



LINFIELD COLLEGE

Policy Handbook

- Alcohol and Other Drug Use
- Student Right-to-Know
and Campus Security Report
- Sexual Harassment Policy
- Buckley Amendment
- Services for Students with
Disabilities
- Complaint Procedure

The Federal Government requires that these policies and statistics be provided to all Linfield employees and students. Please retain this document.

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LINFIELD COLLEGE POLICY ON ALCOHOL AND OTHER DRUG USE

Linfield College, like other institutions of higher education across the country, is required under the Drug-Free Schools and Communities Act Amendments of 1989 (PL 101-226) to prepare and distribute materials of the kind contained in this document. Beyond fulfilling a legal requirement, the college desires that students and employees be sensitive to the problems which alcohol and other drugs pose for our successful functioning as individuals and as an institution of learning.

Linfield intends to extend support and assistance to individuals who encounter problems resulting from misuse of, or addiction to, alcohol and other drugs. While sanctions are outlined to assure clarity about the consequences the college may invoke, it is hoped that intervention with a student or employee will be a cooperative effort in which the college's offer of help will be met with a willingness on the part of the individual to secure needed assistance. To further this intent in the case of employees, and their families, the college offers an Employee Assistance Program.

When an individual is found unconscious from whatever cause, college staff and students are advised to treat this as a medical emergency and call 911 for assistance. Follow their advice. If required, the individual will be transported by ambulance to a medical facility for treatment. The cost of such transport and treatment will be borne by the individual receiving such care.

Alcohol and Other Drug Policy

In keeping with the mission of the college, Linfield is committed to providing an environment which is safe and fosters excellence in learning for its students and in work performance for all of its employees. Therefore, the misuse and illegal use, possession, transportation, distribution, manufacture, or sale of alcohol and other drugs is not permitted on property owned or controlled by the college, or while representing the college on business or in other college sponsored activity. The use of alcohol on college owned or controlled property, or at events associated with Linfield programs, is restricted to those of legal drinking age in that locale.

Those under 21 years of age may not consume alcohol (except in foreign locations with permission from the on-site director and within the laws of that location). Providing alcohol to minors or providing a location where minors can consume alcohol is prohibited. Those 21 and over may consume alcohol only in their own private rooms or apartments with the door closed. All other areas of the college, indoors and out, are considered public areas, and alcohol is not permitted there, unless such use is specifically authorized in writing by the President of the college or the Board of Trustees. (Public consumption of alcohol is a violation McMinnville City Ordinance) If minors are present where alcohol is being consumed, all persons there will be held in violation of the college alcohol policy unless the minors can demonstrate that they consumed no alcohol. This can only be done by volunteering for a breathalyzer to be administered by Campus Safety. Kegs, beer bongs and other large containers of alcohol are not permitted in college-affiliated properties and will be confiscated.

Because alcohol misuse is a very common hindrance to success in college, the college reserves the right to treat any verifiable violation of any state or local alcohol laws by students as a violation of the college alcohol policy.

Linfield College Students

For students, minimum responses to alcohol and drug policy violations are as follows:

- First violations result in a meeting with a representative from the Dean of Students' Office and a requirement to complete an alcohol and/or drug education program.
- Second violations result in a meeting with a representative from the Dean of Students Office and a counselor to determine the need for an educational response and/or referral to a Certified Alcohol and Drug Counselor (both at the student's expense).
- Third violations result in an automatic recommendation for suspension from the College.
- If alcohol consumption results in a health risk or hospitalization, the college may notify parents.

Aggravating circumstances may result in additional sanctions. Additional sanctions may be imposed for situations such as:

- violations of state or local alcohol laws
- hosting a function which involves any alcohol violation
- furnishing alcohol to underage minors
- disruption of community
- unreasonable or excessive noise
- lack of cooperation with responding authorities
- providing false ID or misrepresentation of age or name
- physical or verbal abuse of staff or police

Sanctions may include, but are not limited to, community restitution hours, fines and/or exclusion from College residence halls or apartments.

Students who have a drinking problem, or who develop a potential for such a problem are encouraged to seek assistance in the Counseling Center in Walker Hall 124 or the Wellness Coordinator in Mahaffey 118.

Drugs

Linfield College is a drug-free workplace. Any member of the College community who manufactures, possesses, has under his/her control, sells, furnishes, or facilitates the use of a narcotic or dangerous drug or drug paraphernalia on College property, in a College residence hall, Suburb housing, at a College-sponsored function, either on or off the campus, is subject to disciplinary action up to and possibly including separation from the College. At a minimum all non-alcohol drug infractions are reported to the police and are referred to the College Judicial Council.

It should be emphasized that Oregon State Law prohibits the consumption or possession of alcoholic beverages by a person under 21 years of age. Furthermore, a person who manufactures, possesses, sells, distributes, or facilitates the use of narcotics or dangerous drugs, or who is found under the influence of narcotics or dangerous drugs, is in violation of the law and can be subjected to severe penalty by a criminal court.

All drug violations fall under the same minimum sanctioning criteria as alcohol violations.

Linfield College Employees

Linfield College employees should refer to the Linfield College Personnel Policies and Procedures (Common Chapter) available online at <http://www.linfield.edu/policy/index.html>. Employees who have a substance abuse problem, or who develop a potential for such a problem, are encouraged to seek assistance through the EAP via the Human Resources Office.

Biennial Review

In July of every odd numbered year, the President's Advisory Council will review the College's program to determine its effectiveness, implement needed changes, and ensure that consequences of violating standards of conduct are consistently enforced.

