane Community College Main Campus is located in Building #13, Room 107. The office is open from 8 am – 5 pm Monday through Friday. LCC Public Safety Officers are on the Main Campus (30th Ave, Eugene) 24 hours a day, 7 days a week. Officers are also stationed at the Downtown Campus as scheduled. Officers may be contacted during business hours by calling (541) 463-5558 and at (541) 463-5555 for emergencies. LCC Public Safety has contracted for after-hours and evening dispatch services with the Lane County Sheriff’s Office.

2.3 Services Provided by LCC Public Safety. LCC Public Safety services provided include:

Patrol service; criminal investigation, traffic law enforcement, parking enforcement, lost and found; key management; management of the access control system; monitoring alarm systems for the main and satellite campuses; after hours entry assistance; provision of portable battery packs (jump-start) for checkout; criminal record checks (including fingerprinting and criminal history); emergency response (i.e. fire, medical, public safety, disaster); conducting safety escorts; and presenting educational presentations to departments, groups, and organizations.

3. Reporting Criminal Actions, Crimes & Other Emergencies

3.1 *Crime Reporting Procedure* (www.lanecc.edu/copps/documents/crime-reporting).

All crimes occurring on Lane Community College property, or at Lane Community College sponsored events, should be reported to LCC Public Safety by calling (541) 463-5555 or 911 if it is an emergency (See Emergency Plan - <http://www.lanecc.edu/copps/documents/emergency-plan>). For non-emergency situations, call (541) 463-5558 or make a report in person (Building 13, Room 107) to report crimes, or violations of the Student Code of Conduct: <http://www.lanecc.edu/copps/student-code-conduct>. Non-emergency reports should be done within 24 hours of occurrence of the incident.

Main Campus: LCC Public Safety emergency only number is (541) 463-5555 or 911.

There are several emergency “BLUE” telephones located outside on the main Lane Community College Campus. These phones connect directly to Emergency dispatch for LCC Public Safety.

Emergency “RED” phones are located inside buildings throughout the main campus and connect directly to the LCC Public Safety Emergency line: (541) 463-5555.

All main campus and Downtown campus emergency elevator phones connect directly to the LCC Public Safety Emergency line: (541) 463-5555.

Emergency numbers and law enforcement information for other College locations:

Downtown Campus:

Eugene Police Department
777 Pearl Street
Eugene, OR 97401
Dial: (541) 463-5555 or 911

Florence Center:

Florence Police Department
900 Greenwood Street
Florence, OR 97439
Dial: 911

Cottage Grove Center:

Cottage Grove Police Department
400 East Main Street
Cottage Grove, OR 97424-2034
Dial: 911

Flight Aviation Center:

Eugene Police Department
777 Pearl Street
Eugene, OR 97401
Dial: 911

KLCC Radio Station:

Eugene Police Department
777 Pearl Street
Eugene, OR 97401
Dial: 911

When a crime is reported, whether by calling LCC Public Safety or by making a report in person at Building 13, Room 107, Public Safety Officers will determine the appropriate level of investigation and will report crimes of serious impact to the Lane County Sheriff's Department, the Eugene Police Department, or other appropriate jurisdiction law enforcement. A written incident report may be available to crime victims for assistance with insurance claims, crime reporting, and other actions. To request a written incident report, contact LCC Public Safety at (541) 463-5558. There is a service charge for all incident report copies. No reports will be released for cases under active investigation.

All persons have the right to report a crime directly to the Lane County Sheriff's Office, or other law enforcement agency within their jurisdiction, when a crime is committed against them or their personal property while on Lane Community College property, or at a Lane Community College sponsored event. LCC Public Safety encourages individuals to report all crimes against them or their personal property that occur on Lane Community College property or at a Lane Community College event to Lane Community College Public Safety Office, the Lane County Sheriff's Office, or other law enforcement agency. Crimes may be reported to the Lane County Sheriff's Office at: 125 East Eighth Avenue, Eugene, Oregon, 97401 or by calling 911 for emergencies or (541) 682-4150 for non-emergencies.

All losses of college owned property, for any reason, should be reported to Lane's Chief Financial Officer at (541) 463-5516. The Chief Financial Officer will review applicable insurance coverage (see Insurance: Property and Liability- (<http://www.lanecc.edu/copps/documents/insurance-property-and-liability>)) All losses of college owned property as the result of a possible crime should also be reported to LCC Public Safety within 24 hours of knowledge of the occurrence.

3.2 Persons and Organizations That Can Assist with Reports of Criminal Offenses or Other Emergencies. In addition to calling in an emergency or a crime report to LCC Public Safety at (541) 463-5555 or making a report in person at the LCC Public Safety Office (Building 13, Room 107), students and employees may report to any of the following persons or organizations:

CAMPUS ORGANIZATIONS/AGENCIES WHERE CRIMES MAY BE REPORTED

Department	Title	Location	Phone Number
Department of Public Safety	Chief Public Safety Officer	Bldg 13 Rm 107	(541) 463-5558 (Dispatch) (541) 463-5555 (Emergency)
Office of Academic and Student Affairs	Executive Dean of OASA	Bldg 3, 2 nd Floor	(541) 463-5732
Office of Vice President of Operations	Vice President	Bldg 3, Rm 207	(541) 463-5310
Multi-Cultural Center	Program Coordinator	Bldg 1, Rm 201	(541) 463-5276
International Student Program	Student Advisor	Bldg 11, Rm 242	(541) 463-3404
The Women’s Center	Coordinator of Women’s Center	Bldg 1, Rm 202	(541) 463-5353
The Health Clinic	Health Clinic Manager	Bldg 18, Rm 101	(541) 463-5666
Downtown Campus	Director of DTA	9101 W. 10 th Avenue Eugene,	(541) 463-6115
Florence Campus	Director Florence Campus	3149 Oak St. Florence, OR	(541) 997-8444
Cottage Grove Campus	Executive Director of Cottage Grove Campus	1275 S. River Rd, Cottage Grove, OR	(541) 463-4202

In addition, the following individuals have significant responsibility for student and campus activities. Alleged serious crimes that are reported to these individuals are reported to LCC Public Safety in the form of an incident report. “Serious crimes” refers to those crimes required to be reported by the *Clery Act*.

3.3 Campus Security Authorities

Name, Title and Department	Email	Phone Number
John Baumann <i>Interim Health Clinic Manager</i> Health Clinic	baumannj@lanecc.edu	(541) 463-5666
Joan Aschim <i>Public Information Officer</i> Marketing/Public Relations	aschimj@lanecc.edu	(541) 463-5591
John Stark <i>General Manager</i> KLCC-FM	starkj@lanecc.edu	(541) 463-6006
Stephen Boulton <i>Management Administration</i> Aviation Academy	boultons@lanecc.edu	(541) 463-4302
Sheryl Berman, Dean, Health Professions	bermans@lanecc.edu	(514) 463-5618
Patsy Raney Woman's Programs	raneyp@lanecc.edu	(541) 463-5298
Susan Carkin <i>Dean, Language, Literature, and Communications</i>	carkins@lanecc.edu	(541) 463-5418
Dennis Carr <i>Chief Human Resources Officer</i> Human Resources	carrd@lanecc.edu	(541) 463-5585
Patrick O'Connor <i>Dean, Advanced Technology</i>	O'Connorp@lanecc.edu	(541) 463-5710
Jerry DeLeon <i>Associate Dean Counseling and Advising</i>	deleonjf@lanecc.edu	(541) 463-5870
Dawn DeWolf <i>Interim Vice-President ASA</i>	dewolfd@lanecc.edu	(541) 463-5302
Gregory Evans <i>Faculty Instructor</i> Student Life and Leadership Development	evansg@lanecc.edu	(541) 463-5340
Jennifer Falzerano <i>Director, International Programs</i>	falzeranoj@lanecc.edu	(541) 463-3413
James Florendo <i>Faculty Instructor,</i> Student Life and Leadership Development	florendoj@lanecc.edu	(541) 463-5238
James Garcia <i>Faculty Instructor,</i> Student Life and Leadership Development	garciaj@lanecc.edu	(541) 463-5144
Mark Harris <i>Faculty Instructor</i> Counseling	harrism@lanecc.edu	(541) 463-5178

Name, Title and Department	Email	Phone Number
Lida Herburger <i>Director – Continuing Education, Business Dev. Center & Employee Training</i>	herburgerl@lanecc.edu	(541) 463-6115
Brian Kelly <i>Vice-President, College Services</i>	kellyb@lanecc.edu	(541) 463-5310
Greg Evans <i>Interim Chief Diversity Officer President’s Office</i>	evansg@lanecc.edu	(541) 463-5307
Mary Jeanne Kuhar <i>Executive Dean, Career and Technical</i>	kuharm@lanecc.edu	(541) 463-5315
Phil Martinez, <i>Dean of Social Science</i>	martinezp@lanecc.edu	(541) 463-5306
Carl Yeh, <i>Director of Student Standards</i>	yehc@lanecc.edu	(541) 463-5787
Mary Parthemer <i>Program Director, TRIO</i>	parthemerm@lanecc.edu	(541) 463-3132
Jennifer Frei <i>Executive Dean, School of Arts and Sciences</i>	frei@lanecc.edu	(541) 463-5306
Kathie Hledik, <i>Division Dean, Math</i>	hledikk@lanecc.edu	(541) 463-5394
Al King, <i>Dean, Cooperative Education</i>	kinga@lanecc.edu	(541) 463-5494
Terrie Minner, <i>Assistant Dean, Counseling and Advising/ Director of Disability Resource, Title IX Coordinator</i>	minnert@lanecc.edu	(541) 463-5713 (541) 463-3010
Dave Oatman, <i>Dean, Business and CIT</i>	oatmand@lanecc.edu	(541) 463-5305
Mary Parthemer, <i>Director, TRIO/Counseling Center</i>	parthemerm@lanecc.edu	(541) 463-3133
Kerry Levett <i>Executive Dean Student Affairs Academic & Student Affairs Office</i>	levettk@lanecc.edu	(541) 463-5725
Sue Norton <i>Management Coordinator-CFE Child & Family Education</i>	nortons@lanecc.edu	(541) 463-3301
Greg Sheley <i>Athletic Director, Athletics and Health & P.E.</i>	sheleyg@lanecc.edu	(541) 463-3164
Jace Smith <i>Chief Public Safety Officer</i>	smilthjl@lanecc.edu	(541) 463-5558
Alyse Stone <i>Director, Specialized Support Services</i>	stonea@lanecc.edu	(541) 463-5101
Paul Ruscher <i>Dean, Science</i>	ruscherp@lanecc.edu	(541) 463-5447
Public Safety Officers <i>All Public Safety Officers</i>	lccpublicsafety@lanecc.edu	(541) 463-5558
Richard Lubben <i>Dean, Arts</i>	lubbenr@lanecc.edu	(541) 463-5139
Deron Fort <i>High School Connections</i>	fortd@lanecc.edu	(541) 463-5535
Chris Hawken <i>Dean, Athletics</i>	hawkenc@lanecc.edu	(541) 463-5547
Lida Herburger <i>Director, Small Business Development Center</i>	herburgerl@lanecc.edu	(541) 463-6206

Name, Title and Department	Email	Phone Number
Stacey Dematos <i>Residence Manager</i>	sdematos@titancourt.com	(541) 344-2828
Roger Ebbage <i>Director, Energy/Water Programs</i>	ebbager@lanecc.edu	(541) 463-6160
Russ Pierson <i>Dean Florence Campus</i>	piersonr@lanecc.edu	(541)-463-5727

3.3.1 Victim Resources. Victims of crimes are advised that the following web pages and agencies describe crime victims’ rights, their legal recourses, and other resource information.

Victim Bill of Rights:

<http://courts.oregon.gov/Columbia/pages/victimrights.aspx>

Columbia Circuit Court
230 Strand Street
St. Helens, Oregon 97051
Telephone: (503) 397-2327

Crime Victims Assistance Network

<http://oregonvictims.org/>

P.O. Box 43
Salem, OR 97308
Telephone: (503) 434-7510

Oregon Department of Justice Crime Victim Services

<http://www.doj.state.or.us/victims/pages/index.aspx>

Oregon Department of Justice
1162 Court Street NE
Salem, OR 97301-4096
General phone number: (503) 378-4400

3.4 Confidential Reporting to Counselors. Students and staff may report crimes to Counseling staff employed by the College’s Counseling Department. Counselors will keep information reported to them by a client confidential in accordance with Oregon law. Students and staff are welcome to ask for clarification of the confidentiality guidelines if they have concerns. Counselors are encouraged to provide LCC Public Safety with non-identifying summary information of any criminal activity on College property. This anonymous reporting will allow the LCC Public Safety Department to address campus safety issues and to include the reported crime in its Annual Crime Statistics report. Reporting a crime also allows LCC Public Safety to provide timely warning notices to the College community when appropriate.

The term "confidentiality" refers to the circumstances under which information will not be disclosed to others unless with express written permission, except in situations involving a direct threat to self or

others such as the college community. Confidential resources at Lane are available for students and employees. Lane Counselors are confidential resources in their role as personal counselors and are not required to report any information about an incident to the Title IX Coordinator without the Complainant's permission except in situations involving a threat to self or others. 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.

When a report involves suspected abuse of a minor under the age of 18, all college employees, include these Confidential Resources, are required by state law to notify child protective service and/or local law enforcement. In addition to notifying the Title IX Coordinator, any individual is required to make a direct report as follows:

- If the child is in immediate danger, call 911,
- If there is no immediate danger, contact Lane County Department of Human Services at [\(541\) 686-7555](tel:5416867555) (local) or (866) 300-2782 (toll free), Monday-Friday, 8:00am-5:00pm.

Privacy: The term "privacy" refers to the discretion exercised by the College in the course of any investigation or disciplinary processes under this procedure. The College has an obligation to make reasonable efforts to investigate and address complaints or reports of violations of this procedure. In all such proceedings, the College will take into consideration the privacy of the parties to the extent possible.

In cases involving students, the Title IX Coordinator may notify other College employees of the existence of the complaint for the purpose of overseeing compliance with this procedure and addressing any concerns related to educational and residential life. While not bound by confidentiality, these individuals will be discreet and will respect the privacy of those involved in the process.

Any additional disclosure of information related to the complaint or report may be made if consistent with the Family Educational Rights and Privacy Act (FERPA), or the Title IX requirements.

Anonymous Reports: If a complainant (the recipient of the unwelcomed behavior) self-identifies but asks to remain anonymous during the investigation, the Title IX Coordinator will consider how to proceed, taking into account the complainant's wishes, the College's commitment to provide a non-discriminatory environment, and the respondent's (the person to whom the report of an alleged violation refers) right to have specific notice of the allegations if the College were to take action that affects the respondent. In such circumstances, the Title IX Coordinator may arrange for limited fact-finding by an investigator to better understand the context of the complaint.

Requests for confidentiality or use of anonymous reporting may limit the College's ability to conduct an investigation.

Confidential Resources: The College has designated campus professionals as Confidential Resources. Conversations with Confidential Resources are privileged. Information shared with Confidential Resources (including information about whether an individual has received services) will only be

disclosed to the Title IX Coordinator or any other person only with the individual's express written permission, unless there is an imminent threat of serious harm to the individual or to others, or a legal obligation to reveal such information (e.g., if there is suspected abuse or neglect of a minor). Confidential Resources may submit non-identifying information about violations of this procedure to the Public Safety Department for purposes of the anonymous statistical reporting under the Clery Act.

An individual who is not prepared to make a report, or who may be unsure how to label what happened, but still seeks information and support, is strongly encouraged to contact a Confidential Resource.

If you have experienced unwelcomed sexual behavior, contact any of the offices and staff below. If it is an emergency, contact Public Safety at 541-463-5555 or 911.

Public Safety Officers - Main Campus
Office: Public Safety, Bldg. 13
Phone: [\(541\) 463-5558](tel:5414635558)
Privacy Level*: Responsible Employees

Public Safety Officers - Downtown Campus
Office: Downtown Campus, Rm. 129
Phone: [\(541\) 463-6267](tel:5414636267)
Privacy Level*: Responsible Employees

Director of Student Standards
Office: Bldg 19, Rm 231B
Phone: [\(541\) 463-5787](tel:5414635787)

Terrie Minner - Title IX Coordinator
Office: Bldg. 01, Rm. 218C
Phone: [\(541\) 463-3010](tel:5414633010)
Email: minnert@lanecc.edu ([link sends e-mail](#))
Privacy Level*: Responsible Resource

Kerry Levett - Executive Dean for Student Affairs
Office: Bldg. 3, Rm. 208
Phone: [\(541\) 463-5275](tel:5414635275)
Email: levettk@lanecc.edu ([link sends e-mail](#))
Privacy Level*: Responsible Employee

Person: Patsy Raney - Student Advocate (Women's Center)
Office: Bldg. 1, Rm. 202A
Phone: [\(541\) 463-5298](tel:5414635298)
Email: raneyp@lanecc.edu ([link sends e-mail](#))
Privacy Level*: Confidential Resource

Women's Center
Office: Bldg. 01, Rm. 202
Phone: [\(541\) 463-5353](tel:5414635353)

Counseling Center
Office: Bldg. 01, Rm. 103
Phone: [\(541\) 463-3200](tel:5414633200)
Privacy Level*: Confidential Resources Available

Multicultural Center
Office: Bldg. 01, Rm. 201
Phone: [\(541\) 463-5276](tel:5414635276)

Health Clinic
Office: Bldg. 18, Rm. 101
Phone: [\(541\) 463-5665](tel:5414635665)
Privacy Level*: Confidential Resources Available

What are Responsible Employees?

Responsible Employee: The College considers all others to be "Responsible employees." A responsible employee includes any employee:

- who has the authority to take action to redress sexual violence;
- who has been given the duty of reporting incidents of sexual violence or any other misconduct by students to the Title IX Coordinator or other appropriate school designee; or
- whom a student could reasonably believe has this authority or duty (Department of Education, 2014).

Notice to these "responsible employees" is official notice to the institution. You have the right and can expect to have incidents of sexual misconduct and/or discrimination to be taken seriously by the institution when formally reported, and to have those incidents investigated and properly resolved through administrative procedures. All members of the College community are required to report any suspected violation of this procedure.

In emergency situations, if there is a suspected crime in progress, or imminent or serious threats to the safety of anyone, faculty and staff members must immediately contact the Public Safety Department by dialing x5555 from an on-campus telephone or [\(541\) 463-5555](tel:5414635555) from an off-campus telephone or cell phone. Blue emergency phones are also strategically placed around campus if you do not have access to a phone.

In non-emergency situations, faculty and staff members, unless a Confidential Resource, must promptly report suspected violations to the Title IX Coordinator. Some students with special

responsibilities must promptly report alleged violations of this procedure to their supervisor, who will then consult with the Title IX Coordinator.

In some circumstances, the reporting responsibilities of College employees, or the College's responsibility to investigate, may conflict with the preferences of the complainant and/or respondent with regard to privacy and confidentiality. Therefore, all individuals are encouraged to familiarize themselves with their options and responsibilities, and make use of Confidential Resources, if applicable, in determining their preferred course of action.

It is not necessary to involve the College if individuals simply seek support

Individuals that seek support, but do not want to file a complaint, should seek out a Confidential Resource (employee) or community resources. At Lane, Confidential Resources include licensed counselors, licensed Health Clinic personnel, and the Title IX Coordinator. Off campus, these people may include licensed mental health providers, medical health provides, and members of the clergy.

These people will provide support and direct individuals to resources as well as describe options students have with regards to reporting. Keep in mind that disclosing only to Confidential Resource employees limits the effective response on the College's part.

In cases in which an individual presents a threat to themselves or others, confidentiality is waived in order to keep people safe.

3.5 Accurate and Prompt Crime Reporting

(<http://www.lanec.edu/copps/documents/crime-reporting>). Community members, students, faculty, staff and guests are encouraged to report all crimes, public safety and security related incidents to the LCC Public Safety Office in a timely manner.

LCC Public Safety will investigate a report when it is deemed appropriate, and may forward reports involving students to the Associate Dean of Students Affairs for review and potential action.

If assistance is required from other agencies, LCC Public Safety will contact the appropriate unit. If a sexual assault should occur, staff on the scene, including LCC Public Safety, will offer the victim a wide variety of services. The LCC Public Safety Office has access to sexual assault support services available to assist a victim 24 hours a day.

Crimes should be reported to LCC Public Safety to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community, when appropriate.

3.6 Confidentiality of Crime Reports.

When a criminal incident is reported to the Main Campus Public Safety Department (that occurred or is occurring on Lane Community College property or at Lane Community College sponsored events) LCC Public Safety will investigate and will share the information with law enforcement partners in the appropriate jurisdiction law enforcement. Victims or witnesses may report crimes on a voluntary or confidential basis to the Associate Dean of

Academic and Student Affairs at (541) 463-5746, the Women's Center (541) 463-5353; the Counseling Center (541) 463-5322 or the Human Resources Department at (541) 463-5211. Information reported to these sources will be included in the annual campus crime data and will be used to assess and modify safety measures on campus, including timely warnings. **However**, no formal police investigation or LCC Public Safety incident report will be generated, if the victim wishes the information to remain confidential.

3.7 Timely Warnings. In the event that a situation arises, either on or near campus, that, in the judgment of the Director of Emergency Preparedness, the LCC Chief Public Safety Officer, or members of the Emergency Preparedness Team constitutes an ongoing or potential threat to members of the campus community, a campus wide "timely warning" will be issued. The timeliness of the warning depends on the urgency of the circumstances.

All emergency communications to the campus are verified by two or members of the Emergency Planning Team, Chief Public Safety Officer, or his designate before being communicated. Verification includes a review of the available information, potential threat to the community, and the decision for employment of communication channels.

When an immediate warning is needed, the College has broadcast capabilities for every building on its main campus. This system also includes an external publication address system for persons outside of buildings on the main campus. Notification of an immediate, urgent threat of harm to the campus community will be done using the broadcast system. The College also has the capability to send immediate phone and text messages to all students and staff within minutes.

When LCC Public Safety becomes aware of any less-immediate threat to campus safety and/or security, bulletins (known as Lane Crime Alerts) are sent by e-mail, and up-to-date information may be posted at www.lanecc.edu. Local media outlets, including the Torch, an independent student newspaper circulated widely on the LCC campus, and local television and radio stations may be employed to further disseminate information in and around the campus area. Additionally, *The Lane Weekly*, an online staff newsletter, is used to notify LCC staff of public safety information.

The Chief Public Safety Officer or his designate will communicate Lane Crime Alerts to the community and determine and use the communication channels appropriate to the emergency.

Notifications include specific information about time, location, the nature of the threat and, when available, a general physical description of the suspect or suspects. In compliance with the provisions of the *Clery Act*, the decision to issue a timely warning will be made considering a number of factors, including the possible risk of compromising: law enforcement efforts, victim assistance, emergency response efforts, or otherwise prevent efforts to mitigate the emergency/

Notices may also be posted around the campus as needed. LCC Public Safety Officers and other college officials take these steps when students, faculty and staff members need to take steps necessary to protect their safety.

In all emergent cases representatives of the Emergency Preparedness Team will determine which community members are at risk, the most effective communication methods, the content of the messages/broadcasts/publications, and the duration of such notifications. Such broadcasts will be issued without delay and as quickly as possible and will be issued with consideration to the safety of community members.

The message will be edited and reviewed by team members. Generally, team members evaluate the threat to community members, the most important elements for communication, and then compose and quickly review communications. In cases involving campus emergencies where the threat has been observed or dangerous conditions exist, the Chief Public Safety officer or his designate will also initiate emergency broadcasts with contemporaneous notification to Emergency Preparedness Team members.

3.7.1 List of Persons Authorized to Transmit Timely Warnings and Other Emergency Messages to Lane Community College

All members of the Emergency Planning Team including:

- Chief Public Safety Officer or her/his designates
- Director of Emergency Preparedness
- Vice-President of College Services
- Chief Human Resources Officer
- Public Information Officer or his/her designates
- Director of Facilities, Planning, and Management or her/his designates
- Satellite Campus Deans
- Information Technology Manager
- Health Clinic Director
- Executive Assistant to the Vice-President for College Services

3.7.2 Procedures to Test Emergency Notification Systems

All alert notification systems under the control of Lane Community College are tested frequently. Testing consists of allowing system users to practice skills, mechanical verification of technologies, “test” broadcast messages, and system utilization during planned drills and exercises.

Examples of testing procedures include:

- Quarterly testing of the building and external mass notification system
- Annual systems testing and evaluation during the Earthquake Drill
- Quarterly additional campus building testing during mandatory fire drills
- Regular practice use and testing by members of the Emergency Planning Team during team meetings
- Test exercise messages to the Campus Community Emergency Response Team, HAZMAT Team, and Public Safety Officers

In each of these cases, tests and exercises are evaluated, documented, and lessons learned are used to improve system integrity.

3.8 Daily Crime Log. The Daily Crime Log is a record of all crimes reported to LCC Public Safety. It is available for review in the LCC Public Safety Office, Building #13, Room 107, at all hours the office is open. The Daily Crime Log includes crimes reported to LCC Public Safety at all LCC controlled locations including the Main Campus (30th Ave), Downtown Campus, Florence Center, Cottage Grove Center, and LCC Flight Technologies. Persons not on the Main Campus who wish to view the Daily Crime Log should contact LCC Public Safety at (541) 463-5558 and a copy will be faxed, emailed, or mailed to the person making the inquiry.

A Daily Crime Log is maintained at the LCC Public Safety Office, Building 13, Room 107, and is available for inspection by the public at any time the LCC Public Safety Office is open to the public (typically this means 8:00 a.m. to 5:00 p.m., Monday-Friday). The Daily Crime Log contains all crimes reported to LCC Public Safety and includes:

- Date
- Time
- Nature of the incident
- General location
- And the disposition of the incident (if known)

In most cases the incident information will be available in the Daily Crime Log no later than two business days after a crime is reported. There are exceptions to this policy. Daily Crime Log information may be withheld when such information:

- Is prohibited by law from disclosure;
- Would jeopardize the confidentiality of a victim;
- Would jeopardize an ongoing investigation or the safety of an individual;
- Would cause a suspect to flee or evade detection; or
- Would likely result in the destruction of evidence.

3.9 Lane Community College Emergency Communication Systems. LCC places the safety of its students, employees and visitors as its highest priority. To keep you informed in emergency situations LCC has developed a comprehensive emergency communication system. The purpose of the system is to keep students, faculty and staff informed about critical campus safety issues. The emergency communication system includes the following methods of communication:

3.9.1 “Lane Alert” is a text notification system, provided by AlertSense that allows the college to send emergency text messages to students, faculty and staff through their registered personal cellular devices.

3.9.2 Lane Annunciation is a broadcast system that allows the college to broadcast emergency messages to all buildings on the main campus.

3.9.3 Smart Classroom Alerts exist in several classrooms around campus that are considered “smart classrooms” because they have control panels that control all of the technology in the room including computers, projectors, televisions, DVD players and lights. The control panels in the rooms can display emergency alert information that can be used in conjunction with **Lane Alert** messages to make sure that faculty and students in classrooms can be alerted that a **Lane Alert** message has been sent.

3.9.4 LCC Homepage Alerts allows the LCC Emergency Management staff to post emergency alerts on the LCC home page from any Internet-connected computer.

3.9.5 E-Mail - LCC has the ability to send mass distribution emails to students, faculty and staff members with lanecc.edu email or personal email addresses.

3.9.6 Campus Radio and Local Media – Local media includes the LCC FM radio station (KLCC 89.7) as well as other local radio and television media outlets.

LCC Public Safety Department’s goal is to communicate emergency information in many different ways to ensure that the most people receive emergency notifications as quickly as possible.

Anyone with information warranting a timely warning should report the circumstances to LCC Public Safety by phone at (541) 463-5555 or in person at the LCC Public Safety Office in Building 13, Room 107.

3.10 Reporting Annual Crime Statistics.

3.10.1 The Clery Act. LCC Public Safety is responsible for gathering statistics on criminal activity on and near campus, identifying reportable crimes and delivering reports of this data annually. *The Clery Act* requires the college to submit crime statistics reports to the U.S. Department of Education and to provide an Annual Security Report to members of the campus community that includes crime statistics for incidents that occur on College property, on adjacent public property and on student organization properties. The *Clery Act* also requires reports of student disciplinary referrals, and student arrests for drug, alcohol, and weapons offenses. Finally, *The Clery Act* requires reports of any hate crimes. Lane Community College does not have any off-campus buildings or properties owned or leased by an officially recognized student organization.

3.10.2 The Annual Security Report. The LCC Public Safety Department collects crime statistics each summer for the previous calendar year to be reported in its Annual Security Report. In addition to LCC Public Safety Department records, data for the Annual Security Report is collected from the Office of Academic and Student Affairs, the Human Resources Department, local law enforcement agencies and reports from campus security authorities (See Section 3.3). As this data is statistical only, it does not include the names of any of the individuals involved. When criminal activity occurs outside of the jurisdiction of LCC Public Safety, a local law enforcement agency follows its own procedures to create a police report for each incident. The LCC

Public Safety office receives this data, and reviews it to ensure that there are no duplications in reporting efforts between LCC Public Safety and outside reporting agencies.

When a crime is reported to LCC Public Safety, individual reports may be forwarded to other law enforcement agencies and other areas of Lane Community College and/or other agencies for follow-up. In some cases involving lesser offenses and students, the report may also be forwarded to the Judicial Advisory Team in the office of the Executive Dean of Academic and Student Affairs for adjudication through the campus's student disciplinary referral process. Refer questions or comments regarding crime statistics reports to the LCC Chief Public Safety Officer at (541) 463-5558.

The Annual Security Report is released on or before October 1st of each year, and includes crime statistics for the preceding three years. The full text can be located on the LCC Public Safety web site at: www.lanecc.edu/sites/default/files/psd/clery.pdf .

Hard copies of this report may be picked up at the Public Safety Office in Building 13, Room 107 during normal business hours.

3.10.3 Notice of the Annual Security Report. Notice of the availability of the college's Annual Security Report is published each term in the Main college and Florence Center class schedules, which are mailed to most residents in Lane County. By October 1st of each year, all enrolled students and employees receive an email notification via the LaneAlert messaging system regarding the content and availability of the Annual Security Report. The notification explains how to access the report online and how to request a printed copy of the report. To request this information in an alternate format contact the Center for Accessible Resources at (541) 463-5150 or accessibleresources@lanecc.edu. The notification also is published on college social media sites including Facebook, Twitter, and Instagram. To request a printed copy of this report, contact LCC Public Safety at (541) 463-5558.

The annual notification is distributed by email via the LaneAlert messaging system to:

- All employees
- All students (currently enrolled and those who have applied by October 1st)
- Prospective students who do not fall into the above category receive the notification as part of an information packet. This notification is posted in the following locations:
 - Human Resources Website (for prospective employees)
 - Admissions Website (for prospective students)

The content of the notice is:

Dear Lane Community College Employee, Student or Prospective Student:

In compliance with federal law, Lane Community College prepares an annual report on campus security programs and services. Originally enacted in 1990, the federal law was amended in 1998 and renamed the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. A copy of the **2016** Lane Community College Annual Security Report (**reflecting information through 2015**) is available online at <http://www.lanecc.edu/sites/default/files/psd/clery.pdf> . This report includes statistics for the previous three years concerning reported campus crimes that occurred on campus; in certain off-campus buildings or property owned or controlled by Lane Community College; and on public property within or immediately adjacent to and accessible from the campus. The report also includes institutional policies concerning campus security such as policies regarding alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, and other matters.

You can obtain a copy of this report by accessing the above website, or by contacting the Lane Community College Public Safety Office at [\(541\) 463-5558](tel:5414635558), or writing to us at 4000 East 30th Avenue, Eugene, OR 97405.

To request this information in an alternate format contact the Center for Accessible Resources at (541) 463-5150 or accessibleresources@lanecc.edu.

4. Campus Access (www.lanecc.edu/copps/documents/building-keys-access-cards-and-surveillance-cameras), (www.lanecc.edu/copps/documents/hours-30th-ave-campus)

LCC's Main Campus on 30th Avenue. The main campus is open to the public daily from 6 a.m. to 11 p.m. LCC Public Safety Officers securely lock all entry gates that provide parking lot access at 11:00 p.m. and open the gates at 6:00 a.m. the following morning.

Buildings are open to the public on days classes are in session and other days as posted. Campus buildings are closed to the public during designated holiday periods and other times as posted. Admittance to secure buildings is obtained by a College-issued metal key, electronic access control card or with the assistance of an LCC Public Safety Officer. LCC Public Safety Officers will not admit the general public or students to secured buildings without the supervision of a staff person. Identification will be required unless the person is known to the officer.

The Downtown Campus, Cottage Grove and Florence campuses have separate posted hours. Admittance after hours is obtained with a College-issued key or with staff permission.

2013 marked the first complete year that LCC maintained and operated a residential facility. Access at this facility, Titan Court, is restricted to residents, Titan Court Staff, authorized Lane Community

College service staff, and residential guests.

Titan Court access is provided mainly by electronic access control cards and to a much lesser extent, through metal keys.

Facilities Management and Planning is responsible for maintaining all campus property including doors, locks, exterior lighting, keys, and grounds. LCC Public Safety is responsible for issuing access control cards to campus facilities. All persons on campus are encouraged to report possible safety and security hazards to either LCC Public Safety at (541) 463-5558 or Facilities Management and Planning at (541) 463-5216.

4.1 Main Campus Building Access Procedure. LCC Public Safety has an established procedure for building access that is designed to protect all college buildings, facilities and equipment and to preserve the safety of individuals while on campus. The procedure ensures that college facilities and property are used for authorized purposes and that proper supervision by appropriate staff members is provided.

4.1.1 Daily Campus Access. By 8 a.m., Monday through Friday, except days of school closure, most outside doors to the college will be opened for the business day. Faculty and Staff may exclude specific doors from being unlocked by contacting Facilities Management and Planning at (541) 463-5562 or by sending a work order or request to:
<http://www.lanecc.edu/copps/documents/building-access>

The Facilities Department is responsible for unlocking exterior doors that are not included in the access control system, during regular-schedule days Monday through Friday. LCC Public Safety Department is responsible for unlocking scheduled doors on weekends and holidays.

4.1.2 Securing Procedure, Day/Evening. Most college buildings are secured beginning at 5:00 p.m., Monday-Friday.

4.1.3 Evening Program. During the hours of 6:30 p.m. to 10:30 p.m., only the rooms that have been scheduled for classes or activities on 25-Live (Computer space management program) will be opened. All evening program building/room access must be set up in advance through 25-Live.

4.1.4 After-Hours Access. To prevent unsupervised use of facilities (such as labs and classrooms after hours and weekends), LCC Public Safety Officers will not open any department area for student use unless the activity has been scheduled through 25-Live (event management system and the designated staff supervisor is present. Any persons requesting building access during after-hours or weekends must be referred to the LCC Public Safety Officer on duty.

4.1.5 Summer Schedule. During the summer months only, rooms that have been scheduled for classes or activities on 25-Live will be opened. For those departments that will be open for only a portion of the summer, this should be so noted on 25-Live.

4.1.6 Individual Access Requests. Before a Public Safety Officer admits any staff member to any area of the College, the Public Safety Officer will positively identify the staff member and record this information in the Calls for Service Log. This log information includes the staff member's name, the area and/or building accessed and the purpose of entry. No Public Safety Officer will permit student entry into any department area that is closed or unstaffed unless the student is a College employee who has been granted permission to access an area without a regular faculty or staff member present (i.e. student assistant preparing a classroom) or the time of day is within fifteen (15) minutes of a scheduled event in the space.

4.2 Key Procedure. Control of keys is necessary to maintain campus security and safety and to safeguard all College buildings, equipment, and other facilities. The distribution and tracking of keys is the responsibility of Facilities Management and Planning. Maintenance of locking devices and the production of keys is the responsibility of the Facilities Management and Planning Department. The possession and use of keys is the responsibility of each individual key holder. Typically, department heads, deans and other members of the management team will request and authorize keys for subordinate employees at the College. Requests for keys to desks and other furniture, safes, lockers, special storage units, building service areas or to equipment such as vehicles should be made directly to Facilities Management and Planning.

4.2.1 Supervisor Responsibility. When a staff person retires or terminates employment with the College, the retiring/terminating staff person's immediate supervisor should notify LCC Public Safety prior to the employee's last day of work. The notice should state the day on which the leaving staff person will bring his or her keys to Facilities Management and Planning to turn them in.

4.2.2 Individual Key Users Responsibility. Persons issued College keys should safeguard these keys against loss or theft. If a loss or a theft occurs, it should be reported to LCC Public Safety immediately and Facilities Management and Planning. Any staff person possessing keys that have not been authorized is subject to disciplinary action.

5. Campus Law Enforcement.

5.1 <http://www.lanecc.edu/psd> . LCC Public Safety Officers are the primary security and law enforcement providers on campus. LCC Public Safety Officers are authorized under ORS 341.300 to enforce traffic laws, traffic control and parking as well as College regulations and rules on College property. LCC Public Safety Officers have authority to enforce the Student Code of Conduct (<http://www.lanecc.edu/copps/student-code-conduct>) which prohibits violating federal, state or local law on College premises, including drug and alcohol violations and weapons violations. LCC Public Safety Officers may use arrest authority under ORS 133.225. LCC Public Safety Officers may also act under the direction of or pursuant to an agreement with a law enforcement agency such as the Lane County Sheriff's Office or Eugene Police Department (for example, closing public roads or directing traffic on public roads during an emergency).

LCC Public Safety's authority covers the geographical boundaries of Lane Community College's properties (including land, structures, parking facilities, and parking lots). Officers may legally request and require driver and vehicle identification and verification of vehicle registration and insurance.

LCC Public Safety has authority for the enforcement and investigation of College Policies and Procedures, where those procedures meet one or more of the following criteria:

- a) the alleged act is concomitantly a violation of local, state or federal law;
- b) the alleged act is in "internal matter" where the primary rule violation is listed in COPPs and Human Resources, Academic Student Affairs, or another College Administrative area that routinely adjudicates or determines disciplinary outcomes for members of the Lane Community College community. In these cases when the matter is not a violation of law and the administrative area requests assistance, Public Safety will provide support.

Special Note: LCC Public Safety is not a sworn agency and may not unfound any reported crime within its geographical jurisdiction.

LCC Public Safety works in conjunction with other state and local law enforcement agencies in the reporting, investigation and resolution of reported criminal activity. Lane County Sheriff's Deputies respond to incidents on the Main Campus. Eugene, Florence, and Cottage Grove Police Officers respond to incidents at the College locations within their respective jurisdiction.

LCC Public Safety employs students as Public Safety Aides. These students assist LCC Public Safety Officers with parking enforcement, building security and safety escorts.

5.2 LCC Public Safety First-Responder Services. LCC Public Safety Officers deliver first-responder emergency services, patrol service, and perform a wide range of public safety functions. Criminal offenses are investigated by LCC Public Safety, often in tandem with other agencies such as the Lane County Sheriff's Office, the FBI, Eugene Police Department, and other local, state, and federal agencies. LCC Public Safety has interagency radio communication with several local law enforcement agencies and with the local fire service. LCC Public Safety Officers provide primary response to the following offenses committed on the College's premises: aggravated assault, forcible rape (all sexual assaults), murder, robbery, arson, burglary, larceny-theft, and motor vehicle theft, simple assault, curfew offenses and loitering, embezzlement, forgery and counterfeiting, disorderly conduct, driving under the influence, drug offenses, fraud, gambling, liquor offenses, offenses against the family, prostitution, runaways, sex offenses, stolen property, vandalism, and weapons offenses. LCC Public Safety Officers will also respond to public fighting, criminal mischief and several other misdemeanors and felonies not represented on this list.

Public Safety has a written agreement with the Lane County Sheriff's office and will respond to emergencies in the vicinity of the campus but on county lands, until the Lane County Sheriff's Office or Oregon State Police units can respond. At that point, Public Safety will leave or continue to assist depending on the wishes of the responding agency.

5.3 LCC Public Safety Criminal History Search Authority. LCC Public Safety maintains a Law Enforcement Data System (“LEDS”) terminal. Through this system, LCC Public Safety personnel can access the National Crime Information Computer system, which includes criminal history data, wants and warrants, stolen vehicle information, nationwide police records, driver/vehicle identification information, as well as other local, state and federal law enforcement information.

5.4 LCC Public Safety Enforcement of Student Code of Conduct and College Policies. LCC Public Safety authority also includes the enforcement and investigation of all aspects of the Student Judicial Code of Conduct and other College regulations. When violations are committed by a College student, LCC Public Safety Officers may issue an Order to Appear that refers the individual to the Judicial Advisory division of Office of Student Affairs. LCC Public Safety may also pursue the matter as a criminal offense, or may do both depending on the nature of the violation.

Officers will routinely exercise authority in areas where public safety (where “public” means any person on a LCC campus), maintenance of order, the interests of a peaceful community, or the safety of others are concerned.

LCC Public Safety will exercise authority and responsibility for incident command, scene command, or support staff for disasters, and potential disasters (such as, but not limited to: bomb threats and other terrorist threats).

Lane Community College does not have any recognized off-campus student organizations.

5.5 LCC Public Safety Mandatory Reporting Requirements. LCC Public Safety is a mandatory reporting agency and therefore must report instances of alleged assault or abuse of:

- a) Children under the age of 18;
- b) Elderly, 65 and over;
- c) Adults with developmental disabilities;
- d) Adults with mental illness;
- e) Residents in nursing facilities.

5.6 Off-Campus Criminal Activity. The Lane County Sheriff’s Office (for the Main Campus) and Eugene Police Department (for the Downtown Campus and Flight Aviation Facilities at the Eugene Airport) have primary jurisdiction in all areas within county or city limits, respectively. At the Cottage Grove Center and Florence Center, the Cottage Grove Police Department and the Florence Police Department have primary jurisdiction of those areas within their city limits. The LCC Public Safety Department enjoys a close working relationship with other law enforcement agencies, utilizing a cooperative team approach with the Lane County Sheriff’s Office, Oregon State Police, and local city police departments when violations of federal, state, or local laws arise.

6. Crime Prevention and Security Awareness (www.lanecc.edu/psd)

6.1 Security Awareness. The LCC Public Safety Department is a community-oriented, public safety agency that practices a community-oriented policing approach to fully engage the campus community. This collaborative process identifies and addresses many community problems.

LCC Public Safety is committed to a problem-solving model that integrates LCC Public Safety services into the learning experience. LCC Public Safety Officers are encouraged to try new and otherwise non-traditional law enforcement methods in working closely with the community they serve.

Persons who feel threatened or frightened by the behavior of any person while on the LCC campus, should contact LCC Public Safety at (541) 463-5558 or in an emergency, (541) 463-5555. If another person is frightened or is threatened by the behavior of another person, individuals may contact LCC Public Safety on that person's behalf. It is the responsibility of each person to contribute to the safety of the entire community by taking action to prevent crime. Campus safety and security is a shared responsibility.

Security Awareness and Crime Prevention information is distributed to the campus community via the staff newsletter *Lane Weekly*, the student newspaper *The Torch*, and the monthly LCC Public Safety Newsletter, *Safer Campus*. Information is also presented through several LCC Public Safety presentations throughout the year and by LCC Public Safety Officers who utilize crime prevention cards to identify and correct unsecure conditions.

6.1.1 Staying Safe on Campus. When crimes occur on campus, the campus community will be informed. It is LCC Public Safety's goal to keep community members informed so that they may take precautions and avoid becoming a crime victim. LCC Public Safety tracks, evaluates, and distributes crime data. For questions or additional information, call at (541) 465-5558 or email LCC Public Safety at lccpublicsafety@lanecc.edu.

6.1.2 Safety Tips

- Stay alert and plan ahead for "What if..."
- Always be aware of your surroundings.
- Use the "buddy system" while out and about. There really is "strength in numbers."
- If possible, do not walk or jog alone after dark. If you go out alone, let someone know where you are going and when you are going to return.

- If you witness something suspicious, call 9-1-1.
- If threatened, attract attention by making loud noises or by screaming. Use of an LED flashlight or a whistle can also attract attention.
- If you feel threatened, seek out a safe place or a place where there are a lot of people, like a business. Call 9-1-1 immediately.
- Take appropriate steps to secure your personal property. Never leave valuables unattended for any amount of time.
- Never leave valuables in plain view inside your vehicle. Always lock your doors and windows.
- If you use a bicycle, use only a U-Bolt type lock. Steel cable locks can be easily cut in less than 3 seconds.
- Take note of the four (4) emergency blue-light telephone boxes on campus. Do not hesitate to use them when needed.
- If you must walk at night, remember the following:
 - Always carry a fully charged cell phone, with emergency numbers pre-programmed.
 - Do not wear head phones while walking or jogging.
 - Avoid isolated or dark areas.
 - Walk near curbs, away from alleys and doorways.
 - Walk at a brisk pace; be aware of anyone walking behind you.

6.2 Crime Prevention Programs. LCC Public Safety services include several crime prevention programs. Programs include:

6.2.1 Orientation to LCC Public Safety Services with Q/A Session. Officers will share an overview of LCC Public Safety responsibilities, operations, and objectives. Officers will explain how LCC Public Safety differs from the security and police agencies. They will explain what services LCC Public Safety will provide.

6.2.2 General Crime Prevention. Officers will present general information on keeping offices, personal belongings and vehicles secure on campus. Officers will discuss typical criminal methods for common crimes, crime on campus, and easy strategies for preventing and discouraging criminal activity.

6.2.3 Violence in the Workplace. Officers will provide information on violence in the workplace in the United States. They will also share information about escape strategies, de-escalation, collaborative efforts to defuse situations, safety considerations in the workplace, description training, communicating with LCC Public Safety, reporting concerns, and other important aspects of recognizing and responding to escalated or potential violent situations. **Note:** participants will be required to role play and practice skills learned.

6.2.4 Personal Safety. Officers will provide tips and strategies for maximizing personal safety in the class room, work area, en route to your vehicle and in transit home. Officers will share information about Orders for Protection, Temporary Restraining Orders, telephone harassment, threats, and stalking. In addition, Officers will broadly discuss and give context to personal safety incidents that have occurred on campus.

6.2.5 Preparing for an Active Shooter/Violent Actor. Officers will discuss recommended procedures and individual roles in response to an Active Shooter on campus. Safe rooms, evacuation routes, finding shelter decisions, various characteristics and motivations of Active Shooters, and the role of LCC Public Safety will be discussed. Departments may collaborate with LCC Public Safety to produce a department response plan. **Note:** This orientation is designed to raise awareness. It is the responsibility of each staff to develop and practice their own unique response plan.