APPLICABLE LEGAL SANCTIONS

Local Ordinances

A person who violates local ordinances pertaining to alcohol and other drugs may be fined, jailed or both. Some of these ordinances are cited below by way of example.

Alcohol

It is unlawful to drink or consume any alcoholic liquor in or upon any public streets, alleys, park, schools grounds, or other public grounds in the city. Any building or structure where alcoholic liquor is unlawfully sold, manufactured, or given away may be declared a common nuisance and may be sold to pay fines assessed against the owner. Fines of up to \$300 and imprisonment for up to 30 days, or both, may apply to violations.

Marijuana

Under local ordinances, a person commits the offense of possession of marijuana if he or she knowingly possesses any amount of marijuana up to one ounce. Conviction for violation of this ordinance shall be punishable by a fine of not more than \$100, with the standard of proof to show a violation being by a "preponderance of the evidence."

Drug paraphernalia

The possession, sale, or distribution of drug paraphernalia designed for use with illegal drugs is banned. A person found in violation of the ordinance against possession of such drug paraphernalia may be fined not more than \$100. If a person is found in violation of that portion of the ordinance banning manufacture or delivery of drug paraphernalia, he or she may be fined not more than \$500. A person who is eighteen years of age or older and who violates the ordinance by delivering drug paraphernalia to a person under eighteen, who is at least three years younger, is guilty of a misdemeanor and, if convicted, may be imprisoned for not more than one year, fined not more than \$2,500, or both.

Oregon Statutes

In Oregon, penalties for possession and distribution of illicit drugs are determined by the Controlled Substance Schedule upon which the drugs appear. In the discussion below, the term “controlled substance” is employed instead “illicit drugs.” Alcohol is treated separately.

Manufacture or distribution of controlled substances

Schedule I drugs except marijuana (e.g., heroin, LSD, peyote, mescaline, psilocybin)

Class A felony (up to 20 years and up to \$100,000 fine plus twice the value of any resulting gain of property or money).
Marijuana is on Schedule I but is treated separately under the law.

Schedule II drugs (e.g., opium, cocaine, methamphetamine)

Class B felony (up to 10 years and up to \$100,000 fine plus twice the value of any resulting gain of property or money).

Schedule III drugs (e.g., amphetamine, depressants, PCP)

Class C felony (up to 5 years and up to \$100,000 fine plus twice the value of any resulting gain of property or money).

Schedule IV drugs (e.g., various prescription drugs)

Class B misdemeanor (up to 6 months and up to \$1000 plus twice the value of any resulting gain of property or money).

Schedule V drugs (other less dangerous prescription drugs and small amounts of certain drugs)

Class C misdemeanor (30 days and up to \$500 plus twice the value of any resulting gain of property or money).

Marijuana

Delivery for consideration: Class B felony (up to 10 years and up to \$100,000 fine plus twice the value of any resulting gain of property or money).

Delivery not for consideration:

Less than 1 oz: Class A misdemeanor (up to 1 year and up to \$2500)

Less than 5 gm: Violation and fine of at least \$500 but not more than \$1000.

Unlawful possession of controlled substances

Schedule I drugs

Class B felony (up to 10 years and up to \$100,000 fine plus twice the value of any resulting gain of property or money).

Schedule II drugs

Class C felony (up to 5 years and up to \$100,000 fine plus twice the value of any resulting gain of property or money).

Schedule III drugs

Class A misdemeanor (up to 1 year and up to \$2500 plus twice the value of any resulting gain of property or money).

Schedule IV drugs

Class C misdemeanor (up to 30 days and up to \$500 plus twice the value of any resulting gain of property or money).

Schedule V drugs

Violation (\$250 plus twice the value of any resulting gain of property or money).

Marijuana (less than 1 oz)

Violation (\$500 to \$1000 plus twice the value of any resulting gain of property or money).

In addition to the penalties set out above, the court may order the defendant to pay the cost of prosecution, and the defendant's vehicle used in the crime may be forfeited to the state. Finally, the defendant may forfeit any property used in the crime to the county in which the crime occurred.

Alcohol

Under Oregon law, any attempt to purchase alcohol by a person under 21 years of age is a violation and may carry a fine of up to \$250. Providing liquor to a person under 21 years of age is a Class A misdemeanor with jail time up to 1 year and a fine plus restitution and community service. The mandatory minimum fines are based on the number of convictions:

First conviction: \$350: Second conviction: \$1000: Third or subsequent conviction: \$1000 and 30 days.

A person commits the offense of driving while under the influence of intoxicants (DUI) if he or she drives a vehicle while having a blood alcohol level of .08 or higher. This statute extends both to alcohol and controlled substances. For drivers under the age of 18 years, any detectable amount of alcohol (above .00 blood alcohol level) is grounds for losing their licenses until they are 18. There are also sanctions against drinking alcohol in a motor vehicle upon a highway and having open containers of alcohol in an automobile upon a highway.

The law opens the door on the possibility of a social host being liable for damages incurred or caused by intoxicated guests. A critical element in this statute is service of an alcoholic beverage to a person while he or she is visibly intoxicated.

Federal Statutes

The federal system establishes penalties for possession and distribution of controlled substances based on the Schedule of the drug (see above) and the amount involved. In addition, the statutory penalties for possession and distribution are subject to the "Sentencing Guidelines for U.S. Courts." Use of these guidelines may lead to higher offense levels and to stricter penalties than otherwise indicated. Courts must make adjustments in the offense level for victim-related considerations, defendant's role in the offense, multiple counts, obstruction and acceptance of responsibility. The guidelines establish sentences for each offense based on the defendant's criminal history. Federal penalties range as follows:

Manufacture, distribution, or trafficking of large amounts of heroin, cocaine, PCP, methamphetamine, Schedule I and II hallucinogens, marijuana, hashish, or any of their derivatives: 30 years to life regardless of the defendant's criminal history; to

Possession of any Schedule III, IV, or V drug if the defendant has the lowest level of criminal history: 0 to 4 months.