6.2.6 Sexual Assault Prevention and Response. Officers will present information on sexual assault in the United States. Topics include: Date rape, acquaintance-rape, date-rape drugs, stalking, and what to do if an individual is assaulted. (<http://www.lanecc.edu/psd/crime-prevention-programs-and-activities>)

6.2.7 Self Defense. Officers will discuss ways to escape from an aggressor and (failing that) a few basic moves to disengage, kick, strike, and summon assistance. Session will require all participants to practice a few select moves until proficiency is accomplished.

6.2.8 Security Survey – This service is by appointment. Officers will conduct a survey of employee work areas, building interiors and exteriors. A report will be generated with specific recommendations.

Programs are free and are both scheduled events as well as delivered on request. Programs are offered to students, faculty, staff, and student organizations. Information about LCC Public Safety programs are found at (www.lanecc.edu/psd/).

In addition, LCC Public Safety provides free of charge to students, staff, and faculty, safety escorts and battery jump starter units. Emergency red phones are distributed through buildings and blue phones are located in parking lots L, N, the LTD bus station, and outside of building 3.

6.2.9 Domestic Violence Prevention and Response

Officers provide instruction to prepare for and respond to domestic violence incidents. This training includes best practices for escape, countering stalking, seeking help, and local referrals. Information on the current issues and concerns about preparing and preventing domestic violence is also offered.

6.3 Crime Prevention Tips

6.3.1 Office Security. Personal safety and the protection of personal and campus property starts a few simple steps:

- Keep purses, wallets, or other valuables on your person at all times or lock them in a drawer or closet.
- Never leave your keys lying around.
- Cash left on your desk or in an unlocked drawer is a great temptation to thieves.
- Identify the authority, authorization, or sponsor of persons asking for confidential information or from delivery or repair people who want to enter a restricted area.

6.3.2 Key Control (<http://www.lanec.edu/copps/documents/building-keys-access-cards-and-surveillance-cameras>)

- Do not leave keys or access control cards unattended or in unsecure areas such as: on top of desks, inside drawers, or within locks or keyholes.
- Do not loan LCC assigned keys or access control cards to others.
- If keys or access control cards are lost or stolen notify LCC Public Safety and Facilities Management and Planning immediately.

6.3.3 Property Protection. Theft is always a concern on campus. To prevent theft:

- Engrave personal property, such as a coffee pot, radio, or calculator, with your Driver's License number, (i.e.: **OR123456DL**.)
- Keep a written record of all valuables, including descriptions and serial numbers.

6.3.4 Bicycle Theft.

- Lock your bike! It only takes a moment to steal an unlocked bicycle.
- U-lock style bike locks are best. Cables and padlocks can be easily cut.
- Register your bicycle with LCC Public Safety. This is a free theft prevention and recovery program.
- Lock bicycle frames to bike racks. Remember, front wheels can be easily removed.

6.3.5 Personal Safety. The most effective deterrence against crime is an aware and alert public. These additional precautions will assist individuals with personal safety.

- Employees who work late should arrange to leave with a co-worker or call LCC Public Safety for a safety escort. Lock office doors and windows if working late alone.
- Refrain from getting in elevators with people who look out of place or behave in a strange or threatening way. Always *immediately* report suspicious people or conditions to LCC Public Safety.
- Individuals, who believe they are being followed, should go to an office where there are other people and contact LCC Public Safety.
- Vary walking routes to home, transit, and parking areas.
- Be alert to suspicious persons or vehicles.
- Carry a fully charged cell phone with emergency numbers pre-programmed into the device and ready to dial.

6.3.6 Parking Lot Safety

- Keep motor vehicles locked.
- Keeps keys in your hand when you return to your vehicle. Check the interior before entering your car.
- Report suspicious persons lurking in the parking lot to LCC Public Safety.
- Remove all valuables from your car. Leave them at home or lock them in the trunk.

- If you work late, ask a co-worker to escort you to the parking lot or call LCC Public Safety for a safety escort.

6.3.7 Feel Threatened?

- Stay calm. Pay attention to your instincts and feelings about the perceived threat.
- Decide what to do in various situations before they occur. Try role-playing with a friend.
- If you are confronted by someone who wants property, give it to them.
- Try to get an accurate description of the assailant and the assailant's vehicle. If a vehicle is involved, get the license number and call LCC Public Safety.

6.3.8 Incident Reporting (<http://www.lanecc.edu/copps/documents/crime-reporting>)

- Report all crimes, no matter how minor they may seem. Notify LCC Public Safety of all suspicious persons or activity.
- If you notice any suspicious people or activity, notify LCC Public Safety immediately.
- Post 9-1-1 and LCC Public Safety emergency phone number (541) 463-5555 near your phone.
- Report any broken or flickering lights, dimly lit corridors, doors that don't lock properly, etc. to Facilities Management and Planning at (541) 463-5216.
- For additional information regarding LCC Public Safety's crime reporting policies visit <http://www.lanecc.edu/copps/documents/crime-reporting>.

7. Alcoholic Beverages and Controlled Substances Policy.

(<https://www.lanecc.edu/board/policies/bp420>)

Board of Education Policy No. D.050 provides: No person may bring onto college property or into any college-owned facility or to any college-sponsored class or activity any intoxicating beverage, controlled substances, volatile inhalants, for the purpose of mind or mood alteration, except in the situations specified in this policy. No person may appear on college property or in any college-owned

facility or in any college-sponsored class or activity under the influence of any of the above mentioned substances. Under no circumstances shall alcohol be served at college-sponsored activities to underage minors as defined by state law. Exceptions to the policy are as follows:

7.1 *Alcoholic Beverages may be Used/Served:*

7.1.1 For cooking and/or instructional purposes in food preparation labs or classes related to the science and/or service of alcoholic beverages.

7.1.2 At college-sponsored activities using procedures specified in administrative rules at college activities catered by legally licensed and insured businesses or agencies, using procedures specified in administrative rules (ex: <https://www.lanecc.edu/copps/documents/alcoholic-beverages-campus>).

7.1.3 With appropriate documentation, prescription opiates, or other psychoactive medications, may be used as legally prescribed by a licensed practitioner. However, according to statute, marijuana cannot be ingested on campus even with a medical marijuana card.

7.1.4 Glue and thinners may be used in class-related lab environments and in facilities construction and maintenance.

7.2 *Enforcement of Drug Laws.* LCC Public Safety will refer all student alcohol or illegal substance violations of College policy or federal, state and local law to the Executive Dean for Student Affairs for judicial review. In addition, LCC Public Safety may also refer the matter to another local law enforcement agency for investigation and prosecution. For more information go to: <https://www.lanecc.edu/board/policies/bp420> and to the Student Code of Conduct at <http://www.lanecc.edu/copps/student-code-conduct>.

7.3 *Drug and Alcohol Education Programs.* Lane Community College maintains drug and alcohol abuse educational programs in compliance with Section 120(a) of the HEA. A description of these programs may be found at: <http://www.lanecc.edu/copps/student-statement-prevention>.

7.4 SUBSTANCE ABUSE PREVENTION PROGRAM ATTENDANCE

	January 1, 2013 to December 31, 2013	January 1, 2014 to December 31, 2014	January 1, 2015 to December 31, 2015
Enrolled in “Intro. to Addictive Behavior” and/or “Understanding Addictive Behavior” course(s)	74	0	0
12-Step Program Student Attendance	Approximately 200 (based on average weekly attendance)	Approximately 200 (based on average weekly attendance)	Approximately 200 (based on average weekly attendance)
Students using counseling services for substance issues	62	47	54
Substance related counseling session held	155	102	108
Student Conduct Code substance abuse violations	4	2	1
Students involved with substance abuse violations	4	4	12
Students receiving sanctions arising out of substance abuse violations	4	2	11

Substance Abuse Prevention Policy. Lane distributes a Substance Abuse Prevention statement annually to both students and staff in compliance with the Drug-Free Schools and Communities Act Amendments of 1989.

7.4.1 Student Statement. The Student Statement is published in the College catalog and in each class schedule. The master electronic copy resides in Institutional Research, Assessment and Planning. The office of Substance Abuse Prevention is responsible for updating that copy.

7.4.2 Staff Statement. The Staff Statement is published and distributed by the Substance Abuse Prevention office. The original electronic copy resides in the Substance Abuse Prevention office.

7.4.3 Voluntary Counseling. Counseling services are available on a drop-in basis during open hours at the College’s Counseling Department in Building 1. What is discussed with a counselor will remain private and confidential unless: (a) the counselor is given permission to share it with others; (b) there is potential danger to self or others; (c) it involves child or elder abuse; or (d) disclosure is requested by court order.

As a matter of policy, counselors are encouraged to inform the person being counseled of the procedures to report crimes on a voluntary basis for inclusion in the college’s annual crime statistics.

8. Sexual Assault Prevention and Response Policy. LCC’s Women’s Program provides integrated, comprehensive services and programs for women. In addition to a

Women's Center, the Women's Program provides advocacy services, support for women in transition, counseling and referral services. See <http://www.lanec.edu/copps/documents/sexual-assault>.

8.1 LCC Public Safety Response Recommendations for Victims and Responders.
8.1.1 Guidance for Victims of Sexual Assault.

The VICTIM of a sexual assault SHOULD:

- a) Get to a safe place.
- b) Get medical attention (LCC Public Safety or other law enforcement can assist you with this).
- c) Wrap in something warm, such as a blanket or coat.
- d) Call 5555 on the main campus (911 on all other campuses).

The VICTIM of a sexual assault SHOULD NOT:

- a) Shower or bathe.
- b) Brush or comb hair.
- c) Douche or go to the bathroom.
- d) Change clothes.
- e) Eat or drink anything.
- f) Brush or rinse teeth.
- g) Touch things at the crime scene.

8.1.2 Guidance for Responders to a Sexual Assault. Where a sexual assault has occurred, RESPONDERS (including LCC Public Safety Officers) will follow the following guidelines:

- a) Ensure that the victim is safe and has access to immediate medical attention
- b) Present information to the victim about on and off campus resources and victim rights
- c) Take no action that would disturb or eliminate evidence associated with fingerprints, bite marks, broken fingernails, documents, blood/body fluids, blood/fluid splatters, firearms, tool marks, hair, fibers, paint or glass.
- d) Safeguard the scene.
- e) Take photos, sketch (if appropriate) and take a preliminary statement from the victim and any witnesses.
- f) Seal off the area and provide support for responding Lane County Sheriff's Office or other responding law enforcement units.
- g) Establish a crime scene log (persons leaving/arriving, time, date).
- h) Establish a chain-of-custody consistent with law enforcement best practices.

8.1.3 Victims/Survivors Information Lane Community College has procedures survivors or victims of dating violence, domestic violence, sexual assault, or stalking, can follow. See "Reporting Sexual Assault" at <https://www.lanecc.edu/copps/documents/sexual-assault>. Survivors should also do their best to preserve any evidence that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order.

8.1.4 Sexual Assault Victim's Rights Sexual Assault Victims have the following rights.

- Right to notify proper law enforcement authorities, including on-campus and local police
- Right to be assisted by campus authorities in notifying law enforcement if the victim/survivor chooses
- Right to decline to notify such authorities
- Right to learn and work in a safe environment. LCC follows a zero tolerance policy for all forms of sexual misconduct and gender-based discrimination.
- Right to a prompt and fair investigation. LCC is required to investigate all reports of sexual misconduct within 60 college work days.
- Right to file a complaint without fear of retaliation. Complainant or witnesses who report sexual misconduct are protected from retaliation under the law.
- Right to access support and health services. LCC offers confidential counseling services and can connect individuals with on- and off-campus resources to help the healing process.
- Right to receive written notification about options for, available assistance in, and how to request changes to academic, living, transportation and working situations or protective measures.
- Right to have accommodations or such protective measures if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to Public Safety or other local law enforcement.

8.1.5 Education and Assistance Information and assistance to advise and assist victims/survivors of these offenses is available through the following college offices, which also are available to present educational and risk-reduction programs for staff and students.

Counseling Center (541) 463-5322

Public Safety (541) 463-5558

Health Clinic (541) 463-5665

Women's Center (541) 463-5353

8.1.6 Medical Services Victims of rape or any form of sexual assault are strongly encouraged to seek immediate medical assistance from Student Health or the nearest hospital. For assaults occurring on college property after hours contact Public Safety and they will contact emergency service personnel to respond and assist.

Support services and contact numbers:

On campus:

Counseling Center (541) 463-5322

Public Safety (541) 463-5558

Health Clinic (541) 463-5665

Women's Center (541) 463-5353

Off campus:

Sexual Assault Support Services (541) 343-7277 or (800) 788-4727

Victims Assistance Program (541) 682-4523

McKenzie Willamette Hospital (541) 726-4400

Sacred Heart Hospital (541) 686-6931

Peace Harbor – Florence (541) 997-8412

Cottage Grove Community Hospital (541) 942-0511

[from <https://www.lanecc.edu/copps/documents/sexual-assault>]

8.2 Sanctions – Sanctions for violations include possible arrest and prosecution as well as the institutional process sanctions referenced below.

8.2.1 Student Sanctions – All possible college sanctions for violation of this policy for students are included in the documents appended to this report. In particular, please see: Code of Conduct Pages 16 through 31.

8.2.2 Staff and Faculty Sanctions – Sanctions for staff are based on human resource established processes and the classified and faculty contracts along with the manager terms of employment and include job actions that include documented reprimands, loss of pay, demotion, and other measures up to and including termination of employment.

9. Sexual Offender Registration. Under current state law, computerized sex offender information can be obtained through the Oregon State Police through the sex offender registration information line at (503) 378-3720 extension 4429 or through the Oregon State Police web-search at <http://sexoffenders.oregon.gov/>. This computerized database can access sex offender information by name, address, zip code or county. For additional information about sex offender registration you may wish to contact:

Oregon State Police Sex Offender Registration Unit, 400 Public Service Bldg. Salem, OR 97310;

phone (503) 378-3720 x 4429

Lane County Health and Human Services Community Corrections - Adult Probation and Parole, 165 E. 7th Avenue, Room 300 Eugene, OR 97401; phone (541) 682-3040.

10. Emergency Response.

10.1 *Emergency Response Plan.* The college’s emergency plan is available to college employees (“E-Plan”). The E-Plan provides detailed operational procedures and protocols for the following emergencies: Active Shooter, Aircraft Incidents, Bomb Threat, Fire or Explosion, Hazardous Material Accidents, Natural Disasters, Severe Weather, and Utility Failures. College response to other types of emergencies, including but not limited to the following are also detailed in the online E-Plan: Criminal Activities, Physical Injuries and Medical Emergencies, and Psychological and Emotional Trauma. The Lane Community College E-Plan includes a separate Employee Emergency Manual that provides quick reference information and is distributed to all employees; and a separate Management Emergency Manual (Red Book) for the Emergency Planning Team (EPT), containing more detailed procedures for their use. The College conducts “practice” evacuation procedures monthly when possible but not less than once per quarter term.

10.2 *Evacuation Drills and Shelter in Place*

Evacuation drills are held a minimum of 4 times per year on each campus. The drills are announced to community members, planned, and monitored by Public Safety. Drill documentation is maintained by Public Safety. Documentation includes a critique on the effectiveness of the drill, whether it was announced or unannounced, problems for correction, and the date and time of each evacuation activity. Typically such drills are conducted during fire drills.

The Public Safety Department regularly conducts training and exercises that informs campus members the procedures for sheltering in place during an emergent situation.

10.3 *Emergency Contact Numbers.* For any emergency, use the following contact numbers from a campus telephone. If calling from a telephone off-campus, include **(541) 463** before dialing the four digit number:

- Police, Fire, Medical 911 Emergencies 5555
- Medical Emergencies 5555
- Counseling / Consultation 8888
- Public Safety Department 5558
- Facilities Management 5216
- After Hours Emergencies 5555
- Campus Operator 0

10.4 *Emergency Planning Team.* The College has an ongoing Emergency Planning Team (“EPT”) that is comprised of the following key campus personnel:

- Director of Public Safety
- Public Safety Officers on duty
- Public Information Officers
- Facilities: Director of Facilities Management and Planning
- Vice President of College Services
- College Public Information Officer
- Health Clinic Director
- Risk Management Specialist
- Student Representative

When a potential or actual emergency is identified, students or staff should immediately notify the Director of Emergency Preparedness or LCC Public Safety Director at (541) 463-5555. The Emergency Director consults with the Emergency Planning Team (EPT) to determine the nature and extent of any emergency. If it is determined that an emergency exists, the Emergency Planning Team convenes at the pre-determined location listed in the Red Book. The EPT then decides on an appropriate course of action, the content of a public statement and appropriate actions given the nature of the situation.

10.5 *Evacuation.* Physical emergencies may warrant evacuation of a building or campus. A decision to evacuate will be communicated to all affected individuals. The methods of communication will depend on the event, potential harm to people and property, and the urgency required. Specific evacuation procedures have been developed for physically impaired people and their property. These procedures are governed, in part by the nature of the emergency and the urgency required.

10.6 *Decision Making for Evacuation.* The Emergency Planning Team (EPT) will assess the event and determine if evacuation of all or part of the campus is indicated. If evacuation is deemed necessary, LCC Public Safety and Facilities Management personnel will coordinate this activity and request appropriate local government agency support as necessary. Additional information about Emergency Planning and Response found at: <http://www.lanecc.edu/epal>

10.7 *Communications for Evacuations.* The LCC Director of Public Safety or designee will, when circumstances warrant: Initiate evacuation of a building, buildings or the entire campus upon direction of the EPT; Ensure all students, employees and visitors are safely evacuated from the affected area(s) including rapid response to individuals with physical impairment; and notify Facilities Management and local agencies to provide support as necessary.

10.8 *To Ensure the Safety of the Community During an Evacuation, Take the Following Steps:*

- Do not use building elevators in case of fire or earthquake, use nearest stairway.
- Walk, do not run, to the nearest exit.
- Leave the building and move a safe distance away, preferably to the nearest parking lot. Do not obstruct emergency personnel or vehicles.
- Designated staff should check restrooms, library, cafeteria, and other common areas and advise employees and students of evacuation.
- Take purses and backpacks when evacuating. Close doors but do not lock them.
- You may return to a building when you are told it is safe to do so by LCC Public Safety, Facilities Management, Executive Team, other responding emergency management personnel, or when the alarm stops sounding.

10.9 *When Evacuation of Persons with Disabilities is Necessary, Staff are Instructed to:*

- Remain calm and reassuring;
- Give assistance to persons with disabilities. Ask them what their needs are;
- Request assistance from those near you, if needed;
- Exit building if possible; if not, proceed to the nearest evacuation area or move toward the nearest marked exit (these are evacuation areas). Do not use the elevator in case of fire or emergencies that might affect electricity;
 - a) The wheelchair occupant or person with disability may use the building elevators only if it can be done safely;
 - b) The wheelchair occupant or person with disabilities should remain in the evacuation area until rescue personnel arrive. All evacuation areas will be checked first by emergency personnel.

11. Missing Persons. Any student that is suspected of being missing from Lane Community College Student Housing, Titan Court, must be reported immediately to Lane Community College Public Safety Department. Specific guidelines allow 24 hours from the time of notification to allow Public Safety to follow through, however, such policies and procedures involving missing persons may be enacted sooner than 24 hours. With this in mind, Public Safety will immediately follow this protocol when a student in Titan Court residential housing is reported as possibly missing. Public Safety may be reached by calling: **541-463-6267 or 541-463-5558.**

11.1 A reporting party does not need to wait any particular length of time to issue a Missing Student report; instead, Public Safety will take a Missing Student report and initiate appropriate follow up investigation and notifications.

11.2 A missing person is anyone whose absence is contrary to his/her usual pattern of behavior and it is suspected that unusual circumstances may have caused the absence.

11.3 Collection of information Lane Community College and its agents will ask student residents of Titan Court to provide contact information, strictly for missing person's purpose, as part of the lease, as well as, a general emergency contact. The contact information will be held confidential; only accessible by authorized personnel.

11.4 Investigation The Public Safety Department will receive the initial report and notify the Eugene Police Department (EPD) at the time the initial report is received. The Titan Court (Housing Staff) will assist both Public Safety and the EPD with the subsequent investigations. This assistance includes, but is not limited to:

11.4.1 A cursory inspection of the resident's living area for the sole purpose of ensuring that the student is not ill or deceased on the premises (Public Safety and Housing Staff).

11.4.2 Subsequent detailed inspection of premises by law enforcement (Public Safety and EPD) in accordance with ORS (Oregon Revised Statutes).

11.4.3 Interview of persons that live in proximity to the missing person; friends, witnesses, and/or any person who may have information (Public Safety and/or EPD).

11.5 Notification

11.5.1 Notifying police. In the event a student resident is considered to be missing, Housing staff will notify Public Safety who will coordinate to make subsequent notifications to College Officials and Eugene Police.

11.5.2 Notifying missing person's contact on record. Public Safety or Housing Staff will notify the missing person's contact within 24 hours of determination that the student is missing.

11.5.3 Notifying parents or guardians. Public Safety or Housing will notify the parents or guardian within 24 hours of determination that the student is missing if the missing person is under 18 years of age and not emancipated.

11.6 *Within 24 Hours of Reported Possible Missing Person - Specific Procedures and Responsibilities for Public Safety.* Public Safety conducts initial investigation.

11.6.1 Checks room, interviews persons, files report, attempts to contact missing person, contacts person on contact card, and notifies EPD after preliminary steps have been taken.

11.6.2 Contacts PIO (Public Information Officer) and Executive Dean Student Affairs to advise on report.

11.6.3 Advises Housing Staff to alert Public Safety should the individual return.

11.6.4 Advises suitemates to alert Public Safety should the individual return.

11.6.5 Produces image for Public Safety Officers for Police officers.

12. Reporting and Compliance Requirements – Violence Against Women Act

12.1 *VAWA's SaVE Act reporting requirements:*

12.1.1 The Clery Act requires annual reporting of statistics for various criminal offenses, including forcible and non-forcible sex offenses and aggravated assault. VAWA's SaVE Act provision adds domestic violence, dating violence, and stalking to the categories that, if the incident was reported to a campus security authority or local police agency, must be reported under Clery. Parsed for clarity, these offenses are defined.

12.1.2 "Domestic violence" includes asserted violent misdemeanor and felony offenses committed by the victim's current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.

12.1.3 "Sexual Assault", means an offense that meets the definition of Rape, Fondling, Incest or Statutory Rape as used in the FBI's UCR program and included in Appendix A of 34 CFR Part 668. In specific: Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This definition includes any gender of victim or perpetrator. Sexual penetration means the 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. This definition also includes instances in which the victim is incapable of

giving consent because of temporary or permanent mental or physical incapacity (including due to the influence of drugs or alcohol) or because of age. Physical resistance is not required on the part of the victim to demonstrate lack of consent.

“Sexual Assault” also includes: Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

A. *Fondling*—The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

B. *Incest*—Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

C. *Statutory Rape*—Sexual intercourse with a person who is under the statutory age of consent.

12.1.4 “Dating violence” means violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such relationship will be gauged by its length, type, and frequency of interaction.

12.1.5 “Stalking” means a course of conduct directed at a specific person that would cause a reasonable person to fear for her, his, or other’s safety, or to suffer substantial emotional distress.

12.2 *Sexual assault prevention training and domestic violence prevention training includes information from multiple sources at the College.*

Lane Community College promotes awareness of dating violence, domestic violence, sexual assault, and stalking, by making available presentations about these topics at in-services, posters and brochures (Titan Awareness Safety Knowledge or T.A.S.K. information) as well as educational programs specifically for students throughout the year (https://www.lanecc.edu/sites/default/files/sexualrespect/t.a.s.k._handout.pdf, <https://www.lanecc.edu/psd/sexual-assault-awareness-and-prevention>, and <https://www.lanecc.edu/psd/domestic-violence>.)

12.2.1 The College prohibits all violations of law, including but not limited to: sexual assault, dating violence, stalking, and domestic violence.

12.2.2 Definition of Consent

In reviewing possible violations of sexual misconduct, the College considers consent as the voluntary, informed, un-coerced agreement through words and actions freely given, which a reasonable person would interpret as a willingness to participate in mutually agreed-upon sexual acts. Consensual sexual activity happens when each partner willingly and affirmatively chooses to participate.

Indications that consent is not present include: when physical force is used or there is a reasonable belief of the threat of physical force; when duress is present; when one person overcomes the physical limitations of another person; and when a person is incapable of making an intentional decision to participate in a sexual act, which could include instances in which the person is in a state of incapacitation.

Important points regarding consent include:

- Consent to one act does not constitute consent to another act.
- Consent on a prior occasion does not constitute consent on a subsequent occasion.
- The existence of a prior or current relationship does not, in itself, constitute consent.
- Consent can be withdrawn or modified at any time.
- Consent is not implicit in a person's manner of dress.
- Accepting a meal, a gift, or an invitation for a date does not imply or constitute consent.
- Silence, passivity, or lack of resistance does not necessarily constitute consent.
- Initiation by someone who a reasonable person knows or should have known to be deemed incapacitated is not consent.

In the context of this procedure, incapacitation is the state in which a person's perception or judgment is so impaired that they lack the cognitive capacity to make or act on conscious decisions. The use of drugs or alcohol can cause incapacitation. An individual who is incapacitated is unable to consent to a sexual activity. Engaging in sexual activity with an individual who is incapacitated (and therefore unable to consent), where a person knows or ought reasonably to have understood the individual is incapacitated, constitutes sexual misconduct.

NOTE: Oregon state law considers persons under the age of 18 to be "incapable of consenting to a sexual act" (ORS §163.315) and states that if lack of consent is solely a result of the age of the victim, it is a defense to certain crimes that the actor was less than three years older than the victim at the time of the alleged offense (ORS § 163.345). (<https://www.lanecc.edu/sexualrespect>)

12.2.3 Lane Community College supports and encourages bystanders to recognize situations of potential harm, understand conditions that facilitate violence and taking actions to intervene, and decrease bystander inaction

12.2.4 Recognition of signs of abusive behavior and how to avoid potential attacks.

12.2.5 Ongoing prevention and awareness campaigns for students and faculty on all of the above.

13. Crime Statistics. The LCC Public Safety Department is responsible for collecting and reporting campus crime reports. In particular, the Chief Public Safety Officer and his designates

coordinate campus-wide and community data collection and aggregation.

The definitions used for reporting crimes are in accordance with the Federal Bureau of Investigation's Uniform Crime Reporting Program and other federal crime reporting definitions as set forth in Appendix A to Subpart D of 34 CFR 668: "Crime Definitions in Accordance With the Federal Bureau of Investigation's Uniform Crime Reporting Program." This includes revised definitions of "Rape, sodomy, fondling, and sexual assault". Crime definitions are provided here:

13.1 Crime Definitions from the Summary Reporting System (SRS) User Manual From the FBI's UCR Program

Arson

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

Criminal Homicide—Manslaughter by Negligence

The killing of another person through gross negligence.

Criminal Homicide—Murder and Non-negligent Manslaughter

The willful (non-negligent) killing of one human being by another.

Rape (Sexual Assault)

The 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. (See additional definitions and crime information at 12.1.3-12.1.5)

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. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

Burglary

The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

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 joyriding.)

Weapons: Carrying, Possessing, Etc.

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.

Drug Abuse Violations

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.

Liquor Law Violations

The violation of State or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness. Source: (<http://www.ecfr.gov/cgi-bin/text-idx?SID=9832ffe8a96e645ed60060b70dd1c0c5&node=34:3.1.3.1.34.4.39.10.7&rgn=div9>)

The Crime Statistics Report for Lane Community College campuses is derived from the following sources:


- a. Lane County Sheriff's Department
- b. Lane County Attorney's Office
- c. Eugene Police Department
- d. Eugene City Attorney's Office
- e. Florence Police Department
- f. Cottage Grove Police Department
- g. Lane Community College Public Safety Department
- h. Office of Academic & Student Affairs
- i. Human Resources Department
- j. Campus Security Authorities
- k. Oregon State Police

The information is cross-checked to eliminate double-counting reports from the same incident. Also, a review of all reports is made to verify the crime classification for each type of incident as it relates to the Clery reporting guidelines.

PUBLIC PROPERTY

Criminal Offenses Public Property	Main Campus			Cottage Grove Campus			Florence Campus			Flight Technology		
	13	14	15	13	14	15	13	14	15	13	14	15
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Sex offenses – Forcible	0			0			0			0		
Rape		0	0		0	0		0	0		0	0
Fondling		0	0		0	0		0	0		0	0
Sex offenses – Non- forcible	0			0			0			0		
Incest		0	0		0	0		0	0		0	0
Statutory Rape		0	0		0	0		0	0		0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Weapons [Arrest/Referral]	0	0	0	0	0	0	0	0	0	0	0	0
Drugs [Arrest/Referral]	0	0	0	0	0	0	0	0	0	0	0	0
Alcohol [Arrest/Referral]	0	0	0	0	0	0	0	0	0	0	0	0
Documented Hate Crimes	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0
Notes	Fondling, Incest, Rape, Statutory Rape replace forcible/non-forcible in calendar year 2014.											

ON CAMPUS PROPERTY

Criminal Offenses On-Campus	Main Campus			Cottage Grove Campus			Florence Campus			Flight Technology		
	13	14	15	13	14	15	13	14	15	13	14	15
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Sex offenses -Forcible	0			0			0			0		
Rape		1	0		0	0		0	0		0	0
Fondling		0	2		0	0		0	0		0	0
Sex offenses – Non-forcible	0			0			0					
Incest		0	0		0	0		0	0		0	0
Statutory Rape		0	0		0	0		0	0		0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	1	0	0	0	0	0	0	0	0	0	0
Burglary	1	3	3	0	0	0	0	0	0	0	0	0
Motor vehicle theft	8	4	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Weapons [Arrest/Referral]	2R	1A	0	0	0	0	0	0	0	0	0	0
Drugs [Arrest/Referral]	7R	5R 1A	26R 1A	0	0	0	0	0	0	0	0	0
Alcohol [Arrest/Referral]	0	1R	0	0	0	0	0	0	0	0	0	0
Documented Hate Crimes	0	0	1	0	0	0	0	0	0	0	0	0
Domestic Violence	1	3	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	1	1	0	0	0	0	0	0	0	0	0
Stalking	5	6	11	0	0	0	0	0	0	0	0	0
Notes	 Data Not Captured. Also, Auto Theft data includes several cases of reported thefts that were later cases of “forgotten parking”, so no theft occurred. Regulations require the data to stand as a reported case, regardless of outcome. Fondling, Incest, Rape, Statutory Rape replace forcible/non-forcible in calendar year 2014. Hate Crime – Religious bias with harassment (2015)											

NEW DOWNTOWN CAMPUS PROPERTY (TITAN COURT AND DOWNTOWN ACADEMIC)

Criminal Offenses	Downtown Campus New - Public Property Academic			Downtown Campus New - On Campus Academic (Total includes Residential)			Downtown Campus New - On Campus Residential (Only)		
	13	14	15	13	14	15	13	14	15
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0
Sex offenses – Forcible	1			0			0		
Rape		1	0		0	0		0	0
Fondling		0	0		1	0		1	0
Sex offenses – Non- forcible	0			0			0		
Incest		0	0		0	0		0	0
Statutory Rape		0	0		0	0		0	0
Robbery	1	0	0	0	0	0	0	0	0
Aggravated Assault	1	0	0	1	0	0	1	0	0
Burglary	0	0	0	2	1	0	0	1	0
Motor vehicle theft	1	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Weapons [Arrest/Referral]	0	0	0	0	0	1A	0	0	1A
Drugs [Arrest/Referral]	1A	33A	2A	3R	1R	1A	3R	1R	1A
Alcohol [Arrest/Referral]	0	19A	5A	0	0	0	0	0	0
Documented Hate Crimes	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	1	0	0	1	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	1	0	0	0	0
NOTES	Note: US DOE directed that data collection start at the conclusion of the first full year of new campus occupancy, 2013. Note: DOE directed that data for entire New facility be summarized as noted, essentially listing residential data by itself and as part of entire campus total. Fondling, Incest, Rape, Statutory Rape replace forcible/non-forcible in calendar year 2014.								

Appended Documents

~Next Sections~

**I. Student Gender-Based
Sexual Misconduct**

**II. Student Code of
Conduct**

Student Gender-Based Sexual Misconduct

Type:

Procedure

Category:

Institutional Integrity

Department:

Academic and Student Affairs

Phone:

(541) 463-5732

Primary Contact:

Terrie Minner

Contact Email:

minnert@lanecc.edu(link sends e-mail)

Responsible Executive Authority:

Executive Dean, Student Affairs

Purpose:

The College has a zero tolerance policy regarding all forms of sexual harassment (see Board Policies: [Sexual Assault](#) and [Harassment](#)). The purpose of this complaint procedure is to provide College students and staff an academic and work experience that is free from sexual harassment, sexual misconduct, and sexual violence. This procedure provides for timely, reliable and impartial investigation of complaints.

The College will take steps to:

- investigate what occurred,
- take action to stop the misconduct,
- prevent its recurrence, and
- remedy any discriminatory effects on the complainant or others.

This procedure is intended to provide for prompt and effective College response to, and resolution of, reports of sexual misconduct.

Narrative:

- [Introduction to the Procedure](#)
- [What is Sexual Misconduct?](#)
- [What is Consent?](#)
- [How can I file a report or make a complaint?](#)
- [What happens after the process is over?](#)

If this is an emergency

- **On campus, call 5555**
- **Off campus call 911**

If you have experienced unwelcomed sexual behavior, contact any of the offices and staff below.

Terrie Minner - Title IX Coordinator
Office: Bldg. 01, Rm. 218C
Phone: [\(541\) 463-3010](tel:5414633010)
Email: minnert@lanecc.edu(link sends e-mail)
Privacy Level*: Responsible Resource

Kerry Levett - Executive Dean for Student Affairs
Office: Bldg. 3, Rm. 208
Phone: [\(541\) 463-5275](tel:5414635275)
Email: levettk@lanecc.edu(link sends e-mail)
Privacy Level*: Responsible Employee

Public Safety Officers - Main Campus
Office: Public Safety, Bldg. 13
Phone: [\(541\) 463-5558](tel:5414635558)
Privacy Level*: Responsible Employees

Public Safety Officers - Downtown Campus
Office: Downtown Campus, Rm. 129
Phone: [\(541\) 463-6267](tel:5414636267)
Privacy Level*: Responsible Employees

Person: Patsy Raney - Student Advocate (Women's Center)
Office: Bldg. 1, Rm. 202A
Phone: [\(541\) 463-5298](tel:5414635298)
Email: raneyp@lanecc.edu(link sends e-mail)
Privacy Level*: Confidential Resource

Women's Center
Office: Bldg. 01, Rm. 202
Phone: [\(541\) 463-5353](tel:(541)463-5353)

Counseling Center
Office: Bldg. 01, Rm. 103
Phone: [\(541\) 463-3200](tel:(541)463-3200)
Privacy Level*: Confidential Resources Available

Multicultural Center
Office: Bldg. 01, Rm. 201
Phone: [\(541\) 463-5276](tel:(541)463-5276)

Health Clinic
Office: Bldg. 18, Rm. 101
Phone: [\(541\) 463-5665](tel:(541)463-5665)
Privacy Level*: Confidential Resources Available

Director of Student Standards
Office: Bldg 19, Rm 231B
Phone: [\(541\) 463-5787](tel:(541)463-5787)
Email: yehc@lanecc.edu(link sends e-mail)
Privacy Level*: Responsible Employee

What other resources are there to understand Gender-Based Misconduct?

[Sexual Respect at Lane Community College](#)
[Sexual Assault Awareness and Prevention \(Public Safety Department\)](#)
[Consumer Information Page](#)

This page is a summary of consumer information that is made available to all prospective and enrolled students and Employees at Lane Community College in accordance with federal regulations in the Higher Education Act of 1965, as amended. Each topic gives a brief description of the information that is disclosed and how it can be obtained. Paper copies of any of the informational items listed below can be provided by contacting the listed department or school official.

[Know your IX](#)
[Sexual Assault Support Services of Lane County](#)
[Oregon Sexual Assault Task Force](#)

Lane Community College Policies and Procedures:

[Student Code of Conduct](#)

[Student Rights and Responsibilities](#)

[Harassment and Discrimination Complaint Process](#)

[Sexual Assault](#)

What's the difference between Privacy and Confidentiality?

Issues of privacy and confidentiality play important roles in this procedure and may affect individuals differently. Privacy and confidentiality are related but distinct terms that are defined below.

Confidentiality: The term "confidentiality" refers to the circumstances under which information will not be disclosed to others unless with express written permission, except in situations involving a direct threat to self or others such as the college community. Confidential resources at Lane are available for students and employees and listed in the table on page 1 of this procedure. Lane Counselors are confidential resources in their role as personal counselors and are not required to report any information about an incident to the Title IX Coordinator without the Complainant's permission except in situations involving a threat to self or others. 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.

When a report involves suspected abuse of a minor under the age of 18, all college employees, include these Confidential Resources, are required by state law to notify child protective service and/or local law enforcement. In addition to notifying the Title IX Coordinator, any individual is required to make a direct report as follows:

- If the child is in immediate danger, call 911,
- If there is no immediate danger, contact Lane County Department of Human Services at [\(541\) 686-7555](tel:5416867555) (local) or (866) 300-2782 (toll free), Monday-Friday, 8:00am-5:00pm.

Privacy: The term "privacy" refers to the discretion exercised by the College in the course of any investigation or disciplinary processes under this procedure. The College has an obligation to make reasonable efforts to investigate and address complaints or reports of violations of this procedure. In all such proceedings, the College will take into consideration the privacy of the parties to the extent possible.

In cases involving students, the Title IX Coordinator may notify other College employees of the existence of the complaint for the purpose of overseeing compliance with this procedure and addressing any concerns related to educational and residential life. While not bound by confidentiality, these individuals will be discreet and will respect the privacy of those involved in the process.

Any additional disclosure of information related to the complaint or report may be made if consistent with the Family Educational Rights and Privacy Act (FERPA), or the Title IX requirements.

Anonymous Reports: If a complainant (the recipient of the unwelcomed behavior) self-identifies but asks to remain anonymous during the investigation, the Title IX Coordinator will consider how to proceed, taking into account the complainant's wishes, the College's commitment to provide a non-discriminatory environment, and the respondent's (the person to whom the report of an alleged violation refers) right to have specific notice of the allegations if the College were to take action that affects the respondent. In such circumstances, the Title IX Coordinator may arrange for limited fact-finding by an investigator to better understand the context of the complaint.

Requests for confidentiality or use of anonymous reporting may limit the College's ability to conduct an investigation.

Confidential Resources: The College has designated campus professionals as Confidential Resources. Conversations with Confidential Resources are privileged. Information shared with Confidential Resources (including information about whether an individual has received services) will only be disclosed to the Title IX Coordinator or any other person only with the individual's express written permission, unless there is an imminent threat of serious harm to the individual or to others, or a legal obligation to reveal such information (e.g., if there is suspected abuse or neglect of a minor). Confidential Resources may submit non-identifying information about violations of this procedure to the Public Safety Department for purposes of the anonymous statistical reporting under the Clery Act.

An individual who is not prepared to make a report, or who may be unsure how to label what happened, but still seeks information and support, is strongly encouraged to contact a Confidential Resource. See page 1 for a complete list of Confidential Resources on campus.

What are Responsible Employees?

Responsible Employee: The College considers all others to be "Responsible employees." A responsible employee includes any employee:

- who has the authority to take action to redress sexual violence;
- who has been given the duty of reporting incidents of sexual violence or any other misconduct by students to the Title IX Coordinator or other appropriate school designee; or
- whom a student could reasonably believe has this authority or duty (Department of Education, 2014).

Notice to these "responsible employees" is official notice to the institution. You have the right and can expect to have incidents of sexual misconduct and/or discrimination to be taken seriously by the institution when formally reported, and to have those incidents investigated and properly resolved through administrative procedures. All members of the College community are required to report any suspected violation of this procedure.

In emergency situations, if there is a suspected crime in progress, or imminent or serious threats to the safety of anyone, faculty and staff members must immediately contact the Public Safety Department by dialing x5555 from an on-campus telephone or [\(541\) 463-5555](tel:5414635555) from an off-campus telephone or cell phone. Blue emergency phones are also strategically placed around campus if you do not have access to a phone.

In non-emergency situations, faculty and staff members, unless a Confidential Resource, must promptly report suspected violations to the Title IX Coordinator. Some students with special responsibilities must promptly report alleged violations of this procedure to their supervisor, who will then consult with the Title IX Coordinator.

In some circumstances, the reporting responsibilities of College employees, or the College's responsibility to investigate, may conflict with the preferences of the complainant and/or respondent with regard to privacy and confidentiality. Therefore, all individuals are encouraged to familiarize themselves with their options and responsibilities, and make use of Confidential Resources, if applicable, in determining their preferred course of action.

What if I just want to talk to someone and do not want to have the College involved?

If you are seeking someone to support you during this time, but do not want to file a complaint, you should seek out a Confidential Resource (employee) or community resources. At Lane, Confidential Resources include licensed counselors, licensed Health Clinic personnel, and the Title IX Coordinator. Off campus, these people may include licensed mental health providers, medical health provides, and members of the clergy.

These people will provide support and direct individuals to resources as well as describe options students have with regards to reporting. Keep in mind that disclosing only to Confidential Resource employee's limits the effective response on the College's part.

In cases in which an individual presents a threat to themselves or others, confidentiality is waived in order to keep people safe.

Introduction to the Procedure

Lane Community College does not tolerate sex or gender discrimination, including sexual misconduct such as sexual harassment and sexual assault, stalking, and intimate partner violence. These behaviors are harmful to the well-being of our community members, the learning/working environment, and collegial relationships among our students, faculty, and staff. All forms of prohibited conduct under this procedure are regarded as serious College offenses, and violations will result in discipline, including the possibility of separation from the College. State and federal laws also address conduct that may meet the College's definitions of prohibited conduct, and criminal prosecution may take place independently of any disciplinary action instituted by the College.

Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex or gender in the College's programs and activities. The College will respond to complaints or reports about prohibited conduct with measures designed to stop the behavior, eliminate any such gender discrimination, prevent the recurrence of the prohibited conduct, and remediate any adverse effects of such conduct on campus or in College-related programs or activities.

The College has an obligation to make reasonable efforts to investigate and address complaints or reports of sex or gender discrimination, including sexual misconduct, whenever it becomes aware of such a complaint or report. Once made aware, the College must conduct an investigation regardless of how the information was brought to the College's attention or the extent to which the complainant (i.e., an individual who has been subjected to prohibited conduct, according to the complaint or report) wishes to participate or be involved. All individuals have access to Confidential Resources that they may use for support and guidance without initiating College action.

Retaliation against anyone involved in filing an internal complaint under this procedure, filing an external complaint, participating in the internal disciplinary process, or opposing in a reasonable manner an act believed to constitute a violation of this procedure and [Board Policy 630: Harassment](#), is prohibited and will not be tolerated.

In light of these commitments, the College has adopted this procedure, which includes investigation and disciplinary procedures that will be followed in response to allegations of sex or gender discrimination, including sexual misconduct such as sexual harassment and sexual assault, intimate partner violence, stalking, and related retaliation. In a case of alleged sex or gender discrimination or sexual misconduct, this policy supersedes policies and procedures for other forms of misconduct.

(Note: The Introduction is adapted from Princeton University, 2014)

What is the purpose of this procedure?

The College has a zero tolerance policy regarding all forms of sexual harassment (see Board Policies: [Sexual Assault](#) and [Harassment](#)). The purpose of this complaint procedure is to provide College students and staff an academic and work experience that is free from sexual harassment, sexual misconduct, and sexual violence. This procedure provides for timely, reliable and impartial investigation of complaints.

The College will take steps to:

- **investigate** what occurred,
- **take action** to stop the misconduct,
- **prevent** its recurrence, and
- **remedy** any discriminatory effects on the complainant or others.

This procedure is intended to provide for prompt and effective College response to, and resolution of, reports of sexual misconduct.

Who is the Title IX Coordinator and what do they do?

The Title IX Coordinator will be informed of all complaints or reports of violations of this procedure, and oversees the College's centralized response to ensure compliance with Title IX and the 2013 Amendments to the Violence Against Women Act (VAWA). The Title IX Coordinator's activities include (but are not limited to):

- Communicating with all members of the College community regarding Title IX and VAWA, and providing information about how individuals may access their rights;
- Reviewing applicable College policies and procedures to ensure institutional compliance with Title IX and VAWA;
- Monitoring the College's administration of its own applicable policies and procedures, including record keeping, timeframes, and other procedural requirements;
- Coordinating training regarding Title IX, VAWA, and prohibited conduct defined in this procedure; and
- Responding to any complaint or report regarding conduct that violates this procedure. 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 procedure to designated administrators, who will be appropriately trained.

The College's Title IX Coordinator's contact information is as follows:

Title IX Coordinator: Terrie Minner, Interim Associate Dean of Accessibility and Support

[\(541\) 463-3010](tel:5414633010)

MinnerT@lanecc.edu(link sends e-mail)

Building 1, Room 218

Deputy Coordinator: Carl Yeh, Director of Student Standards

[\(541\) 463-5787](tel:5414635787)

yehc@lanecc.edu(link sends e-mail)

Building 19, Room 231B

Deputy Coordinator: Dennis Carr, Director of Human Resources

(541) 463-5586

CarrD@lanecc.edu(link sends e-mail)

Building 3, Room 119

What is Sex Discrimination?

Sex discrimination is adverse treatment of an individual based on sex or gender, rather than individual merit. Sex discrimination encompasses sexual misconduct but also includes other discriminatory behavior that does not constitute sexual misconduct. Sex discrimination may also include abusive or harassing behavior, whether verbal or physical, that demeans or intimidates

another individual because of sex, gender identity, or gender expression. Examples of conduct that can constitute sex discrimination include but are not limited to the following when the reason for the action is the target person's sex or gender identity, or gender expression:

- Singling out or targeting an individual for different or adverse treatment (e.g., more severe discipline, lower salary increase);
- Failing or refusing to hire or allow participation by an individual in a College activity;
- Terminating or removing an individual from employment or an educational program; or
- Verbally harassing, abusing, or demeaning a targeted individual with conduct designed to adversely impact that individual.

What is Sexual Misconduct?

Sexual misconduct offenses include but are not limited to:

- sexual harassment;
- non-consensual sexual contact (or attempts to commit same);
- non-consensual sexual intercourse (or attempts to commit same);
- domestic violence/dating violence/intimate partner violence;
- sexual exploitation.

What is Sexual Harassment?