If serious injury or death results from the crime, minimums of up to 10 years (in the case of serious injury) and 20 years (in the case of death) plus a fine of up to \$4,000,000 may be added. These penalties may be doubled for defendants with past felony drug convictions. Penal sanctions in the federal system are "real time" with reductions in sentences only for good behavior.

Federal defendants may also be required to pay restitution if convicted of a drug-related crime. Their property gained or used in the crime may be forfeited to the federal government.

HEALTH CONSEQUENCES OF DRUG USE

Alcohol (Ethanol)

Alcohol, an addictive substance which depresses the workings of the brain, can have such short-term effects as increasing the risk of a job-related injury or injury in an automobile accident. It also can reduce the effectiveness of medications taken for diabetes and seizures. Drinking alcohol while taking certain anti-depressant medications or medications for anxiety, can have fatal consequences. An often unnoticed short-term health risk of using too much alcohol is a disruption of the sleep pattern, especially that part of sleep in which we do much of our dreaming (REM sleep). Disruption of REM sleep has been shown to lead to decreased effectiveness of daily activities, changes in mood levels, and, at the extreme, severely disordered behavior.

The long-term physical effects of heavy alcohol use are better known and include heart and liver disease, an increase in certain forms of cancer (especially if accompanied by cigarette smoking), and brain damage. What needs to be kept in mind is that alcohol, like other drugs, affects all of the systems in a person's body. As a result, every system in the body is placed in jeopardy by heavy alcohol use.

Changes may also take place in the user's personality and social life. In both cases, excessive use of alcohol has the potential to disrupt normal behavior. There is increased awareness of the results of excessive alcohol use on the family, and a self-help movement is growing among the children who grew up in such families.

Marijuana

Marijuana is a good example of a substance where there has been a change in the strength of what users have available to them. The strength of the marijuana available today is several times that available ten or fifteen years ago. As a result, the active ingredient of marijuana, THC, is available to the brain in much stronger doses than was the case even a few years ago.

In the short-term, THC works its results by changing the way the central nervous system (the brain and spinal cord) goes about its work, resulting in a sense of dizziness, relaxation and drowsiness, euphoria, behavioral changes, changes in ability to perform mental tasks, and, at the extreme, hallucinations, delusions, paranoia, and anxiety. THC also affects the work of the heart and lungs. This results in an increased heart rate and an increase in systolic blood pressure. On a longer-term basis, marijuana has been shown to have effects which are toxic (poisonous) to the respiratory system and, potentially, to both the nervous and endocrine (hormone) systems.

Cocaine

Cocaine is a highly addictive and powerful central nervous system stimulant. The methods of taking the drug are varied but include “snorting” (inhaling through the nose), smoking, and injecting. The routes of administration, as well as the drug’s more generalized effects on the body, need to be considered in considering its potential effects.

One of the effects of cocaine is increased heart rate. A well-known negative effect of cocaine for a few users is its potential for disrupting the normal rhythm of contractions in the heart in otherwise healthy individuals. This can bring about death. As with other drugs, the effects of cocaine are felt throughout the entire body and hold the potential for affecting many bodily systems.

Crack

Crack is one of the popular, inexpensive ways of experiencing the effects of cocaine. Its low price (relative to cocaine), its rapid action, and its high potential for producing addiction make it a dangerous element on the drug scene. The physical effects are similar to those of cocaine, although crack holds potential for damaging the respiratory system because it is “smoked” rather than “snorted.” The fact that it is relatively inexpensive has made it a drug of choice for many low income individuals. One result of this is that it has put at risk the unborn children of low income pregnant women, who could probably not afford cocaine in other forms, and serves as the basis for the term “crack babies.”

Amphetamines (Speed)

The amphetamines, like cocaine, are stimulants. Their effects upon the brain cause the body to imitate the kinds of reactions which take place in situations calling for “fight or flight” responses. There is a speeding up of respiration and heart rate, an increase in blood pressure, and an overall shift of the body to emergency conditions. In the past, amphetamines were used as part of weight control programs.

Methamphetamines have made their appearance in the form of “crystal,” “crank,” and, even more recently, “ice.” The effect of all of these is to decrease hunger, remove any feeling of tiredness (at least temporarily), and increase the activity of the “fight or flight” systems. It is not unusual for users to try to stay “up” for several days on one of these substances with all of the consequences which come with absence of food, sleep, and rest of any form. At the end of this period, the “crash” experienced by users usually takes the form of a severe depression. Some people try to counter these effects by combining drugs, thereby tempering both the excessive highs and lows.

Rohypnol (flunitrazepam)

Rohypnol belongs to a family of drugs which includes Valium, Librium, and Xanax. It is marketed as a sleep aid in other countries but is not available legally in the U.S. As a “street drug,” rohypnol goes by a variety of names: Roachies, La Roche, Rope, R2, Rib, Roche, Rophies, Roofies, Ruffies.

Intoxication from rohypnol use is associated with a variety of effects, impaired judgment and impaired motor skills being the most common. Taken with alcohol, the drug can result in “blackouts” which last 8 to 12 hours. It is in this connection and the inability to remember what took place during the blackout that rohypnol has become associated in recent years with sexual assault, earning for itself the designation as the “rape drug.” This potential is increase by the ease with which the drug can be introduced into the drink of an unsuspecting individual.