Sexual Harassment is:

- unwelcome, gender-based verbal or physical conduct that is,
- sufficiently severe, persistent or pervasive that it,unreasonably interferes with, denies or limits someone's ability to participate in or benefit from the college's educational program and/or activities, and
- is based on power differentials (quid pro quo), the creation of a hostile environment, or retaliation

Examples of sexual harassment include:

- an attempt to coerce an unwilling person into a sexual relationship;
- to repeatedly subject a person to egregious, unwelcome sexual attention;
- to punish a refusal to comply with a sexual based request;
- to condition a benefit on submitting to sexual advances;
- sexual violence;
- intimate partner violence;
- stalking;
- gender-based bullying.

Examples of sexual harassment in a college community:

[Note: Not all workplace or educational conduct that may be described as "harassment" affects the terms, conditions or privileges of employment or education. For example, a mere utterance of an ethnic, gender-based or racial epithet which creates offensive feelings in an employee or student would not normally affect the terms and conditions of their employment or education.]

- A professor insists a student have sex with them in exchange for a good grade. This is harassment regardless of whether the student accedes to the request.
- A student repeatedly sends sexually oriented jokes around an email list they created even when asked to stop, causing one recipient to avoid spending time on campus.
- A professor engages students in discussion in class about their past sexual experiences, yet the conversation is not in any way germane to the subject matter of the class. The professor probes for explicit details, and demands the students answer, though they are clearly uncomfortable and hesitant.
- An ex-girlfriend widely spreads false stories about her sex life with her former boyfriend to the clear discomfort of the boyfriend, turning him into a social pariah on campus.
- A student grabbed another student by the hair, then grabbed her breast and put his mouth on it.
- A transgender student is using the men's locker room when another male student exclaims, "I'm gonna prove you're really a girl!" and tries to remove his towel so as to expose his genitals.

What do these terms mean?

A hostile work environment includes any situation in which there is harassing conduct that is sufficiently severe, pervasive, and objectively offensive that it alters the conditions of employment or limits, interferes with or denies educational benefits or opportunities, from both a subjective (the alleged Complainant) and an objective (reasonable person's) viewpoint.

Quid pro quo sexual harassment exists when there are:

- unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature; and
- submission to or rejection of such conduct that results in adverse educational or employment action.

Retaliatory harassment is any adverse employment or educational action taken against a person because of the person's participation in a complaint or investigation of discrimination or sexual misconduct.

Non-consensual sexual contact is (commonly referred to as sexual assault):

- Any intentional sexual touch,
- However slight,
- With any object,
- By a man or a woman upon a man or a woman,
- That is without consent and/or by force.

Examples of sexual contact include: Intentional contact with the breasts, buttock, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth or other orifice.

Force

Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion that 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.").

- Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear to you they do not want sex, they want to stop, or they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be considered coercive.
- NOTE: There is no requirement that a party resists the sexual advance or request, but resistance is a clear demonstration of non-consent. The absence of resistance is not conclusive that force was not used. Sexual activity that is forced is, by definition, non-consensual, but non-consensual sexual activity is not by definition forced.
- In order to give effective consent, one must be of legal age.
- Sexual activity with someone who one should know to be—or based on the circumstances should reasonably have known to be—mentally or physically incapacitated (by alcohol or other drug use, unconsciousness or blackout), constitutes a violation of this procedure.
 - Incapacitation is a state in which someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the "who, what, when, where, why or how" of their sexual interaction).
 - This procedure also covers a person whose incapacity results from mental disability, sleep, involuntary physical restraint, or from the taking of rape drugs. Possession, use and/or distribution of any of these substances, including Rohypnol, Ketamine, GHB, Burundanga, etc. is prohibited, and administering one of these drugs to another student is a violation of this procedure. More information on these drugs can be found at [911 Rape Information](#)(link is external)
- Use of alcohol or other drugs will never function as a defense for any behavior that violates this procedure.
- The sexual orientation and/or gender identity of individuals engaging in sexual activity is not relevant to allegations under this procedure.

Non-consensual sexual penetration is (commonly referred to as rape):

- Any sexual intercourse
- However slight,
- With any object,
- By a man or woman upon a man or women,
- That is without consent and/or by force.

Intercourse includes: vaginal penetration by a penis, object, tongue, or finger, anal penetration by a penis, object, tongue, or finger, and oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact.

Intimate Relationship Violence is (also referred to as dating or intimate partner violence) committed by a person:

- Who is or has been in a social relationship of a romantic or intimate nature with the victim, and
- Where the existence of such a relationship shall be determined based on a consideration of:
 - Length of the relationship.
 - Type of the relationship.
 - The frequency of interaction between the people involved in the relationship.

Intimate Relationship (i.e. Dating) violence is defined as violence committed by a person who has or has been in a social relationship of a romantic or intimate nature with the victim.

- The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Examples of Intimate Relationship violence include but are not limited to:

- physical,
- emotional/psychological,
- sexual, or
- economic acts.

In an intimate relationship violence can be a single act or pattern of behavior.

Domestic violence includes:

- A particular type of intimate relationship violence that occurs when partners in a current or former intimate relationship are or have been cohabiting in the same space. Students are deemed to be cohabiting when they share access to the same private living space or bathroom.
- A felony or misdemeanor crime of violence committed:
 - By a current or former spouse or intimate partner of the victim;
 - By a person with whom the victim shares a child in common;
 - By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
 - By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
 - By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Sexual Exploitation:

Occurs when a person takes non-consensual or abusive sexual advantage of another for their own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of other sexual misconduct offenses.

Examples of sexual exploitation include, but are not limited to:

- Invasion of sexual privacy;
- Prostituting another student;
- Non-consensual video or audio-taping of sexual activity;
- Going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex);
- Engaging in voyeurism;
- Knowingly transmitting an STI or HIV to another student;
- Exposing one's genitals in non-consensual circumstances;
- inducing another to expose their genitals;
- Sexually-based stalking and/or bullying may also be forms of sexual exploitation.

Stalking:

A course of conduct (i.e., more than one act) directed at a partner in a current or former intimate relationship that would cause a reasonable person to feel fear, to experience emotional distress, or to fear for the safety of a third person. Acts that together constitute stalking may be direct actions or may be communicated by a third party, and can include, but are not limited to: threats of harm to self or others; pursuing or following; non-consensual (unwanted) communication by any means; unwanted gifts; trespassing; and surveillance or other types of observation.

What is Consent?

In reviewing possible violations of sexual misconduct, the College considers consent as the voluntary, informed, uncoerced agreement through words and actions freely given, which a reasonable person would interpret as a willingness to participate in mutually agreed-upon sexual acts. Consensual sexual activity happens when each partner willingly and affirmatively chooses to participate.

Indications that consent is not present include: when physical force is used or there is a reasonable belief of the threat of physical force; when duress is present; when one person overcomes the physical limitations of another person; and when a person is incapable of making an intentional decision to participate in a sexual act, which could include instances in which the person is in a state of incapacitation.

Important points regarding consent include:

- Consent to one act does not constitute consent to another act.
- Consent on a prior occasion does not constitute consent on a subsequent occasion.
- The existence of a prior or current relationship does not, in itself, constitute consent.
- Consent can be withdrawn or modified at any time.
- Consent is not implicit in a person's manner of dress.

- Accepting a meal, a gift, or an invitation for a date does not imply or constitute consent.
- Silence, passivity, or lack of resistance does not necessarily constitute consent.
- Initiation by someone who a reasonable person knows or should have known to be deemed incapacitated is not consent.

In the context of this procedure, incapacitation is the state in which a person's perception or judgment is so impaired that they lack the cognitive capacity to make or act on conscious decisions. The use of drugs or alcohol can cause incapacitation. An individual who is incapacitated is unable to consent to a sexual activity. Engaging in sexual activity with an individual who is incapacitated (and therefore unable to consent), where a person knows or ought reasonably to have understood the individual is incapacitated, constitutes sexual misconduct.

NOTE: Oregon state law considers persons under the age of 18 to be "incapable of consenting to a sexual act" (ORS §163.315.) and states that if lack of consent is solely a result of the age of the victim, it is a defense to certain crimes that the actor was less than three years older than the victim at the time of the alleged offense ([ORS § 163.345](#)).

To whom does this procedure apply? (Jurisdiction)

This reporting procedure applies to all Lane Community College students alleging sexual misconduct carried out by employees, other students, or third parties and to employee reports against students, other employees or third parties; and to incidents that occur on and off campus when there is a College-related event or activity in which misconduct occurs, or the misconduct involves two members of the College community. Definitions of "student" and "employee" are the same as in the [Student Code of Conduct](#). Third parties are both protected by and subject to this procedure. A third party may make a complaint or report of a violation of this procedure committed by a member of the College community. A third party may also be permanently barred from the College or subject to other restrictions for failing to comply with this procedure. Examples of third parties are organizations that lease space and services from Lane Community College and contractors doing work for Lane Community College.

Incidents should be reported as soon as possible after the event. If complaints are filed after a year from the incident, the College will be limited in our ability to remedy the effects of the misconduct.

This procedure applies to conduct that occurs on College property (i.e., on campus) and in the local vicinity. All actions by a member of the College community that involve the use of the College's computing and network resources from a remote location, including but not limited to accessing email accounts, will be deemed to have occurred on campus. This procedure also applies to conduct that occurs off College property (i.e., off campus) when the conduct is associated with a College-sponsored program or activity, such as travel, research, or internship programs or when such conduct may have a continuing adverse effect or could create a hostile environment on campus. Judgments about these matters will depend on facts of an individual case.

What if I am afraid of retaliation?

Retaliation against the complainant (the person who filed a report, or who is the recipient of the unwelcome behavior) or anyone who participates in any manner in an investigation or resolution of a report of sexual misconduct is expressly forbidden. An individual who is subjected to retaliation (e.g. threats, intimidation, reprisals, damage to one's reputation, or adverse employment or educational actions) is encouraged to make a report of retaliation. Retaliation claims should be reported to the Title IX Coordinator or through the [Student Complaint form\(link is external\)](#) as soon as possible.

The College makes reasonable efforts to safeguard the complainant's rights against retaliation by taking prompt and appropriate corrective action when necessary.

While going through the reporting process, can the College do anything to keep me safe or stop the unwelcomed behavior?

The College can enact certain interim actions that are appropriate given the specifics of:

- the alleged unwelcome behavior,
- nature of the relationship between the complainant and respondent,
- and the type of report procedure (informal vs. formal).

Interim actions help the College to **stop** the unwelcome behavior as well as **remedy** the effects of the unwelcome behavior. Here are some of the interactions that may be appropriate:

- Access to on-campus counseling services and assistance in setting up an initial appointment;
- Advocacy for accessing community resources for ongoing assistance to include, but not limited to:
 - an individual safety plan,
 - counseling,
 - case management/advocacy,
 - support,
 - legal advocacy,
 - emergency shelter/housing, etc.
- No conduct directives between parties
- Class section/schedule changes, including the ability to withdrawal from a course
- Rescheduling of exams, projects and assignments
- Providing alternative course completion options
- Changing work schedules, job assignments, or job locations for college employment
- Providing academic support services such as tutoring
- Limiting or barring an individual's or organization's access to certain Lane Community College-owned facilities or activities

- Collaborating with Public Safety to create a personal safety plan (both on and off campus) and including an escort to ensure safe movement between classes and activities
- Interim suspension of the Respondent
- Student-requested leaves of absence

Additionally, on and off campus support services will be identified.

How can I file a report or make a complaint?

Students can report or make a complaint with any Lane Community College employee. Students have several options for reporting unwelcomed behavior. Any of the people listed at the beginning of the procedure can be contacted. Additionally, students can report online through the myLane home page in the mySafety section by using the link: "[Students: Report an incident or complaint\(link is external\)](#)."

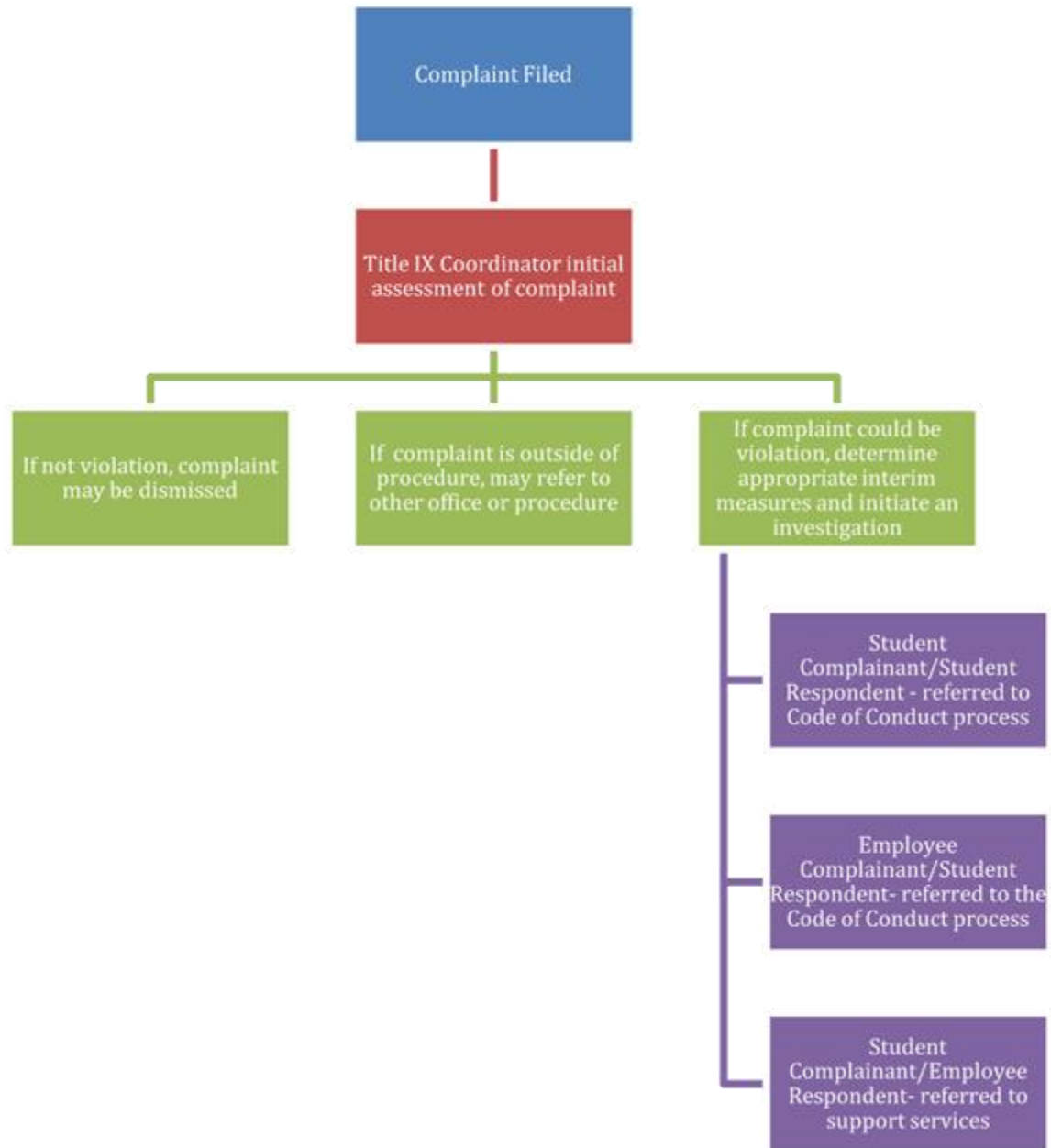
At the complainant's request, the COLLEGE will assist the complainant in contacting local law enforcement and will cooperate with law enforcement agencies if a complainant decides to pursue the criminal process.

Anonymous and Third Party Reports. The College will respond to the extent possible to anonymous reports of sexual misconduct or reports made by third parties not directly involved in the incident, however, the response to such reports may be limited if information contained in the reports cannot be verified by independent facts.

What happens after a complaint or report is filed?

The College is committed to providing a prompt, thorough, and impartial investigation of all alleged violations of this procedure. During the disciplinary process, both parties (complainant and respondent) have equivalent rights (which will be provided to Complainants in writing), including the opportunity to present evidence, to be accompanied by an adviser of their choice, and to appeal. The College will concurrently provide both parties with written notification of the outcome of the process and any appeal.

In order to protect the safety of the campus community, the Title IX Coordinator may investigate allegations of violations of this procedure even absent the filing of a formal complaint or report, or if a complaint or report has been withdrawn. The Title IX Coordinator may need to proceed with an investigation even if a complainant specifically requests the matter not be pursued. In such a circumstance, the Title IX Coordinator will take into account the complainant's concerns, the best interests of the campus community, fairness to all individuals involved, and the College's obligations under Title IX.



[Flow chart of process once complaint or report is filed - pdf](#)

- Complaint Filed
- Title IX Coordinator initial assessment of complaint
 - If not violation, complaint may be dismissed
 - If complaint is outside of procedure, may refer to other office or procedure
 - If complaint could be violation, determine appropriate interim measures and initiate an Investigation
 - Student Complainant/Student Respondent - referred to Code of Conduct process

- Employee Complainant/Student Respondent - referred to the Code of Conduct process
 - Student Complainant/Employee Respondent - referred to support services
- The College will not compel a Complainant to engage in mediation to directly confront the Respondent. Mediation, even if voluntary, may not be used in cases involving sexual misconduct.

Student/Student Complaints

When only students are involved in the complaint, and the complainant and the respondent (the person against whom the complaint is made) are students, the [Student Code of Conduct](#) procedure will be followed. The Conduct Resolution Administrator serves as Complaint Resolution Administrators.

These processes should be read to be consistent with one another and in the event of a direct conflict between the two, the Student Gender-Based Sexual Misconduct Procedure shall govern.

Employee/Student Complaints

When the employee is the complainant and the student is the respondent, the [Student Code of Conduct](#) procedure will be followed.

Student/Employee

When the student is the complainant and the employee is the respondent, The [Harassment and Discrimination Procedure](#) will be followed.

Are there any special considerations when a student is involved in a sexual misconduct complaint?

Sexual History. The sexual history of the complainant and/or the respondent will generally not be used in determining whether a violation of this procedure has occurred. However, in certain circumstances, the sexual history between parties may have limited relevance. For example, if consent is at issue, the sexual history between the parties may be relevant to determining whether consent was sought and given during the incident in question, although it must be remembered that even in the context of a relationship, consent to one sexual act does not constitute consent to another sexual act, and consent on one occasion does not constitute consent on a subsequent occasion.

Consolidation of Investigation. The Title IX Coordinator has the discretion to consolidate multiple complaints or reports into a single investigation if evidence relevant to one incident might be relevant to the others.

What if I don't agree with the outcome?

Either the complainant or the respondent may file an appeal of the written notice of findings through the **Procedural Appeal Process**. ANY APPEAL MUST BE SUBMITTED IN WRITING TO THE TITLE IX COORDINATOR WITHIN FIVE (5) BUSINESS DAYS OF THE DATE OF THE WRITTEN NOTICE OF FINDINGS. THIS APPEAL MUST MEET THE

CRITERIA ESTABLISHED IN THE [STUDENT CODE OF CONDUCT](#) OR the [Harassment and Discrimination Procedure](#).

Appeals through the [Student Code of Conduct](#) procedure must be completed within 30 business days: 20 days for the Appeal Panel to make a recommendation to the Executive Dean of Student Affairs and 10 days for the Executive Dean of Student Affairs to render a final decision.

Are these reports kept confidential?

The College will protect the privacy of individuals involved in a report of sexual misconduct to the extent allowed by law and College procedure. However, there may be times when disclosure of information is required. In all cases, efforts will be made to protect the privacy of individuals. The College will make every effort to respect requests from the recipient of the unwanted conduct for non-disclosure of their name, however, the request will be evaluated in the context of the College's responsibility to provide a safe environment.

An individual who has made a report of sexual misconduct may be advised of sanctions imposed against the respondent when the individual needs to be aware of the sanction in order for it to be fully effective (such as restrictions on communication or contact with the individual who made the report). However, information regarding disciplinary action taken against the respondent shall not be disclosed without the respondent's consent, unless it is necessary to ensure compliance with the action or the safety of individuals as well as federal and state regulations.

What could happen to someone who has been found responsible for sexual misconduct?

There is a wide range of sanctions that can result from an investigation. An exhaustive list of sanctions is available in the Student Code of Conduct. Examples of possible sanctions for students include:

- Verbal warning
- Disciplinary probation
- Limitation of privileges (i.e., restriction of campus access, course, organizations, etc.)
- Reassignment of classes
- Restitution
- Community service
- Disciplinary suspension
- Trespass
- Expulsion
- Other sanctions deemed appropriate

How long does this procedure take? (Timelines)?

The formal complaint procedure is set up to take no more than 60 working days. Days as described in this procedure refers to College business days. Sexual misconduct may vary in its severity and consist of a range of behaviors or attempted behaviors, some of which may constitute felony or misdemeanor crimes which should be reported to local law enforcement officials. Timelines may be adjusted as needed to avoid interference with a concurrent criminal investigation.

This procedure does not waive any legal timelines for remedies available through the Oregon Bureau of Labor and Industries, or Title VII of the Civil Rights Act of 1964 as amended and Title IX, Education Amendments of 1972 (20 USC Sections 1681 -1688).

Will any of this information show up on my record?

The College will keep anonymous data of an informal complaint by type of incident, department, and the relationship of those involved.

For complaints involving employees as the respondent, the Complaint Resolution Administrator will deliver all formal complaint records, including documentation concerning the post-complaint review processes, to the Human Resource Department for compliance review and placement in the official confidential complaint files at the end of the post-complaint review period. Records of student-to-student sexual misconduct complaints will be confidentially maintained in the Office of Academic and Student Affairs.

Students may request a review of their educational records, including disciplinary records, through the [Release of Student Records Procedure](#).

If you have questions about how records are maintained or when they are shared with others, please contact the Title IX Coordinator or the Director of Student Standards.

Does the College report offenses to the community?

The College balances the need for individual privacy with the need to create and maintain a safe educational community. To that effect, the College provides both internal annual reports and annual safety reports required by Federal Law.

Timely Warnings. If the College becomes aware of a serious and continuing threat to the campus community, the Public Safety Department will issue a timely notification to protect the health or safety of the community. The Public Safety Department may also be required to publicly disclose a reported incident of sexual misconduct in the daily crime log or annual security report. The College will make every effort to ensure that a victim's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the danger. In addition, the College may also share

non-identifying information, including data about outcomes and penalties, in aggregate form.

Treatment of Staff/Treatment of Learners Reports. An annual Discrimination or Harassment Incident Report that summarizes all informal and formal complaints and resolutions by type of incident and the relationship of those involved is summarized and presented to the Lane Board of Education in the Treatment of Staff and Treatment of Learners Reports. No identifiable information specific to the involved parties involved is included in this report.

Federal Statistical Reporting Obligations. Certain campus officials have a duty to report sexual misconduct for federal statistical reporting purposes (Clery Act). All personally identifiable information is kept confidential, but statistical information must be passed along to the Public Safety Department regarding the type of incident and its general location (on or off campus, in the surrounding area, but no addresses are given) for publication in the annual Campus Security Report. Mandated federal reporters also referred to as Campus Security Authorities include: student/conduct affairs, campus public safety, local police, coaches, athletic directors, residence life staff, student activities staff, human resources staff, advisors to student organizations and any other official with significant responsibility for student and campus activities. The information to be shared includes the date, the location of the incident (using Clery Act location categories) and the Clery Act crime categories. This reporting protects the identity of the victim because it is done anonymously.