The potential for physical tolerance and withdrawal are present. Dual addiction to rohypnol and other substances, such as alcohol, have been observed. Abrupt withdrawal from rohypnol can, in extreme cases, subject a person to a life-threatening reaction. Withdrawal needs to be monitored medically.

Drug use during pregnancy

There is a growing body of scientific data which links the use of alcohol and other drugs during pregnancy to fetal damage. Excessive use of alcohol during pregnancy can result in a child who displays signs of fetal alcohol syndrome (FAS). This is a condition which is marked by distinct physical changes and retarded development. Contrary to earlier thinking, individuals do not outgrow their FAS developmental delays.

Children can be born addicted to whatever substances their mothers have been abusing during pregnancy. Beyond this, there is evidence that the fetuses of cocaine and crack abusing mothers can experience disruptions in blood supply which have the potential of damaging the brain and other organs which are undergoing rapid development during this time. In addition, children born to cocaine-abusing women are more frequently premature and below normal birth weight.

When we talk about damage to a fetus as a result of drug abuse during pregnancy, we are talking about both short and long-term consequences. In the short run, the fetus can be damaged or even aborted. In the long run, this damage can display itself over the entire life span of the individual born to a substance abusing mother.

For further information on drug effects, see *Controlled Substances Table, Uses and Effects*, available in the Dean of Students' office.

ASSISTANCE AVAILABLE TO MEMBERS OF THE LINFIELD COMMUNITY

Both employees and students may seek further information about drug and alcohol effects at the following locations: on the McMinnville campus, the Counseling Office; on the Portland Campus, the Associate Dean of Students; and at off campus sites, the Site Coordinator. To the extent necessary, these offices will make necessary referrals to professionals in the community who can offer screening, assessment, treatment, and rehabilitation programs. Employees of the college and their family members may contact EASE, the college's Employee Assistance Program provider, by calling 1-800-654-9778.

Individuals seeking referral to an alcohol or other drug abuse treatment resource may talk confidentially with a member of the counseling staff on the McMinnville Campus. Employees of the college and their family members may contact EASE, the college's Employee Assistance Program provider. They may also contact assessment and treatment resources directly using the following list of programs. This is a partial listing of available services for information purposes only and does not constitute an endorsement of any program listed.

If an individual contacts one of these resources voluntarily, information shared is kept in confidence. When a person is referred to one of these resources as part of a campus disciplinary proceeding, he or she is asked to sign release forms permitting the college to communicate with the treatment program about its findings and recommendations.

McMinnville

Alcoholics Anonymous 503-472-1172 (Individuals on the McMinnville campus can contact the Counseling Office, in Walker 124 to determine whether an AA group is running on campus).

Yamhill County Chemical Dependency, 503-434-7527*, 626 N Ford

Portland

Multnomah County Department of Human Services, Caroline Marks, Health Promotion Coordinator, 503-988-5015, ext. 24319, 426 SW Stark, 6th floor, Portland, OR 97204

Off-Campus Sites

Albany - Drug and Alcohol Services: Linn County Alcohol and Drug Program, Tony Howell, Program Manager, 104 Fourth Ave. SW, Albany (541-967-3819)
Mental Health Services: Linn County Mental Health Program, Clifford Hartman, Program Manager, 445 Third Ave. SW, Albany (541-967-3866)

Astoria - Drug and Alcohol Services: Lifeworks NW, 2911 Marine Drive, Suite B, Astoria, (503-338-6990)
Mental Health Services: Clatsop Behavioral Healthcare, #10 6th Street, Suite 103, Astoria, (503-325-5722)

Bend - Deschutes County Mental Health Services, Lori Hill, MSW, Alcohol and Drug Program Manager, 409 NE Greenwood, Suite 2, Bend

Coos Bay - ADAPT, Al Neubaur, Program Director, 400 Virginia Ave., North Bend

Eugene - Chemfree Outpatient Services, Mary Ann Unruh, Director, 1849 Willamette, Suite 9, Eugene, OR 97401

Salem - Marion County Mental Health Program, 3180 Center Street NE, Room 225, Salem, OR 97301

*The names of individual providers and private agencies have not been included because of the numbers involved. Only public or publicly-funded programs have been listed. The names of other treatment resources are listed in the Yellow Pages under Alcoholism Information and Treatment Centers, Counselors, or Drug Abuse and Addiction - Information and Treatment.

STUDENT RIGHT-TO-KNOW AND CAMPUS SECURITY REPORT

STUDENT RIGHT-TO-KNOW

The Linfield College graduation rate is required to be a matter of public record. The rate pertains to full-time, undergraduate degree-seeking students who, within six years of the time they entered Linfield, graduated from the College. The rate is calculated using the entering class of fall 1997. The rate for Linfield College was 66.5%.

CAMPUS SAFETY DEPARTMENT

The Campus Safety Department serves all students, staff, faculty, and guests of the College. All criminal offenses occurring on-campus, or at College controlled property, should be reported to this department.

The department operates twenty-four hours a day, seven days a week. Full-time staff consists of a Director of Safety, one Safety supervisor and five Safety officers. Officers are certified as "private security" by the Oregon Department of Public Safety, Standards and Training. Officers, who are unarmed, conduct foot, vehicle, and bike patrol on-campus and in the neighborhood immediately adjacent to campus. The department is charged with maintaining the safety and security of all members of the Linfield community as well as the enforcement of applicable federal, state, and local laws, and College policies and regulations. The department maintains a close working relationship with McMinnville Police department and will request assistance from that department when necessary.