What happens after the process is over?

The College engages in the Post Complaint Review to continue supporting the parties involved and ensure compliance on sanctions and outcomes. Following the closure of a complaint the Complaint Resolution Administrator (CRA) will review the effectiveness of the remedial actions implemented to stop the misconduct, remedy its effects and prevent recurrence at the following post-complaint intervals:

- **Two to Four Weeks** after a finding that sexual misconduct occurred or resolution of the informal complaint, the CRA will contact the complainant and the respondent to confirm the resolution, if any, has been implemented as intended by the parties and/or that neither the complainant nor the respondent has experienced any new problematic conduct that is of concern and that neither the respondent nor any other student or employee has engaged in conduct that is motivated by retaliation.
- **Three months** after a finding that sexual misconduct occurred or resolution of the complaint the CRA will confirm that no new problematic conduct has occurred and neither the respondent nor any other student or employee has engaged in conduct towards the complainant that is motivated by retaliation.

The Complaint Resolution Administrator will document the post-complaint review procedures. All documentation developed by the CRA in the post-complaint review process will be timely delivered to the appropriate office: For students, the official file will be delivered and maintained by the Office of Student Affairs, and for employees complaints, the file will be delivered and maintained by the Human Resource Department for inclusion in the confidential official complaint file.

What is Lane Community College doing to educate the community and prevent Gender-Based Sexual Misconduct?

The College is committed to a comprehensive educational and training program to promote awareness of and prevent sex discrimination, including sexual misconduct.

- The College is making training available to all employees and students. These trainings are available in-person and online.
 - Not Anymore for student online education and prevention program.
 - Public Safety offers a variety of trainings and workshops throughout the year. For more information refer to [Public Safety's Sexual Assault Awareness and Prevention webpage](#).
- Lane TASK Bystander Intervention Program
- ASLCC (Associated Students of Lane Community College) are committed to working with students on several issues including creating a climate welcoming to all students and through committee work such as
- Lane Community College students engage with other college/university students in and around Eugene through the Sexual Violence Prevention and Response Coalition. We have collaborated with other institutions and agencies for the Coalition to provide community-wide training, prevention, and response to Gender-Based Sexual Misconduct.

Related Policies, Procedures, and References:

[Student Code of Conduct](#)

[Student Rights and Responsibilities](#)

[Harassment and Discrimination Complaint Process](#)

[Sexual Assault](#)

Date Adopted:

Thursday, October 22, 2015

Date Last Reviewed:

Thursday, October 22, 2015



Student Code of Conduct

Lane Community College

Revision effective January 4, 2016

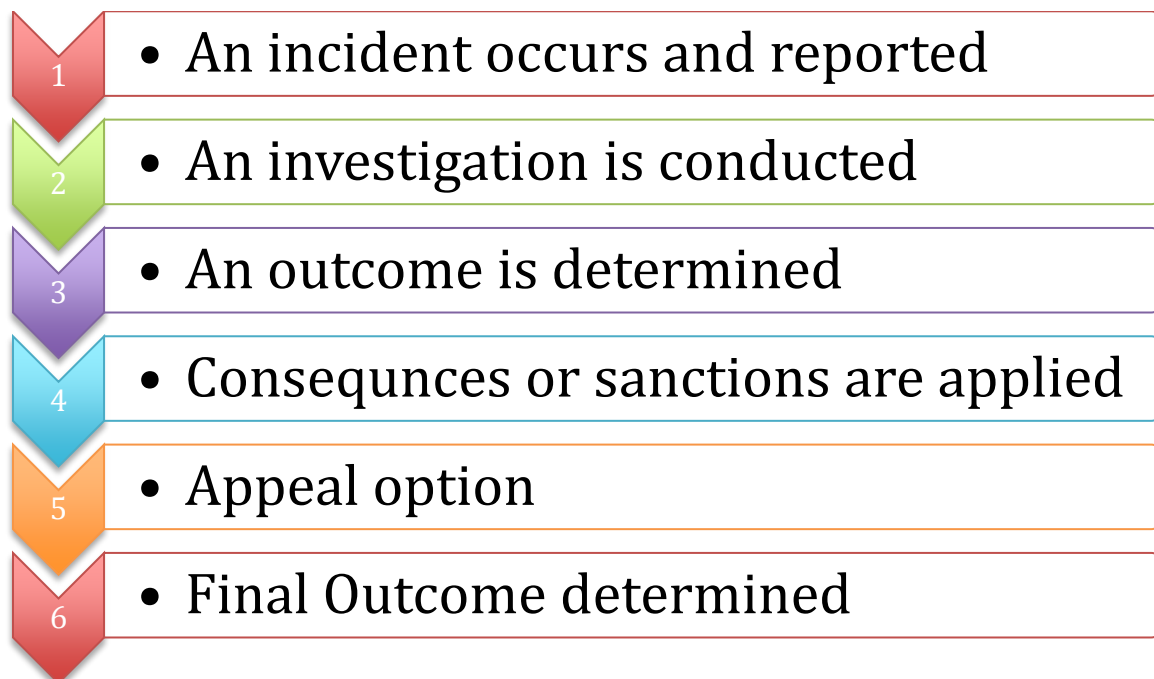
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“I HAVE AN ISSUE” QUICK REFERENCE GUIDE

My issue	What Procedure	How do I report
I have a concern about another student and want to tell someone	None – you are just concerned	Person of Concern Form
I have a complaint about a staff or faculty member	Student Complaint Procedure	Person of Concern Form
I or someone I know is the recipient of unwelcomed sexual behavior	Student Gender Based Sexual Misconduct Procedure	Title IX Coordinator, Terrie Minner MinnerT@lanecc.edu 541-463-3010
I think another student violated the Code of Conduct	The Student Code of Conduct	

Emergencies (someone is in imminent harm) on campus should be reported to Public Safety at 541-463-5555 or off campus to 911.

COMMENT PROCEDURE STEPS (SEE EACH PROCEDURE FOR SPECIFIC STEPS)



PREFACE

Lane Community College Conduct Core Values:

- **Integrity:** Lane students exemplify honesty, honor, and a respect for the truth in all of their dealings.
- **Community:** Lane students build and enhance their community.
- **Social Justice:** Lane students are just and equitable in their treatment of all members of the community and act to discourage and/or intervene to prevent unjust and inequitable behaviors.
- **Respect:** Lane students show positive regard for each other, for property, and for the community.
- **Responsibility:** Lane students are given and accept a high level of responsibility to self, to others, and to the community.

Lane Community College students are responsible for knowing the information, policies, and procedures outlined in this document. The College reserves the right to make changes to this procedure as necessary and once those changes are posted online they are in effect. Students are encouraged to check the online College Online Policy and Procedure System (COPPS) for the updated versions of all policies and procedures.

The Lane Community College Student Code of Conduct was revised based on guidance from the following:

- The NCHERM Group Model Code Project, 2013.
- [Navigating Past the “Spirit of Insubordination”: A Twenty-first Century Model Student Conduct Code With a Model Hearing Script, Stoner and Lowery, 2004](#)

To request this information in an alternate format please contact the Center for Accessible Resources at (541) 463-5150 or accessibleresources@lanecc.edu

SECTION I: INTRODUCTION AND PHILOSOPHY

Lane Community College is a community learning institution committed to fostering a campus environment conducive to academic inquiry, a productive campus life, and thoughtful study and discourse. The student conduct program, within the Office of Academic and Student Affairs, is committed to an educational and developmental process that balances the interests of individual students with the interests of the College community.

A community exists on the basis of shared values and principles. At the College, student members of the community are expected to uphold and abide by certain standards of conduct that form the basis of the *Student Code of Conduct*. These standards are embodied within a set of core values that include integrity, social justice, respect, community, and responsibility.

Each member of the College community bears responsibility for their individual conduct and is expected to assume reasonable responsibility for the behavior of others. When members of the community fail to

exemplify these five values by engaging in violation of the rules below, campus conduct proceedings are used to assert and uphold the *Student Code of Conduct*.

The student conduct process at Lane Community College is not intended to punish students; rather, it exists to protect the interests of the community and to challenge those whose behavior is not in accordance with the College's policies. Sanctions are intended to challenge students' moral and ethical decision-making and to help bring behavior into accord with community expectations. When a student is unable to conform their behavior to community expectations, the student conduct process may determine the student should no longer share in the privilege of participating in this community.

The purpose of this *Student Code of Conduct* is to protect the individual rights of students and employees and to control those actions that go beyond the exercising of such rights. The College recognizes its obligation to develop intellectual curiosity as well as social and cultural awareness. Further, Lane Community College responsibly provides for the safety and well-being of students and employees, property protection, record security, and other education-related services.

Through this *Student Code of Conduct*, Lane Community College describes conduct interfering with the responsibilities and obligations of the College. This document also outlines the penalties imposed for prohibited conduct and explains the procedural due process for alleged student violations and the protection of student rights.

Students should be aware that the student conduct process is quite different from criminal and civil court proceedings. Procedures and rights in student conduct procedures are conducted with fairness to all, but do not include the same protections of due process afforded by the courts. Due process, as defined within these procedures, assures written notice and a Conduct Conference before an objective decision-maker. No student will be found in violation of College policy or procedure without information showing it is more likely than not (preponderance of evidence) that a violation occurred and any sanctions will be proportionate to the severity of the violation and to the cumulative conduct history of the student. This determination does not require a standard beyond a reasonable doubt and the technical rules of evidence applicable to civil and criminal procedures shall not apply.

SECTION II: JURISDICTION

COLLEGE JURISDICTION

Students at Lane Community College are provided a copy of the *Student Code of Conduct* annually in the form of a link on the College website. Hard copies are available upon request from the Office of Academic and Student Affairs. Students are responsible for reading and abiding by the provisions of the *Student Code of Conduct*.

The *Student Code of Conduct* and the student conduct process apply to the conduct of individual students and all College affiliated student organizations. For the purposes of student conduct, the College considers an individual to be a student who: (a) is enrolled as a student and/or registered for one or more

credit hours including dually enrolled students in multiple institutions; (b) is enrolled in a non-credit program or (c) was enrolled under (a) or (b) within four proceeding terms is considered a “student” for purposes of the procedure or (d) if the person has submitted an application for admission, financial aid or any other service provided by the College that requires student status.

The *Student Code of Conduct* is not applicable to students **enrolled only in College Now** courses on their local high school campuses. Lane Community College reserves the right to further clarify appropriate student groups to whom the *Student Code of Conduct* is applicable.

Note: The Student Gender-Based Sexual Misconduct Procedure has a broader definition of “student” for compliance requirements.

The College retains conduct jurisdiction over students who choose to take a leave of absence, withdraw, or have graduated, for any misconduct that occurred prior to the leave, withdrawal, or graduation. If sanctioned, a hold may be placed on the student’s ability to re-enroll, and/or obtain official transcripts, and/or graduate; and all sanctions must be satisfied prior to re-enrollment eligibility. In the event of serious misconduct committed while still enrolled but reported after the accused student has graduated, the College may invoke these procedures and should the former student be found responsible, the College may revoke that student’s degree.

The *Student Code of Conduct* applies to behaviors that take place on the campus, at College-sponsored events, and may also apply off-campus when the Executive Dean of Student Affairs or designee determines the off-campus conduct affects a substantial College interest.¹ A substantial College interest is defined to include:

- Any situation where it appears the student’s conduct may present a danger or threat to the health or safety of themselves or others; and/or
- Any situation that significantly impinges upon the rights, property, or achievements of self or others or significantly breaches the peace and/or causes social disorder; and/or
- Any situation that is detrimental to the educational mission and/or interests of the College.

The *Student Code of Conduct* may be applied to behavior conducted online, via email, or through other electronic medium. Students should also be aware that online postings such as blogs, web postings, chats and social networking sites or applications are in the public sphere and are not private. These postings can subject a student to allegations of conduct violations if evidence of violations is posted online. The College does not regularly search for this information but may take action if and when such information is brought to the attention of College Officials.

The *Student Code of Conduct* applies to guests of community members whose hosts may be held accountable for the misconduct of their guests. This includes students who have granted others permission to act on their behalf to conduct college business. Visitors to and guests of the College may seek

¹ Adapted, with gratitude, from Penn State University.

resolution of violations of the *Student Code of Conduct* committed against them by members of the College community. The Code may also be applied to resident non-students, campers, and high school bridge/extension/partner/dual-credit and continuing education programs by contractual agreements.

There is no time limit on reporting violations of the *Student Code of Conduct* however, the longer one waits to report an offense, the more difficult it becomes for College Officials to obtain information and witness statements and to make determinations regarding alleged violations.

Though anonymous reports are permitted, doing so may limit the College's ability to investigate and respond to a complaint. Those who are aware of misconduct are encouraged to report it as quickly as possible to the Office of Academic and Student Affairs through the [employee incident report form](#) on the mySafety section in myLane, on the "home" tab and/or to Public Safety Department.

A Respondent facing an alleged violation of the *Student Code of Conduct* is not permitted to withdraw from the College until all allegations are resolved.

Email is the College's primary means of communication with Students. Students are responsible for all communication delivered to their College preferred email address. Students are responsible for updating their email preference on a regular basis through the myLane portal.

CONDUCT AUTHORITY

1. The Executive Dean of Student Affairs, or designee, shall determine the composition of Student Conduct Bodies and Appeal Panels; determining which Conduct Body, Conduct Resolution Administrator, and Appeal Panel shall be authorized to hear each case.
2. The Executive Dean of Student Affairs shall develop processes for the administration of the student conduct program and the procedural rules for Student Conduct Conferences that are consistent with the provisions of the Lane Community College *Student Code of Conduct*.
3. Decisions made by a Conduct Body and/or Conduct Resolution Administrator shall be final, pending the normal appeal process.
4. A Conduct Body may be designated as an arbiter of disputes within the student community in cases that do not involve a violation of the *Student Code of Conduct*. All parties must agree to arbitration, and to be bound by the decision, with no right of appeal.

SECTION III: VIOLATIONS OF LAW

If a student breaks a law that also violates the *Student Code of Conduct*, that student may be held accountable by both civil authorities and the College. The College may, at its sole discretion, elect to pursue action against the student at the same time as criminal proceedings, even if criminal charges involving the same incident are not complete, have been dismissed, or were reduced.

The College reserves the right to exercise its authority of interim suspension upon notification that a student is facing criminal investigation and/or complaint (additional grounds for interim suspension are outlined on p. 30). Interim suspensions are imposed until a Conduct Conference can be held; typically within two weeks. Within that time, the suspended student may request an immediate Conduct

Conference from the Executive Dean of Student Affairs to show cause why the interim suspension should be lifted. This Conduct Conference may resolve the allegation, or may be held to determine if the interim suspension should be continued. The interim suspension may be continued if a danger to the community is posed and if the College may be delayed or prevented from conducting its own investigation and resolving the allegation by the pendency of the criminal process. In such cases, the College will only delay its Conduct Conference until such time as it can conduct an internal investigation or obtain sufficient information independently or from law enforcement upon which to proceed. This delay will be no longer than two weeks from notice of the incident unless a longer delay is requested in writing by either the Complainant to allow the criminal investigation to proceed before the College process.

Students accused of crimes may request to take a leave from the College until the criminal charges are resolved. In such situations, the College procedure for voluntary leaves of absence is subject to the following conditions:

- The Respondent must comply with all campus investigative efforts that will not prejudice their defense in the criminal trial; and
- The Respondent must comply with all interim actions and/or restrictions imposed during the leave of absence; and
- The Respondent must agree that, in order to be reinstated to active student status, they must first be subject to, and fully cooperate with, the campus conduct process and must comply with all sanctions imposed.

SECTION IV: STUDENT CONDUCT TERMS

The following terms have been defined for purposes of the *Student Code of Conduct*:

Advisor: The person selected by a student at their own discretion and cost who may or may not be affiliated with the College. This “Advisor” may NOT act on behalf of the student, but assist with interpreting the process, preparing for conferences and appeals, and assisting with preparing documentation.

Appeal Panel: Any person or persons authorized by the Executive Dean of Student Affairs who hears appeals to Conduct Conference outcomes in which it has been determined that a student has violated the *Student Code of Conduct*, or from sanctions imposed by the Conduct Resolution Administrator. This person or persons may also hear appeals to outcomes or sanctions for the Respondent or Complainant in Title IX cases.

Appeal Review Officer: A Conduct Resolution Administrator assigned to an appeal. The Appeal Review Officer will review an appeal for validity, determine the appropriate appeal body, assign Appeal Panel members to a specific appeal, and convene an Appeal Panel.

Charges: Specific provisions of the *Student Code of Conduct* submitted as having possibly been violated by the Respondent. This means the student “broke the rules.”

A quick grammar lesson:

The term "shall" is used in the imperative sense.

The term "may" is used in the permissive sense.

College: Lane Community College.

College Official: Any person affiliated with the College performing administrative or professional responsibilities such as employees or members of the Board of Education.

College Premises: All land, buildings, facilities, and other property in the possession of, or owned, used or controlled by the College (including adjacent streets and sidewalks) also including online environments.

Complainant: The individual(s) who is the recipient of unwelcomed behavior. The Complainant may be a student, employee or in some cases, a community member.

Conduct Body: Any person or persons authorized by the Executive Dean of Student Affairs or the appointed Conduct Resolution Administrator to determine whether a student has violated the *Student Code of Conduct* and to recommend imposition of sanctions, or to hear appeals to findings.

Conduct Conference: An official conduct hearing to determine whether a student violated the *Student Code of Conduct*, and if so, what are the appropriate sanctions. Conduct Conferences are convened by Conduct Resolution Administrators, and may include other appropriate persons (see Step 2: Educational Conduct Conference, item 1, page 19).

Conduct Resolution Administrator: A College Official authorized by the Executive Dean of Student Affairs, on a case-by-case basis, to hear cases of violations of the *Student Code of Conduct*, impose sanctions upon students found to have violated the *Student Code of Conduct*, and those who hear appeals to Conduct Conference outcomes. The Executive Dean of Student Affairs may serve as the Conduct Resolution Administrator or authorize a Conduct Resolution Administrator to serve simultaneously as a Conduct Resolution Administrator and sole member or one of the members of a Conduct Body; including Appeal Panels. Nothing shall prevent the Executive Dean of Student Affairs from authorizing the same Conduct Resolution Administrator to impose sanctions in all cases. Conduct Resolution Administrators receive annual training on topics relevant to performing their duties including, but not limited to:

- Processes, procedures and best practices around conducting investigations and conduct conferences; and
- Specific issues such as related to dating violence, domestic violence, sexual assault, and stalking.

COPPS: [College Online Policy and Procedure System](#) is the location where the College policies and procedures are published.

Employee: Any faculty, staff, or College Official whose primary purpose at the College is employment. This excludes students who are employed by the College for work-study positions.

Executive Dean of Student Affairs: The person designated by the College President to be responsible for the administration of the *Student Code of Conduct*.

Faculty Member: Any person hired by the College to primarily conduct classroom activities.

FERPA: Family Educational Rights and Privacy Act of 1974. For more information on FERPA, please visit: <http://www.lanecc.edu/copps/documents/release-student-records>.

Good Standing: The status of NOT being under any active conduct sanction. For the purposes of Good Standing, formal warning is not considered to be an active sanction.

A student may be considered NOT in good standing when:

- A respondent has an open or incomplete sanction (such as exceeding the completion deadline for a sanction).
- When a respondent fails to respond/appear for a Conduct Conference, depending on the severity of the charge and how long a case has gone unresolved. A VP hold may be enacted and outcomes may be determined in absentia.

Incident Report: Incident reports are written or verbal documentation indicating that a student may have violated the *Student Code of Conduct*. The employee [online incident reports](#) are available to employees on the employee website and the homepage of the myLane portal. Students may submit an [online incident report](#) through the “report an incident or complaint” link on the mySafety channel on the myLane homepage. Reports can also be submitted via in person to the Executive Dean of Student Affairs or their designee. Students may also submit incident reports to the Public Safety Department.

Member of the College Community: Any person who is a student, employee, College Official, or employee, or other individual involved with the College. A person's status or role in a particular situation shall be determined by a Conduct Resolution Administrator.

Student Organization: Any number of persons who have complied with the formal requirements for College recognition. See also [Student Organizations Guidelines](#).

Policy: The written regulations of the College as found in, but not limited to, the *Student Code of Conduct*, [College Board policies](#), and [administrative policies \(COPPS\)](#), the Associated Students of Lane Community College (ASLCC) constitution and by-laws, and the [College catalog](#).

Reporting Party: The person submitting an initial Incident Report (verbal, writing) alleging a violation of the *Student Code of Conduct*. The Reporting Party may be a student, employee, or in some cases, a community member. The Reporting Party is not necessarily the “Complainant.”

Respondent: The person to whom the report of an alleged violation refers.

Staff: Any person employed by the College in the Management and Classified ranks. This does not include students employed as work-study.

Student: For the purposes of student conduct, the College considers an individual to be a student who: (a) is enrolled as a student and/or registered for one or more credit hours including dually enrolled students in multiple institutions; (b) is enrolled in a non-credit program or (c) was enrolled under (a) or (b) within four proceeding terms is considered a “student” for purposes of the procedure or (d) if the person has submitted an application for admission, financial aid or any other service provided by the College that requires student status.

Vice President (VP) Hold: A hold placed on a student’s account. This hold is an administrative action that prohibits a student from “doing business” with the College; including registering and requesting transcripts. This action is used as a sanction or when there is a pending issue for a student to resolve with the Executive Dean of Student Affairs and/or Conduct Resolution Administrator.

Witness: A person who may have relevant knowledge of an alleged violation of the *Student Code of Conduct* or who may have submitted a supporting incident regarding an alleged violation of the *Student Code of Conduct*.

SECTION V: THE STANDARDS OF BEHAVIOR

The College considers the behavior described in the following subsections as inappropriate for the College community and in opposition to the core values set forth in this document. These expectations and rules apply to all students, as defined in Section II. The College encourages community members to report to College Officials all incidents that involve the following actions. Reports can be filed via myLane on the center of the home tab under mySafety or by clicking [here](#). Any student found to have committed or to have attempted to commit the following misconduct is subject to the sanctions outlined in Section VI, Step 3: Findings and Outcomes (page 21).

A. CORE VALUES AND BEHAVIORAL EXPECTATIONS

Integrity: Lane Community College students exemplify honesty, honor, and a respect for the truth in all of their dealings. Behavior that violates this value includes, but is not limited to:

1. **Falsification.** Knowingly furnishing or possessing false, falsified or forged materials, documents, accounts, records, identification or financial information or instruments;
2. **Academic Dishonesty.** Acts of academic dishonesty include but are not limited to cheating, plagiarism, and other forms of academic dishonesty
 - a. **Cheating** includes, but is not limited to:
 - A. Use of any unauthorized assistance in taking quizzes, tests, or examinations;
 - B. Dependence upon the aid of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments;
 - C. The acquisition, without permission, of a test or other academic material belonging to a member of the College Faculty or Staff;
 - D. Engaging in any behavior specifically prohibited by a Faculty member in the course syllabus or class discussion.
 - b. **Plagiarism** includes, but is not limited to, the use, by paraphrase or direct quotation, of the published or unpublished work of another person, without full and clear acknowledgment. It also includes the unacknowledged use of materials prepared by another person or agency engaged in the selling of such papers or other academic materials.

Special note: Lane Community College will not tolerate any form of academic dishonesty. Faculty may impose a mandatory minimum penalty upon a student found to have committed a violation. Initial responsibility and authority for handling suspected academic dishonesty situations rests with the faculty, but may rise to the level of student conduct matters depending on the specifics of each situation. Please refer to the information in the *Sanctions* section for more detail on the handling of suspected academic dishonesty. Students charged with violating this section of the Code may have their academic file reviewed by the Executive Dean of Student Affairs to verify any past academic dishonesty occurrences.

3. **Collusion.** Action or inaction with another or others to violate the *Student Code of Conduct*;
4. **Trust.** Violations of positions of trust within the community;
5. **Election Tampering.** Tampering with the election of any College-recognized student organization;
6. **Taking of Property.** Intentional and unauthorized taking of College property or the personal property of another, including goods, services, and other valuables;
7. **Stolen Property.** Knowingly taking or maintaining possession of stolen property.

Community: Lane Community College students build and enhance their community. Behavior that violates this value includes, but is not limited to:

1. **Disruptive Behavior.** Substantial disruption of College operations including obstruction of teaching, research, administration, other College activities, and/or other authorized non-College activities which occur on campus;
 - a. Note: In order to preserve the academic integrity of classroom environments, and/or College functions, interim actions may be imposed on individuals engaging in disruptive and/or unsafe behavior. At the discretion of an employee, students may be removed from a class, room, or space for one day or session prior to a conduct conference.
 - b. With permission of the employee, the student may return to the class, room, or space after the one day or session. The employee may also file an [incident report](#).
 - c. If the employee believes the student's behavior warrants longer removal from the class, room or space, the employee must [file an incident report](#) documenting the alleged violation of the *Student Code of Conduct* and justification for longer removal. Students will be notified of the date, time, and location of the conduct conference, and the student cannot return to the room or space until notice from the Executive Dean of Student Affairs or the Conduct Resolution Administrator.
2. **Physical Abuse.** Physical abuse of any kind is not permitted and includes, but is not limited to, fighting, wrestling, pushing, hitting, grabbing, cutting, and/or slapping another person, regardless of intent.
3. **Rioting.** Causing, inciting or participating in any disturbance that presents a clear and present danger to self or others, causes physical harm to others, or damage and/or destruction of property;
4. **Unauthorized Access.**
 - a. to any College building (i.e. keys, cards, etc.) or unauthorized possession, duplication or use of means of access to any College building or failing to timely report a lost College identification card or key; Misuse of access privileges to College Premises or unauthorized entry to or use of buildings, including trespassing, propping or unauthorized use of alarmed doors for entry into or exit from a College building;
 - b. to any college system, social media or other normally restricted technology.
5. **Trademark.** Unauthorized use (including misuse) of College or organizational names and

**Online/Electronic
Invitations**

Students sending mass electronic or online invitations to the campus area that result in large scale gatherings and that create a community disturbance can be held responsible for violation of the code of conduct.

- images;
6. **Damage and Destruction.** Intentional, reckless, and/or unauthorized damage to or destruction of, College property or the personal property of another;
 7. **Technology and Acceptable Use.** Violation of the College's [Information Technology: Technology Use Rights and Responsibilities Policy](#)
 8. **Gambling.** Gambling as prohibited by the laws of the State of Oregon (Gambling may include raffles, lotteries, sports pools and online betting activities);
 9. **Unlawful Possession of Weapons.** Students shall comply with [Board of Education Policy 410 - Weapons](#).
 10. **Tobacco.** Students shall not violate the [Tobacco Free Procedure and Lane's Smoking Policy](#). Lane Community College Public Safety Officers are the primary enforcement agent of this procedure and policy.
 11. **Fire Safety.** Violation of local, state, federal, or campus fire policies including, but not limited to:
 - a. Intentionally or recklessly causing a fire which damages College or personal property or which causes injury;
 - b. Failure to evacuate a College-controlled building during a fire alarm;
 - c. Improper use of College fire safety equipment; or
 - d. Tampering with or improperly engaging a fire alarm or fire detection/control equipment while on College property. Such action may result in a local fine in addition to College sanctions.
 12. **Animals.** Animals, with the exception of service animals that provide assistance (e.g. seeing-eye dogs), are not permitted on campus except as permitted by College procedure.
 - a. All animals on campus must be under the immediate physical control of the owner at all times (i.e., on leash, carried, etc.)
 - b. Animals must remain outside campus buildings with the exception of service animals. For more information about Service Animals, please refer to this associated COPPS procedure: [Disabilities: Service Animals](#).
 - c. Animal owners are required to immediately pick up and properly dispose of any solid waste produced by their animals.
 - d. All animals permitted to be on-site shall be closely managed by their owner.
 - e. Animals may not be tied to buildings, fixtures, etc., left unattended or permitted to run at large on campus.
 - f. Large animals may not be ridden, led or otherwise allowed on College property.
 - g. Animals that pose a safety or security risk, are visibly unhealthy, or demonstrate an aggressive behavior on campus shall be immediately removed off site by the owner.
 - h. Animals may not be left on campus without the owner's presence.
 - i. "Abandoned" or "lost" cats and dogs will be taken to Lane County Animal Control or Greenhill Humane Society if an owner cannot be located.
 - j. No person shall hunt, fish, pursue, trap, molest, injure or kill any game or non-game wildlife within College property. Exceptions may be made for law enforcement officers called to dispatch a severely injured or dangerous animal.
 13. **Wheeled Devices.** Skateboards and other wheeled items may not be ridden on railings, curbs, benches, or any such fixtures that may be damaged by these activities and individuals may be

liable for damage to College property caused by these activities. Please refer to [Lane's non-motorized vehicle policy](#).

Social Justice: Students recognize that respecting the dignity of every person is essential for creating and sustaining a flourishing College community. They understand and appreciate how their decisions and actions impact others and are just and equitable in their treatment of all members of the community. They act to discourage and challenge those whose actions may be harmful to and/or diminish the worth of others. Conduct that violates this value includes, but is not limited to:

1. **Discrimination.** Any act or failure to act that is based upon an individual or group's actual or perceived status (sex, gender, race, color, age, creed, national or ethnic origin, physical or mental disability, veteran status, pregnancy status, religion, or sexual orientation, or other protected status) that is sufficiently severe it limits or denies the ability to participate in or benefit from the College's educational programs or activities.
2. **[Unwelcomed] Harassment.** Any unwelcome conduct based on actual or perceived status including: sex, gender, race, color, age, creed, national or ethnic origin, physical or mental disability, veteran status, pregnancy status, religion, sexual orientation or other protected status. Any unwelcome conduct should be reported to campus officials, who will act to remedy and resolve reported incidents on behalf of the Complainant and community.
 - a. Hostile Environment includes any situation in which there is harassing conduct that is sufficiently severe, pervasive and objectively offensive that it alters the conditions of employment or limits, interferes with or denies educational benefits or opportunities, from both a subjective (the complainant's) and an objective (reasonable person's) viewpoint.
3. **Retaliatory Discrimination or Harassment.** Any intentional, adverse action taken by a responding individual or allied third party, absent legitimate nondiscriminatory purposes, against a participant [or supporter of a participant] in a civil rights grievance proceeding or other protected activity described in the *Student Code of Conduct*;
4. **Abuse of Conduct Process.** Abuse or interference with, or failure to comply in, College conduct processes, but not limited to:
 - a. Failure to comply with a conduct notice or official directive;
 - b. Falsification, distortion, or misrepresentation of information;
 - c. Failure to provide, or destroying or concealing information during an investigation of an alleged policy violation;
 - d. Attempting to discourage an individual's proper participation in, or use of, the College Student Conduct System;
 - e. (Non-discriminatory, non-sexual) Harassment (verbal or physical) and/or intimidation of a member of a campus Conduct Body prior to, during, and/or following a campus conduct proceeding;
 - f. Failure to comply with the sanction(s) imposed by the Conduct Resolution Administrator;
 - g. Influencing, or attempting to influence, another person to commit an abuse of the College Student Conduct System.

Respect: Lane Community College students show positive regard for each other and for the community. Behavior that violates this value includes, but is not limited to:

1. **Harm to Persons.** Intentionally or recklessly causing physical harm or endangering the health or safety of any person.
2. **Threatening Behaviors:**
 - a. **Threat.** Written or verbal conduct that causes a reasonable expectation of injury to the health or safety of any person or damage to any property.
 - b. **Intimidation.** Intimidation defined as implied threats or acts that cause a reasonable fear of harm in another.
3. **Bullying and Cyberbullying.** Bullying and cyberbullying are defined as repeated and/or severe aggressive behaviors that intimidate or intentionally harm or control another person physically or emotionally, and are not protected by freedom of expression.
4. **Hazing.** Defined as an act that endangers the mental or physical health or safety of a student, or that destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization. Participation or cooperation by the person(s) being hazed does not excuse the violation. Failing to intervene to prevent **(and/or)** failing to discourage **(and/or)** failing to report those acts may also violate this policy.
5. **Intimate Partner/Relationship Violence.** Violence or abuse by a person in an intimate relationship with another;
6. **Stalking.** A course of conduct (i.e., more than one act) directed at a partner in a current or former intimate relationship that would cause a reasonable person to feel fear, to experience emotional distress, or to fear for the safety of a third person. Acts that together constitute stalking may be direct actions or may be communicated by a third party, and can include, but are not limited to: threats of harm to self or others; pursuing or following; non-consensual (unwanted) communication by any means; unwanted gifts; trespassing; and surveillance or other types of observation.
7. **Sexual Misconduct.** Includes, but is not limited to, sexual harassment, non-consensual sexual contact, non-consensual sexual intercourse, and/or sexual exploitation (See *the Student Gender-Based Sexual Misconduct Procedure* for further information);
8. **Sexual Exploitation.** Sexual Exploitation occurs when a student takes non-consensual or abusive sexual advantage of another for his or her own advantage or benefit or to benefit another person. Examples of sexual exploitation include, but are not limited to: invasion of sexual privacy, engaging in voyeurism, exposing one's genitals in non-consensual circumstances, prostituting another person, or inducing incapacitation with the intent to commit other acts of sexual misconduct.
9. **Public Exposure.** Includes deliberately and publicly exposing one's intimate body parts, public urination, defecation, and public sex acts.

Responsibility: Lane Community College students are given and accept a high level of responsibility to self, to others, and to the community. Behavior that violates this value includes, but is not limited to:

1. **Alcohol and Drugs.** The possession, selling or otherwise furnishing others with any intoxicating beverage, dangerous drug, narcotic, marijuana, glue, or thinner on College-owned or controlled property, or at College-sponsored or supervised functions except as authorized by specific

institutional policy or regulations ([Board of Education Policy 420](#)); Public intoxication, vomiting, or other such effects of irresponsible substance consumption;

2. **Prescription Medications.** Abuse, misuse, sale, or distribution of prescription or over-the-counter medications;
3. **Failure to Comply with a College Official.** Failure to comply with the reasonable directives of College Officials or law enforcement officers during the performance of their duties and/or failure to identify oneself to these persons when requested to do so;
4. **Financial Responsibilities.** Failure to promptly meet financial responsibilities to the institution, including, but not limited to: knowingly passing a worthless check or money order in payment to the institution or to an official of the institution acting in an official capacity;
5. **Other Policies.** Violating other published College policies or rules;
6. **Health and Safety.** Creation of health and/or safety hazards (dangerous pranks, hanging out of or climbing from/on/in windows, balconies, roofs, inhibiting emergency actions (i.e. responding inappropriately to Lane Alerts, or abuse of the emergency alert systems, impeding or refusing to comply with directions in an emergency, etc.);
7. **Violations of Law.** Alleged violations of federal, state, and local laws may be investigated and addressed under the *Student Code of Conduct*. If a student breaks a law that also violates the Code, that student may be held accountable by both civil authorities and the College. The College may, at its sole discretion, elect to pursue action against the student at the same time as criminal proceedings, even if criminal charges involving the same incident are not complete, have been dismissed, or were reduced. When an offense occurs over which the College has jurisdiction, the College conduct process will usually go forward notwithstanding any criminal complaint that may arise from the same incident.

SECTION VI: THE CONDUCT PROCESS

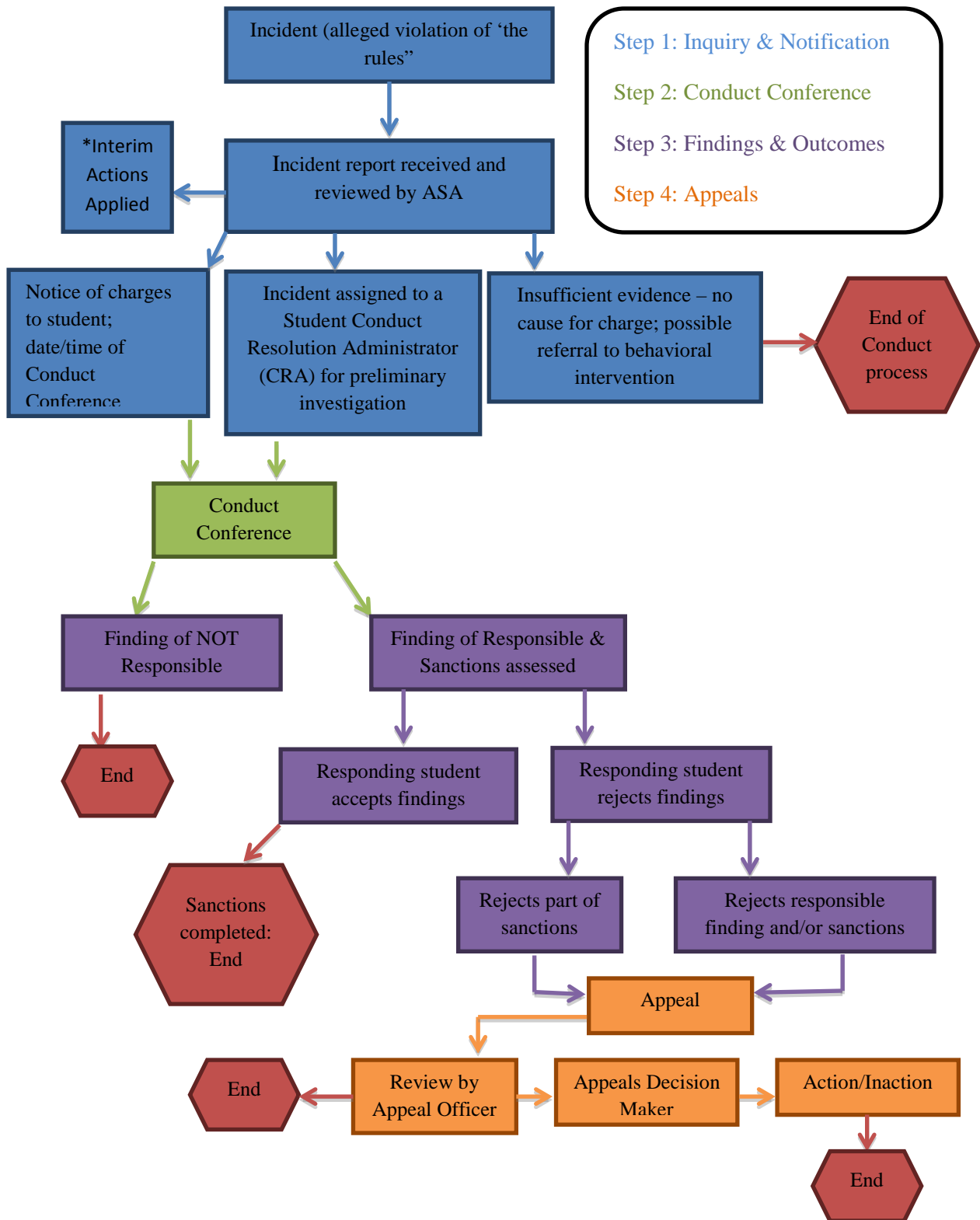
This overview gives a general idea of how the College's conduct proceedings work, but it should be noted that not all situations are of the same severity or complexity. Thus, these procedures possess some flexibility, and are not exactly the same in every situation; though consistency in similar situations is a priority. For example, interim actions will not be applied to every case. The conduct process and all applicable timelines commence with notice to an administrator of a potential violation of College rules.

NOTICE. Once notice is received from any source (complainant, employee, 3rd party, online, etc.), the College may proceed with a preliminary investigation and/or may schedule an initial conference with the Respondent to explain the conduct process and gather information.

Below (page 18) is a flow chart to depict the basic conduct process. As noted above, each case has its own unique circumstances that are taken into consideration when maneuvering the conduct process.



CHART 1: CONDUCT PROCESS OVERVIEW



- A. Incident occurs. *Interim actions may be applied if appropriate.
- B. Incident reported to and reviewed by ASA (Academic and Student Affairs): determines whether insufficient evidence, additional investigation needed, or support citation of violation
- C. Student charged and receives notification of charges and Conduct Conference (date, time, and location)
- D. Case assigned to a Conduct Resolution Administrator (CRA), who will conduct a preliminary investigation, refer student for behavioral intervention, or no action taken

STEP 1: INQUIRY & NOTIFICATION

A. Incident occurs

A student allegedly violates the Student Standards of Behavior (See Section V, pg. 10).

B. Reporting the alleged violation

Any member of the College community may report alleged violations for any student misconduct. **Employees** can report their concerns of violations online via the [Students of Concern link](#), (also found on myLane on the home tab under ‘mySafety’ in the middle of the page), or by contacting the Public Safety Department.

Students can report their concerns of any student misconduct by completing an Incident Report via the [student complaint form](#) in myLane on the home tab, or by contacting the Public Safety Department.

AMNESTY:

1. For Complainants

The College provides amnesty to Complainants who may be hesitant to report to College Officials because they fear they may be accused of minor policy violations, such as underage drinking, at the time of the incident. Educational options will be explored, but no conduct proceedings or conduct record will result.*

2. For Those Who Offer Assistance

To encourage students to offer help and assistance to others, the College pursues a policy of amnesty for minor violations when students demonstrate a good faith effort to offer help to others in need. At the discretion of the Executive Dean of Student Affairs, amnesty may also be extended on a case-by-case basis to the person receiving assistance. Educational options will be explored, but no conduct proceedings or conduct record will result.*

3. For Those Who Report Serious Violations

Students who are engaged in minor violations but who choose to bring related serious violations by others to the attention of the College are offered amnesty for their minor violations. Educational options will be explored, but no conduct proceedings or record will result.*

Abuse of amnesty requests can result in a decision by the Executive Dean of Student Affairs not to extend amnesty to the same person repeatedly.

*Records regarding the provision of amnesty, however, will be maintained.

Review of Incident Reports

A member of the Student Conduct Team will review Incident Reports for appropriate alignment between reported behavior and possible charges of violations of the rules and case assignment to a Conduct Resolution Administrator (CRA). Insufficient evidence may be presented to make such a determination, no action may be taken, or the case may be referred to another office for behavioral intervention. In the case of a formal charge, a notification will be sent to the Respondent.

C. Notification of Charges

Notification of a formal charge of a violation(s) will be sent or presented to the Respondent, and a Conduct Conference will be scheduled with the Respondent. These notices may be contained in the same document. All charges of violations of the standards of behavior shall be presented to the respondent in written form via email (referred to as the Order to Appear letter) and will typically contain notice of day, time and location for the conference. Any applicable interim actions will be communicated in this notice.

- A time of no less than five or more than 15 college business days after the student notification shall be set for conduct conferences except in cases involving interim actions with expedited conferences or as requested. Time limits for scheduling a Conduct Conference may be extended at the discretion of the Conduct Resolution Administrator.
- If the respondent fails to appear, the conference will proceed as scheduled.

End of Term Timeline Changes

In cases in which the incident occurs during the last 30 days of the term, the College reserves the right to abbreviate the timeline in an attempt to resolve the case prior to the end of the term. In these cases the student(s) will be notified of any change made with regards to standard deadlines.

INTERIM ACTIONS

Under the *Student Code of Conduct*, the Executive Dean of Student Affairs or designee may impose restrictions and/or separate a student from the community pending the scheduling of a conduct conference on alleged violation(s) of the *Student Code of Conduct* when a student represents a threat of serious harm to others, is facing allegations of serious criminal activity, to preserve the integrity of an investigation, to preserve the educational experience and the overall College environment, to preserve College property and/or to prevent disruption of, or interference with, the normal operations of the College. Interim actions can include but are not limited to:

- imposing a no contact order on either party,
- scheduling and room changes,

- interim suspension and separation from the institution or restrictions on participation in the community for no more than ten (10) business days pending the scheduling of a conduct conference on alleged violation(s) of the *Student Code of Conduct*.

As appropriate, this timeline may be extended at the discretion of the Executive Dean of Student Affairs. Interim suspension and separation include an order of trespass. If a respondent fails to attend a scheduled conference and/or refuses to participate in the conduct process, the interim **actions remain in effect until a conduct conference is held**. As noted previously, a finding may be determined if a respondent fails to attend a scheduled conduct conference.

A student who receives an interim suspension may request a meeting with the Executive Dean of Student Affairs, or designee, to demonstrate why an interim suspension is not merited or why the case should be expedited. Regardless of the outcome of this meeting, the College may still proceed with the scheduling of a conduct conference.

During an interim suspension, a student may be denied access to College campuses, facilities, and events. As determined appropriate by the Executive Dean of Student Affairs, this restriction may include classes and/or all other College activities or privileges for which the student might otherwise be eligible. At the discretion of the Executive Dean of Student Affairs and with the approval of, and in collaboration with, the appropriate Dean(s), alternative coursework options may be pursued to ensure as minimal an impact as possible on the respondent.

D. Preliminary investigation

The Conduct Resolution Administrator may conduct a preliminary investigation into the nature of the incident, complaint or notice, the evidence available, and the parties involved. The preliminary investigation may lead to conducting a more comprehensive investigation, when it is clear more information must be gathered.

STEP 2: EDUCATIONAL CONDUCT CONFERENCE

Conduct Conferences are part of an educational administrative process. At Lane Community College the conduct process is founded in educational practice and values. The purpose of the educational Conduct Conferences are to effect behavioral change through learning, as well as hold students responsible to this educational community.

1. Conduct Conferences will be held with appropriate parties that may include, but are not limited to: Conduct Resolution Administrator, Public Safety Officer, College Counselor, Center for Accessible Resources Advisor (see item 6), Admission of any person to the Conduct Conference shall be at the discretion of the Conduct Body and/or its Conduct Resolution Administrator.
2. Conduct Conferences shall be closed to the public.

Need Assistance?

Reach out to your Conduct Resolution Administrator or Center for Accessible Resources prior to your conference if you have any special needs such as language interpretation, door access or TTU assistance.