How to Report a Crime or Emergency

To report a crime or an emergency on-campus call the Safety Department at ext. 5300 from any campus phone or 503 883-5300 from an off-campus phone. Campus Safety officers will respond to all reports of crimes and emergencies. If needed Officers will file either a campus incident report or a McMinnville Police Department "Citizens Crime Report". All crime reports are filed with the City of McMinnville. Reports are confidential within the guidelines established by the General Education Provisions Act (Buckley Amendment), the McMinnville Police Department, and Oregon Revised Statutes. As a service to the community some reports are made available, free of charge, to a complainant to assist in their filing of an insurance claim.

Access to Campus Facilities

Most campus buildings and facilities, with the exception of the housing areas for resident students, are accessible to members of the campus community, guests, and visitors during normal business hours Monday through Friday, excluding holidays. Athletic facilities, the campus computer labs, Nicholson Library, and other select College service areas have varying hours of operation. For "after-hours" access to select buildings and facilities individuals will need to obtain permission from the appropriate academic department.

College housing areas are kept locked 24 hours a day. Entry into these areas is made by individuals using their College ID card as an "electronic" key. All Linfield students have card-key access to all the residence halls from 10:00am to 10:00pm. Various other facilities on campus, such as the computer labs in Mac Hall and the Miller Fine Arts Building, also have card-key access.

Maintenance of Campus Facilities

College facilities and landscaping are maintained so as to minimize hazardous conditions. Campus Safety officers, as part of their general patrol procedure, will generate a work order to the Physical Plant when they note any defective lighting or unsafe condition on campus. Students, faculty, and staff are also encouraged to report, to the Safety Department, any safety or security concern.

Security Awareness and Crime Prevention Programs

A community must do more than simply react to crime. Linfield College has a reasonably safe and secure campus because of a commitment that has been made by the entire community. The College provides the following services and programs to improve safety on-campus and to educate the community about security issues:

- 1) Personal Safety Program – The Campus safety department provides a limited escort service, particularly during hours of darkness, for people walking alone on-campus or to and from suburb residences. Students, staff, and faculty are asked to walk with others when possible and to choose paths that are well lighted.
- 2) Residence Hall Security – Hall safety and security is routinely discussed in all hall meetings. Students are encouraged to keep their individual rooms locked at all times and to keep windows closed and locked.
- 3) Emergency Telephones – Campus phones are located outside all residence halls. Blue Light Emergency phones have been installed at various locations around campus.
- 4) Electronic Systems – The campus Safety Department monitors theft, intrusion, and fire alarms campus wide. In addition access into certain facilities, including resident halls, is controlled through use of a card key access control system.
- 5) Operation Identification – Students are strongly encouraged to mark their valuables with a drivers license number and to record serial numbers. The Safety Department also operates a bicycle registration program.
- 6) Crime Prevention Material – Brochures and posters related to substance abuse, personal safety, seat belt use, motor vehicle and bike theft prevention, and residence security are distributed campus wide.
- 7) Community Notification of Criminal Activity – The Campus Safety Department will routinely notify the campus community of ongoing security concerns by articles published in the campus newspaper or posted by e-mail to the community. If circumstances warrant, specially printed crime alerts will distributed campus wide.

Monitoring and Recording of Criminal Acts

Federal law requires institutions of higher education to annually collect campus crime statistics and to publish and distribute, to all current students and employees, an annual security report containing campus security policies and campus crime statistics. Statistics need only to be reported for the following criminal offenses: murder, sex offenses (forcible or non-forcible), robbery, aggravated assault, burglary, motor vehicle theft, manslaughter, and arson. Institutions must also report arrests, or persons referred for campus disciplinary action, for liquor law violations, drug-related violations, and weapons possession. Hate crimes must also be reported according to category of prejudice. The following statistics were obtained from criminal acts reported to the McMinnville Police Department and/or Campus Security:

Linfield College Crime Statistics

INCIDENTS	On Campus			In/On Non-Campus Building Or Property			On Public Property			In Dormitories or Residential Facilities On Campus		
	2000	2001	2002	2000	2001	2002	2000	2001	2002	2000	2001	2002
Murder	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	1	0	0	0	0	0
Aggravated Assault	0	2	0	0	0	0	0	2	0	0	0	0
Residential Burglary	0	0	2	1	1	1	0	0	0	0	0	2
Non-Residential Burglary	2	1	6	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	3	3	0	0	0	0	3	1	0	0	0
Manslaughter	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
Sexual Assault (Forcible)	2	2	4	0	0	0	0	0	0	2	2	4
Sexual Assault (Non-Forcible)	0	0	0	0	0	0	0	0	0	0	0	0

ARRESTS	2000	2001	2002
Liquor Law Violations	33	5	18
Drug Abuse Violations	2	1	0

No Reported Hate Crimes in 2000, 2001 2002

No Arrests for Weapons Violations in 2000, 2001, 2002

	2000	2001	2002
No. of People Referred for Campus Discipline Action			
Liquor Law Violations	124	139	193
Drug Abuse Violations	2	1	8

NOTE: Updated information for 2003 will be provided no later than October 15, 2004

Addendum to Crime Statistics

In citing these figures, the college recognizes that certain categories of crime, such as rape, are routinely under reported to police and campus authorities. The college seeks, through such activities as educational programs and professional counseling services, to encourage students to report crime and to provide support to students in this process.

DRUG ABUSE PREVENTION PROGRAMS

The residential life receives drug and alcohol abuse prevention education prior to the beginning of the school year as part of their training. In compliance with the NCAA, Division III, the Athletic Department arranges for alcohol and other drug education sessions to be presented in the fall and spring semesters for athletes in all programs. The Freshman Colloquium offers drug and alcohol education each fall semester for students who are enrolled in that course. In compliance with the Drug Free Workplace laws, the Personnel Office offers alcohol and other drug abuse prevention programs or educational programs annually. One such option is the Employee Assistance Program, (EAP) a counseling service for personal life problems. The Linfield Activity Board (part of ASLC) annually provides educational programming during Alcohol Awareness Week in conjunction with the National Collegiate Alcohol Awareness Week (NCAAW). Linfield's Alcohol and Drug Abuse Prevention Team (ADAPT) offers occasional programming. Linfield is a member of the National Network on Abuse Prevention and is a member of the eleven-college Willamette Valley Consortium for abuse prevention. The College's alcohol and other drug policies may be found in the Linfield College Personnel Policies and Procedures (Common Chapter) available online at <http://www.linfield.edu/policy/index.html>, and the Student Handbook, as well as in the guide to residential living, "Living at Linfield." Linfield complies with the Drug-Free Schools legislation and annually distributes prevention information to all employees and students. The student distribution is included in course registration information for the spring semester. Employees receive the document each fall via campus mailings and/or handbook distribution.

The Linfield College Sexual Assault Policy, while prohibiting offenses forbidden by Oregon law, also prohibits conduct that may not be a crime under Oregon law. As a result, Linfield's Definition of Sexual Assault establishes a higher standard of conduct for members of the Linfield community than those applied to the public at large. Law enforcement agencies contacted about a sexual assault at Linfield will follow Oregon law, not Linfield College's Sexual Assault Policy.

CAMPUS SEX CRIMES PREVENTION ACT

The "Campus Sex Crimes Prevention Act" (CSCPA), which became federal law October 28, 2000, amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act. In addition to the Wetterling Act, CSCPA also amended the Jeanne Clery Act and the Family Educational and Privacy Act. These changes took effect October 28, 2002 and are a requirement within the annual security report due October 1, 2003.

CSCPA provides special requirements relating to registration and community notification for sex offenders who are enrolled in, or work at, institutions of higher education. As provided in the Wetterling Act, any person required to register under a state offender registration program must also notify the state regarding each institution of higher education in which they are enrolled or employed at. These federal requirements will require a change in current Oregon State law.

Under current state law computerized sex offender information can be obtained through the Oregon State Police. This computerized database can access sex offender information by name, address, zip code or county. Persons seeking information about registered sex offenders residing within a specific geographic area may contact the Oregon State Police Sex Offender Registration Unit in Salem, Oregon by phone at (503) 378-3720, Ext. 4429. The requestor will be asked to provide the zip code(s) of the area for which they are seeking the names of registered offenders. A list of all registered sex offenders residing within the specific zip code area(s) will be mailed to the requestor.

If the requestor desires to check on the status of an individual by name they should telephone (503) 378-3720, Ext. 4415 and ask to speak with the person responsible for the specific county of residence of the person in question. A search of the name provided will be conducted and the caller will be informed as to the results of the search.

Plans are currently being developed for registered sexual offender information to be available through the Oregon State Police web site.

SEXUAL ASSAULT POLICY AND PROCEDURES:
LINFIELD COLLEGE SEXUAL ASSAULT POLICY

In keeping with its mission, Linfield commits itself to providing an environment which is safe and which fosters excellence in learning for its students and in work performance for its employees. Linfield's expectations of civility among community members exceed those applied to the public at large. It is the policy of Linfield College that no member of the College community shall commit a sexual assault against another member of the College or larger community and that, should this occur, the College will, to the extent it is able, support the victim and pursue sanctions against the perpetrator. To this end, the College shall annually apprise its students, faculty, administrators and staff of this policy, and inform them about the meaning and effects of sexual assault. For the protection of the community, the College may take action against those who commit such an assault. In taking action, the college will make every attempt to provide as much anonymity for the victim(s) and alleged perpetrator(s) as possible. In fulfilling this policy and its procedures, the College shall seek to avoid creating a climate or taking actions that could, in themselves, have the effect of further harming a victim of sexual assault.

The Linfield College Sexual Assault Policy, while prohibiting offenses forbidden by Oregon law, also prohibits conduct that may not be a crime under Oregon law. As a result, Linfield's Definition of Sexual Assault establishes a higher standard of conduct for members of the Linfield community than those applied to the public at large. Law enforcement agencies contacted about a sexual assault at Linfield will follow Oregon law, not Linfield College's Sexual Assault Policy.

Linfield's Definition of Sexual Assault:

- Rape is an offense committed when a person(s) engages in the oral, anal or vaginal contact or penetration of another, or causes another to engage in such contact or penetration, and,
 - a. does not first obtain explicit consent from that other person or
 - b. he or she knows or should have known that person was incapable of consent by reason of alcohol/substance incapacitation, mental disorder, mental incapacitation, or physical helplessness.
- Unwanted Sexual Contact. Unwanted Sexual Contact is an offense committed when
 - a. a person subjects another person to sexual contact without having first obtained explicit consent and a reasonable person would know that such contact would cause emotional distress or
 - b. he or she knows or should have known the person was incapable of consent by reason of alcohol/substance incapacitation, mental disorder, mental incapacitation, or physical helplessness and a reasonable person would know that such contact would cause emotional distress.

Definition of Terms

- Explicit Consent means voluntary, non-coerced, and clear communication indicating a willingness to engage in a particular act. Consent that is obtained through the use of force (actual or implied), whether that force be physical, threats, intimidation, or coercion, is invalid. The object of sexual assault is not required to physically resist a sexual aggressor. Silence, previous sexual relationships, and/or current relationship with the perpetrator may not be taken as an indication of consent. If the perpetrator is under the influence of alcohol or other substances, it is not an excuse for the violation of this policy.
- Penetration means any degree of insertion, however slight, of the penis or any other material object into the vagina, anus or any bodily orifice.
- Sexual Contact means the touching of genitalia, anus, buttocks or breasts of a person or causing such person to touch the genitalia, anus, buttocks or breasts of another.
- Alcohol/Substance Incapacitation means that a person is rendered incapable of appraising or controlling one's own or the other's conduct at the time of the alleged offense due to the use of alcohol or other substances.

- Mental Disorder means that a person suffers from a mental disease or disorder that renders the person incapable of appraising the nature of a situation or the conduct of the other person.
- Mental Incapacitation means that a person is incapable of understanding and acting with discretion in the ordinary affairs of life.
- Physical Helplessness means that a person is unconscious, or for some reason is physically unable to communicate unwillingness to engage in an act.

OPTIONS FOR REPORTING AND/OR PRESSING CHARGES

- We encourage you to report this incident to one of the college staff members listed on pages 14-16 whether you choose to involve the police or not. With the exception of the counselors in the Linfield College Counseling Center and the College Chaplain, these individuals will file an anonymous report with the Director of Linfield College Security for statistical reporting.
- If the alleged assailant is a student of the College, you may choose to report this incident to one of the individuals listed on page 15 and ask them to investigate and take appropriate action based on that investigation. Specific procedures are listed below. While promptness in reporting is desirable, the case may be heard as long as the alleged perpetrator continues to be a student at the College.
- To press charges, you can report what has happened to the local police. We strongly recommend that you provide all relevant information and evidence to the police as soon after the assault as possible. The police forward their report to the prosecutor's office. The prosecutor then determines whether or not there is sufficient evidence to proceed with the case. Their 24-hour number is 503-434-6500.

ADDITIONAL INFORMATION

If you have been sexually assaulted or know someone who has been sexually assaulted, the material in the following pages provides information about

- who can help you and how to contact those individuals,
- where to seek medical assistance and why,
- your options regarding what type of report, if any, you may wish to file,
- and information about the Linfield College judicial process.

WHAT TO DO IF YOU HAVE BEEN SEXUALLY ASSAULTED

If you have been sexually assaulted, IT IS NOT YOUR FAULT!

YOU ARE NOT ALONE!

WHO CAN HELP

The following people will assist and support you.

- If you are in immediate danger:
and you are on campus
9-911 (Emergency—McMinnville Police)
OR
5300 (Campus Security)—(24-hour)
OR
if you are off campus
911 (Emergency—McMinnville Police)
- If you choose to seek assistance from someone with total confidentiality:
Henderson House—9-503-472-1503 (24-hour)
OR
Linfield Counseling Center—2562 (8 am - 5 pm M-F)
OR
Linfield's Chaplain—2259 (8 am - 5 pm M-F)

Linfield Student Health Center—2535 (9 am - 3 pm MWTHF, 10 am - 5 pm T)
- If you choose to seek assistance from someone on campus who will assist you immediately and help you make additional contacts:
Linfield Security—5300 from a campus phone (24-hour)
OR
Area Director on Duty—9-971-237-3138 (Evenings and Weekends)
Or contact one of the Area Directors listed on the next page
OR
Linfield College Sexual Assault Victim Advocate
Individual advocates may not be able to respond on a 24-hour basis. Advocates are listed on the next page.

[NOTE: The individuals listed under this bullet will file an **anonymous** statistical report with the Director of Security at Linfield College.]

- If you choose to file a police report:
Linfield Security—5300 for assistance with contacting the police
OR
McMinnville Police—9-911 Emergency or **9-503-434-6500**
OR
Yamhill County Victim Assistance Program
9-503-434-7510 (8 am - 5 pm M-F)
9-503-434-6500 (Evenings and Weekends)
An advocate from this program will be called if you call the McMinnville Police and report a rape or sexual assault.

[NOTE: If you choose to have evidence collected for the police report, you must go to the hospital for a forensic medical exam if the rape or sexual assault occurred within the past 72 hours. If it has been longer than 72 hours since the assault, contact one of the people listed above or on the next page for additional information and assistance.]

ADDITIONAL INFORMATION ABOUT WHO CAN HELP

If you have been sexually assaulted, **IT IS NOT YOUR FAULT!**
YOU ARE NOT ALONE! TELL SOMEONE!

It's important that you find someone to talk with about what has happened. You need support, understanding, and assistance in taking care of yourself after an assault has occurred. You probably will be feeling very stunned and confused. Get help from someone you trust! Even after you've received medical attention and reported the assault (if you choose to do so), it's still important for you to talk with someone about what has happened.

ON-CAMPUS RESOURCES

In addition to the individuals listed previously, the following people have been trained to assist and support you.

Linfield College Counseling Center

John Kerrigan and Joyce Cochran

Office—2562, Walker 124

For *Confidential Assistance*, 8 am - 5 pm M-F

Linfield College Chaplain, David Massey

Office—2259, Melrose 110

For *Confidential Assistance*, 8 am - 5 pm M-F

Student Services Staff

Anne Hardin, Director of Career Services,

Office—2442, Walker 124

Dave Hansen, Dean of Students,

Office—2253, Melrose 110

Jeff Mackay, Associate Dean of Students,

Office—2436, Melrose 110

Student Health Center, Office—2535

Walker 105, MWTHF 9 am - 3 pm,

T 11 am - 5 pm

Area Directors: (All Area Directors have been trained as Sexual Assault Victim Advocates.)

Tina Dumonceaux, Office—5356, Memorial 101

Delane Hein, Office—5388, Memorial 101

Maura Page, Office—5390, Memorial 101

Carl Swanson, Office—2414, HHPA 205C

Sexual Assault Victim Advocates

Stephen Bricher, Professor, Office—2260, Graf 110

Susan Chambers, Faculty, Office—2372 or 2535,

HHPA 205 & Health Center, Walker 105

Dan Fergueson, Activities Director,

Office—2435, Riley 214

Dawn Graff-Haight, Professor,

Office—2641, HHPA 219

Kristi Mackay, Career Services,

Office—2606, Walker 124

Stephanie Moyer, Academic Advising,

Office—2393, Walker 104

Ed Gans, Assistant Professor/Title IX Officer,

Office—2219, Cook 116

Barry Tucker, Director of Multicultural Programs,

Office—2574, Melrose 110

SEEK MEDICAL ASSISTANCE

We urge you to consider seeking medical assistance. You may do this at the **Hospital Emergency Room** or at the **Linfield Student Health Center** (see hours listed above). For your physical well-being, it is important that you undergo a medical examination as soon as possible after the assault! This will include tests for HIV, STIs, and pregnancy. The forensic medical exam is also important to gather evidence in support of a charge of rape or sexual assault. If you think you were drugged, tell the person completing your medical exam. While your first desire may be to "clean up," you are encouraged not to douche, bathe, eat, drink, smoke, or change clothes before you go for an exam. Bring a change of clothing with you. The Emergency Room has a specific protocol to follow called a SAFE (Sexual Assault Forensic Examination) Kit that includes semen collection, saliva samples, hair combings and other tests (as appropriate), which will help you if you decide to take legal action against your assailant. If any clothing worn during the sexual assault is removed, place it in a paper bag and take it with you to the hospital.

OFF-CAMPUS RESOURCES

Henderson House: ALL SERVICES ARE CONFIDENTIAL. We provide a 24-hour crisis line, information and referrals, crisis counseling, hospital accompaniment, safe shelter, court advocacy, and support groups. **YOU DO NOT NEED TO FILE A REPORT TO RECEIVE SERVICES.** Call 503-472-1503 (24-hour).

Yamhill County Victim Assistance Program: You may call our office anonymously or come into the office and tell us your story. We will believe you and offer you emotional support and information regarding the options available to you. We will explain what may happen depending on what you choose to do with the information regarding the sexual assault. We offer advocacy throughout the legal process if and when a police report is filed. We do not offer legal advice, we offer empowerment. Call **503-434-7510** (M - F, 8:00 am - 5:00 pm).

WHAT TO DO IF YOU HAVE BEEN ACCUSED OF SEXUAL ASSAULT

Do not attempt to contact the alleged victim(s)!

The Dean of Students or the Associate Dean of Students will contact you and inform you about Linfield's Sexual Assault Policy and Procedures. We encourage you to speak with a counselor in the Linfield College Counseling Center or the College Chaplain during this process.

LINFIELD COLLEGE SEXUAL ASSAULT JUDICIAL PROCEDURES

General Information

- Any member of the College community may initiate a case by filing a complaint with one of the following people:
 - Dave Hansen, Dean of Students, Melrose 110, (503-883-2253)
 - Jeff Mackay, Assoc. Dean/Director of Housing, Melrose 110, (503-883-2436)
 - Anne Hardin, Director of Career Services, Walker 124, (503-883-2442)
 - Mike Dressel, Director of Campus Security, Keck 4, (503-883-2602)
 - Ed Gans, Title IX Officer, Cook 116, (503-883-2219)
- You may choose to have a friend, advisor, professor or administrator assist you in filing a complaint. Sexual Assault Victim Advocates have been designated by the college to provide information about procedures and resources at Linfield and in the community. These individuals have been trained to assist you and can accompany you through the process should you choose to file a complaint. You may contact any of them directly. They are not protected by the legal definition of client/patient privilege, which does apply to professional counselors and clergy, but can give you information in person or over the phone. These individuals are listed on page 4.
- If you wish, the College will attempt, where it is reasonably possible, to change the living and/or academic situation of the alleged victim or alleged perpetrator to avoid a continuation of contact between the individuals.
- Sexual Assault Judicial Procedures are the same as noted in the Student Handbook, pp. 101-106, which apply to other alleged infractions of the Student Code of Conduct (pp. 99-100), except that a specially trained College Judicial Council Sexual Assault Board will adjudicate your case, providing parallel procedures for both the alleged victim and the alleged perpetrator.

The Hearing Process

If a complaint of sexual assault is filed with the College Judicial Council Sexual Assault Board, the process for adjudication is as follows. This procedure applies to alleged victims of sexual assault as well as alleged perpetrators of sexual assault.

NOTE: Until a determination of a violation has been reached, the word alleged is used to describe both the victim(s) and the perpetrator(s).

1. The alleged perpetrator(s) shall be notified by an appropriate official of the College that s/he is accused of violating the sexual assault policy.
2. The student(s) shall be notified that s/he may elect one of three courses of action:
 - a. The student(s) may admit the alleged violation and request, in writing, that the Dean of Students take whatever action seems appropriate.
 - b. The student(s) may admit the alleged violation, and request a hearing before the College Judicial Council Sexual Assault Board.
 - c. The student may deny the alleged violation, in which case a hearing will be held by the College Judicial Council Sexual Assault Board.
3. Hearings of sexual assault cases shall be subject to a special judicial selection process. In such cases scheduled to go the College Judicial Council, the Dean of