3. The Conduct Resolution Administrator (CRA), or their designee will chair conferences.
4. In Conduct Conferences involving more than one accused student, the Conduct Resolution Administrator of the Conduct Body, at their discretion, may permit separate conferences for each student or student organization.
5. The Complainant and the Respondent may be assisted by an Advisor they choose, at their own expense. A process Advisor from the College may be available upon request at no cost. The Advisor may be an attorney. The Complainant and/or the Respondent are responsible for presenting their own information. Therefore, neither Advisors nor Coaches are permitted to speak or to participate directly in any conference before a Conduct Body. A student should select as an Advisor or Coach a person whose schedule allows attendance at the scheduled date and time for the Conduct Conference because delays will not normally be allowed due to scheduling conflicts of an Advisor.
6. The Complainant, the Respondent, and the Conduct Body may provide witnesses to present pertinent information to the Conduct Body either during the Conduct Conference, prior to the conference, or through written means. Witnesses may be contacted after the Conduct Conference. However, when appropriate and at the discretion of the Conduct Resolution Administrator, a witness may be asked to attend a Conduct Conference. When appropriate as determined by the Student Conduct Administrator, the College will try to arrange for the interview of possible witnesses identified by the Complainant and/or the Respondent, and who are members of the College community. Witnesses shall provide information to and answer questions from the Conduct Body. Except in sexual misconduct cases, questions may be suggested by the Respondent and/or Complainant to be answered by each other or by witnesses. In order to avoid creating an adversarial tone and to preserve the educational nature of this proceeding, the Conduct Resolution Administrator will conduct the questioning process, with questions directed to the Conduct Resolution Administrator only. The Conduct Resolution Administrator shall resolve questions of whether potential the Conduct Body will receive information.
7. Pertinent records, exhibits and written statements (including Impact Statements) may be accepted as evidence for consideration by a Conduct Body at the discretion of the Conduct Resolution Administrator chairing the Conduct Body.
8. All procedural questions are subject to the final decision of the Conduct Resolution Administrator chairing the Conduct Body.
9. Deliberations: After the conference, the Conduct Body shall discuss the evidence of the case. Based on the preponderance of evidence, the Conduct Resolution Administrator will determine whether the Respondent has violated the code of conduct as charged. (See Step 3: Findings and Outcomes)
10. There shall be a single record of all conferences before a Conduct Body. The record shall be the property of the College. Audio and visual recordings are not permitted unless special permission is given by the Executive Dean of Student Affairs. Such recordings shall be the property of the College.

- A. Deliberations
- B. Possible Finding Outcomes
- C. Sanctions

STEP 3: FINDINGS AND OUTCOMES

A. Deliberations

As mentioned above, deliberations may involve all College members of the Conduct Body from a Conduct Conference. However, the Conduct Resolution Administrator is responsible for making the determination of findings.

1. The Conduct Resolution Administrator's determination shall be made on the basis of whether it is more likely than not (preponderance of evidence) that the Respondent violated the *Student Code of Conduct*.
2. A finding will be determined and is final except in cases that involve Title IX or other discrimination allegations. In those cases, the Conduct Conference results serve as a recommendation to the Complaint Resolution Administrator (who may be the Conduct Resolution Administrator) and appropriate Vice President or designee and, where appropriate, the Title IX Coordinator, who review and finalize the finding.
3. Complainants, Respondents, or their advisors will not be present for deliberations of findings.

B. Possible Finding Outcomes

1. Except in the case of a student charged with failing to obey the summons of a Conduct Body or College Official (a type failure to comply), no student may be found to have violated the *Student Code of Conduct* solely because the student failed to appear before a Conduct Body. In all cases, the evidence in support of the charges shall be presented and considered. In cases where the Respondent fails to appear, all evidence will be considered, and an outcome determined. The appeal process may be used if appropriate. ***Failure to appear for a Conduct Conference is NOT a valid reason for an appeal of an outcome.***
2. **Parental Notification:** The College reserves the right to notify the parents/guardians of dependent students regarding any conduct situation, particularly alcohol and other drug violations. The College may also notify parents/guardians of non-dependent students who are under the age of 21 of alcohol and/or other drug violations. Parental notification may also be utilized discretionarily by administrators when permitted by FERPA or with consent of the student.
3. **Notification of Outcomes:** The outcome of a conduct conference is part of the educational record of the Respondent and is protected from release under the Federal Education Rights and Privacy Act (FERPA), except under certain conditions. As allowed by FERPA, when a student is accused of a policy violation that would constitute a "crime of violence" or

forcible or non-forcible sex offense, the College will inform the alleged Complainant in writing of the final results of a Conduct Conference regardless of whether the College concludes a violation was committed. This notification, as well as any change in the outcome, is simultaneously sent to the Complainant and the Respondent. Such release of information may only include the Respondent's name, the violation committed, and the sanctions assigned (if applicable). In cases of sexual misconduct and other offenses covered by Title IX only, the rationale for the outcome will also be shared with all parties of the complaint in addition to the finding and sanction(s).

In cases in which the College determines through the student conduct process that a student violated a policy or procedure that constitutes a "crime of violence" or non-forcible sex offense, the College may also release the above information publicly and/or to any third party. FERPA defines "crimes of violence" to include:

- Arson
- Assault offenses (includes stalking)
- Burglary
- Criminal Homicide—manslaughter by negligence
- Criminal Homicide—murder and non-negligent manslaughter
- Destruction/damage/vandalism of property
- Kidnapping/abduction
- Robbery
- Forcible sex offences
- Non-forcible sex offences

Notification of Outcome also includes the appeal process outlined in Section C, "Action/Inaction."

The following options describe how to proceed depending on whether the Respondent is found responsible and whether the Respondent accepts or rejects the findings and/or the sanctions; either in whole or in part.

CHART 2: POSSIBLE OPTIONS FOR FINDINGS

Finding	Respondent Response	Appeal Options
Responsible	Accept	Accept Responsible finding, accept sanction(s) = N/A
		Accept Responsible finding, reject all or some sanctions = may appeal all or some sanctions
	Reject	Reject Responsible finding or parts of the finding, accept all sanctions = appeal responsible finding, uphold sanctions
		Reject Responsible finding, reject all or some sanctions = appeal responsible finding and all or some sanctions
Not Responsible	N/A – investigation considered closed	Title IX (Complainant)*

*The party bringing forward a sexual misconduct or discrimination complaint, if any, may request the Title IX Coordinator and/or Executive Dean of Student Affairs, as applicable, review the investigation file to possibly re-open the investigation or convene a conference. The decision to re-open an investigation or convene a conference rests solely in the discretion of the Title IX Coordinator or the Executive Dean of Student Affairs in these cases, and is granted only on the basis of extraordinary cause.

C. Sanctions

Sanctions are not solely intended to provide punishment but are intended to provide responsible students with an educational opportunity to consider the impact of their behavior on their educational experience, the experience of other students, staff and/or faculty, and the Lane community. The purpose of sanctions is to promote reflection and action on behalf of the Respondent. To that extent, the sanctions that may be imposed by a Conduct Resolution Administrator on Respondents, or student organization(s) are aligned to Lane Community College’s [Core Learning Outcomes](#) and educational purposes of sanctioning.

Factors Considered in Determining Sanctions

Although not binding or definitive, the following factors may be considered in determining what sanctions are appropriate in a particular case:

- a. The nature of the violation(s).
- b. Prior violations and disciplinary history.
- c. Mitigating circumstances surrounding the violation.
- d. The student’s motive or purpose for engaging in the behavior.

- e. Sanctions imposed in similar cases in the past.
- f. The developmental and educational impact on the students (complainant and/or respondent).
- g. The impact and safety for the college community.

CHART 3: DESCRIPTIONS OF LEARNING AND BEHAVIORAL OUTCOMES

Core Learning Outcomes	Behavioral Outcomes
A. Think Critically: evaluation process involving questioning, gathering, and analyzing opinions and information.	F. Self-reflection: promote self-awareness of behavior, awareness of appropriateness/inappropriateness of behavior, awareness of institutional expectations.
B. Engage Diverse Values with Civic and Ethical Awareness: actively participate as citizens of local, global and digital communities. Requires recognizing and evaluating one’s own view and the views of others.	G. Impact on Others: promote understanding of how behavior impacted, or could have impacted, others.
C. Create Ideas and Solutions: ability and capacity to create new ideas, images and solutions, and combine and recombine existing images and solutions. Use of theory, embrace ambiguity, take risks, test for validity, generate new questions, and persist with the problem when faced with resistance, obstacles, errors, and the possibly of failure.	H. Impact on College Community: promote understanding of community and/or societal standards.
D. Communicate Effectively: ability to interact with diverse individuals and groups, and in many contexts. Recognize different elements of communication vary with context. Embrace honesty and respect for others as a communicator, exerting the effort required to listen and interact productively.	I. Impact on Self: promote self-awareness of potential physical or psychological impacts of behavior and/or impacts of behavior on future (choice of career, course of student, transfer, etc.).
E. Apply Learning: use knowledge and skills to solve programs, often in new contexts. When students also reflect on experiences, they deepen learning.	J. Strong Deterrence and Awareness Raising: serve as a serious and/or uncomfortable intervention.

CHART 4: POSSIBLE SANCTIONS

Learning or Behavioral Outcome	Sanction	Description
A, D, F, H	Warning	An official written notice that the student has violated College policies and/or rules and that more severe conduct action will result should the student be involved in other violations while enrolled at the College.
G, I, J	Restitution	Compensation for damage caused to the College or any person's property. This could also include situations such as failure to return a reserved space to proper condition – labor costs and expenses. This is not a fine but, rather, a repayment for labor costs and/or the value of property destroyed, damaged, consumed, or stolen.
G, I, J	Fines	Reasonable fines may be imposed. Fines are specified to include: <ul style="list-style-type: none"> • Timeline for payment • Consequences for non-payment
B, F, H	Service	Community service for a student or student organization to complete; a specific supervised College service.
I, J	Confiscation of prohibited property	Items whose presence is in violation of College policy will be confiscated and will become the property of the College. Prohibited items may be returned to the owner at the discretion of the Executive Dean of Student Affairs and/or the Chief of Public Safety.
A-J	Behavioral requirement	Required activities including, but not limited to, seeking academic counseling or substance abuse screening, writing a letter of apology, etc. The requirement may be fulfilled by a third party and may be contracted at the respondent's expense.
A, B, C, E, F, G	Educational program	Requirement to attend, present and/or participate in a program related to the violation. It may also be a requirement to sponsor or assist with a program for others on campus; to aid in learning about a specific topic or issue related to the violation for which the student or student organization was found responsible. Audience may be restricted. For violations involving substance abuse the student will be required to work with the Substance Abuse Prevention Coordinator.
F, G, H, I, J	Restriction or loss of privileges	The student or student organization will be denied specified privileges for a designated period of time.
F, G, H, I,	Restriction or	The student is deemed “not in good standing” with the College

J	loss of eligibility or participation	<p>for a specified period of time. Specific limitations or exceptions may be granted by the Conduct Resolution Administrator or the Executive Dean of Student Affairs and terms of this sanction may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> a) Ineligibility to hold any office in any student organization recognized by the College or hold an elected or appointed office at the College; or b) Ineligibility to represent the College to anyone outside the College community in any way including: participating in the study abroad program, attending conferences, or representing the College at an official function, event or intercollegiate competition as a player, manager or student coach, etc.
F, G, H, I, J	Restriction or loss of access to space; or trespass	The student is put on official notice that the student is not permitted to enter/use a specified space or location for a specified period of time. This sanction may be enforced with a trespass action as necessary.
A, E, F, G, H	College probation	The student is put on official notice that, should further violations of College policies occur during a specified probationary period, the student may face suspension or expulsion. Regular probationary meetings or written updates may also be imposed.
A, (E), F, J	College suspension	Separation from the College for a specified minimum period of time, after which the student is eligible to return. Eligibility may be contingent upon satisfaction of specific conditions noted at the time of suspension. The student is required to vacate (including removing any personal items on campus) the campus within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the Conduct Resolution Administrator. During the suspension period, the student is trespassed from all College property, functions, events and activities without prior written approval from the Conduct Resolution Administrator. This sanction may be enforced with a trespass action as necessary.
I, J	College expulsion	Permanent separation from the College. The student is trespassed from College property and the student's presence at any and all College sponsored activities or events is prohibited. This action may be enforced with a trespass action as necessary.
I, J	Revocation of admission and/or degree	Admission to or a degree, certificate, or other credential awarded from the College may be revoked for fraud, misrepresentation, or other violation of College standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.
H, I	Withholding	The College may withhold the awarding of a degree, certificate,

	degree	or other credential otherwise earned until the completion of the process set forth in the <i>Student Code of Conduct</i> , including the completion of all sanctions imposed, if any.
A-J (Ad hoc)	Other sanctions	Additional or alternate sanctions may be created and designed as deemed appropriate to the offense with the approval of the Executive Dean of Student Affairs or designee.

1. More than one of the sanctions listed above may be imposed for any single violation.
2. Disciplinary sanctions shall not be made part of the student's permanent academic record, but shall become part of the student's confidential record. Upon graduation, the student's confidential record may be expunged of disciplinary actions other than College suspension or expulsion, upon formal written request to the Executive Dean of Student Affairs. Cases involving the imposition of sanctions other than College suspension or expulsion shall be expunged from the student's confidential record, consistent with the College's schedule of record disposition.
3. In each case in which a Conduct Body determines a student has violated the *Student Code of Conduct*, the sanction(s) shall be determined by the Conduct Resolution Administrator. In cases in which persons other than, or in addition to, the Conduct Resolution Administrator have been authorized to serve as the Conduct Body, the recommendation of all members of the Conduct Body shall be considered by the Conduct Resolution Administrator in determining and imposing sanctions. The Conduct Resolution Administrator is not limited to sanctions recommended by members of the Conduct Body. Following the Conduct Conference, the Conduct Body and the Conduct Resolution Administrator shall advise the Respondent in writing via an outcome letter sent by email of its determination and any sanction(s) imposed.
4. **Failure to Complete Conduct Sanctions:** All students, as members of the College community, are expected to comply with conduct sanctions within the timeframe specified by the Conduct Resolution Administrator. Failure to follow through on conduct sanctions by the date specified, whether by refusal, neglect or any other reason, may result in additional sanctions and/or suspension from the College. A suspension will only be lifted when compliance with conduct actions has been achieved and is at the discretion of the Executive Dean of Student Affairs

- A. Review
- B. Decision
- C. Action/Inaction

STEP 4: APPEALS

A. Review

1. A decision reached by a Conduct Resolution Administrator or Conduct Body, or a sanction imposed by the Conduct Resolution Administrator, may be appealed in writing by the Respondent or Complainant in cases of sexual misconduct to the Executive Dean of Student Affairs within five (5) College business days of notice of the Student Conduct Advisor's decision. Such appeals shall be in writing and shall be sent via email to CodeandComplaintAppeals@lanecc.edu.

2. Appeals shall be limited to review of the record of the initial Conduct Conference and supporting documents, except as required to explain the basis of new evidence for any of the following:
 - a. Procedural error occurred that significantly impacted the outcome of the Conduct Conference (e.g. substantiated bias, material deviation from established procedures, etc.);
 - b. Determine whether the decision reached regarding the Respondent was based on substantial evidence; that is, whether the facts in the case were sufficient according to the standard of the preponderance of evidence to establish the fact that a violation of the *Student Code of Conduct* had occurred;
 - c. The sanctions imposed are substantially outside the parameters or guidelines set by the College for this type of offense or the cumulative conduct record of the Respondent; or
 - d. Consider new evidence, unavailable during the original Conduct Conference or investigation, which could substantially impact the original finding or sanction. [Note: Failure to provide information during or participate in an investigation or a Conduct Conference, even resulting from concern over pending criminal or civil proceedings, does not make evidence “unavailable” at the time of the Conduct Conference.] A summary of this new evidence and its potential impact must be included.
3. The Executive Dean of Student Affairs will appoint an Appeal Review Officer who will conduct an initial review to determine if the appeal request meets the limited grounds and is timely. The Appeal Review Officer may consult with the Executive Dean of Student Affairs and/or Title IX Coordinator on any procedural or substantive questions that arise.
4. If the appeal is not timely or substantively eligible, the original finding and sanction will stand and the decision is final.

B. Decision Making

1. If the appeal has standing, the Appeal Review Officer determines whether to refer the appeal to the Appeals Panel (see below) or to remand it to the original decision-maker(s), typically within 3-5 business days. Efforts should be made to use remand whenever possible, with clear instructions for reconsideration only in light of the granted appeal grounds. Where the original decision-maker may be unduly biased by a procedural or substantive error, a new panel will be constituted to reconsider the matter, which can in turn be appealed, once. Full re-conferencing by the Appeals Panel are not permitted or are very rarely used. Where new evidence is presented or the sanction is challenged, the Appeals Review Officer will determine if the matter should be returned to the original decision-maker for reconsideration or if it should be reviewed by the Appeals Panel with instruction on the parameters regarding institutional consistency and any applicable legal guidelines. In review, the original finding and sanction(s) are presumed to have been decided reasonably and appropriately, thus the burden is on the appealing party(ies) to show clear error. The Appeals Panel must limit its review to the challenges presented.
2. Appeal decisions should be rendered within 30 business days from receipt of the notice of appeal (20 days for the Appeal Panel to conclude, 10 days for the final decision by the Executive Dean of Student Affairs) and are considered the final decision of the college; there are no additional appeal options. At the discretion of the Executive Dean of Student Affairs, in consultation with the Appeal Review Officer, or in Gender-Based Sexual Misconduct, in consultation with the Title IX Coordinator, this timeline may be extended.

C. Action/Inaction

1. On reconsideration, the Appeals Panel or original decision-maker may affirm or change the findings and/or sanctions of the original Conduct Body according to the permissible grounds. Procedural or substantive errors should be corrected, new evidence should be considered, and sanctions should be proportionate to the severity of the violation and the Student's cumulative conduct record.
2. All decisions of the Appeals Panel are to be made within five (5) days of submission to the Appeals Panel and are final, as are any decisions made by the original Conduct Body, Executive Dean of Student Affairs, or Title IX Coordinator as the result of reconsideration consistent with instructions from the Appeal Review Officer.

The Appeal Panel

When appropriate, multi-member Appeals Panels are drawn from the appeal/review panel pool, with the following requirements to serve:

- They did not serve on the Conduct Body for the initial Conduct Conference.
- They were not involved in the investigation in any way.
- They have been properly trained in appeals procedures.

If the Appeals Panel calls for students to serve in the panel pool, the participating student(s) must:

1. Be in academic good standing and have completed 15 hours of academic credit with a cumulative GPA of at least 2.0.
2. Be in good standing with respect to the conduct process throughout the term in which they serve. Good standing is defined as having no record of misconduct during the term(s) in which a student wishes to serve on the panel, as well as not currently being on any probation. A serious history of misconduct could disqualify a student for service.

The Appeal Review Officer will have final authority to approve all those serving on the panel. The parties may challenge a panelist(s) on the basis of potential bias, and any panelist who cannot render an impartial decision must recuse themselves. The Appeals Review Officer will make the determination as to the validity of any challenge or need for recusal. In the event of a recusal from the panel, the Appeals Review Officer will solicit a replacement from the pool of panelists.

The Executive Dean of Student Affairs or designee may serve as a non-voting Advisor to the panel, with responsibility for training the panel, conducting preliminary investigations, and ensuring a fair process for the Complainant and Respondent.

Appeal/Review Panel Procedure

1. The Appeals Panel will submit a written report of its findings and recommendations to the Executive Dean of Student Affairs within 20 business days. The Appeals Panel report may include both majority and dissenting opinions. The Executive Dean of Student Affairs will make the final decision on the appeal and notify the Respondent and/or Complainant in writing within 10 working days. If the Executive Dean of Student Affairs was the Conduct Resolution Administrator in the original complaint, the Appeal Panel's report will be submitted to the Vice President of Academic and Student Affairs for the final decision.

2. In cases involving appeals by a student accused of violating the *Student Code of Conduct*, review of the sanction(s) by an Appeals Panel may not result in additional sanction(s) for the Respondent. Instead, following an appeal, the Executive Dean of Student Affairs may upon review of the case, reduce, but not increase, the sanctions imposed by the Conduct Resolution Administrator.
3. In cases involving appeals by persons other than the Respondent of violating the *Student Code of Conduct*, the Executive Dean of Student Affairs may, upon review of the case, reduce or increase the sanctions imposed by the Conduct Resolution Administrator or remand the case to the original Conduct Body and Conduct Resolution Administrator.

The presumptive stance of the College is that all decisions made and sanctions imposed by the original decision-maker are to be implemented during the appellate process. At the discretion of the Executive Dean of Student Affairs, and when applicable in consultation with the Title IX Coordinator when necessary, implementation of sanctions may be stayed pending review only in extremely exigent circumstances. This does not include proximity to graduation, end of term, or exams. Instead, it refers to an overwhelming likelihood, as determined by the Appeals Review Officer and Executive Dean of Student Affairs, in consultation, that the appeal would result in a reversal of the finding and/or substantial modification of the sanctions.

OTHER GUIDELINES FOR APPEALS

- All applicable parties will be informed five business days of the receipt of appeal of: the status of requests for appeal, the status of the appeal consideration, and the results of the appeal decision;
- Every opportunity to return the appeal to the original decision-maker for reconsideration should be pursued;
- Appeals are not intended to be full re-conferences of the complaint. In most cases, appeals are confined to a review of the written documentation or record of the original Conduct Conference, and pertinent documentation regarding the grounds for appeal. Witnesses may be called if necessary.

Appeals are not an opportunity for appeals panelists to substitute their judgment for that of the original decision-maker merely because they disagree with the finding and/or sanctions. Appeals decisions are to be deferential to the original decision-maker, making changes to the finding only where there is clear error and to the sanction only if there is a compelling justification to do so.

Disciplinary Records

All conduct records are maintained by the College for seven (7) years from the time of their creation except those that remain unresolved or result in separation (suspension or expulsion, including trespass), permanent no contact orders, exclusions for specific classes, incomplete sanctions, and those that fall under Title IX, which are maintained indefinitely.

SECTION VII: INTERPRETATION AND REVISION

Code Interpretation

Any question of interpretation regarding the *Student Code of Conduct* shall be referred to the Executive Dean of Student Affairs or designee for final determination.

Code Revision

The *Student Code of Conduct* shall be reviewed every five years under the direction of the Executive Dean of Student Affairs or designee.

Approval and Implementation

This *Student Code of Conduct* was approved on March 1, 2000 and implemented on January 4, 2016.

SECTION VIII: STUDENT RESOURCES

TIPS ON MANAGING THE STUDENT CONDUCT PROCESS

Adapted from University of Dayton Student Handbook 2014-2015

- If an Employee, including Public Safety Officers, tells you that you have been reported for a violation of the code (some may say “cited”), you should receive an email notification within a few days. If you have not heard anything after a week, you should consider contacting the Office of Student Affairs at 541-463-5732.
- There is no reason to begin to ‘mount a defense’ or ‘build a case’ if you are notified. The purpose of the educational conduct conference is to share the report contents (reporting names may be withheld as appropriate), and to allow for the chance to share what happened from your perspective.
- You may bring or ask for an Advisor.
- Read “Section VI: The Conduct Process” so you are aware of the process.
- Reach out to your Student Conduct Coach or Center for Accessible Resources prior to your conference if you have any special needs such as language interpretation, door access, or TTU assistance.
- Take a DEEP BREATH. Often when a student is notified their anxiety goes up and they feel the need to immediately resolve the issue. Moving the process at a faster pace is not always to your benefit. Take a moment to think, call your parents/family, read the procedure, and know that every student in this process will be treated with dignity and respect.
- Set aside all your knowledge and notions about the legal system. The student conduct system is founded on an educational philosophy grounded in core values of the College. It is an educational process intended to be developmental for both the individual and community at large.
- Stress management is important. Don’t let your mind race with “what if?” scenarios. Stay in the moment, concentrate on your school work, and take one step at a time.
- If you have questions, ask. Contact the Office of Student Affairs at 541-463-5732. We will be happy to help you with questions. If you would like someone from the office to speak with your parents or other family member, please review the following procedures:
 - [Release of Student Records](#)
 - [Release of Records](#)

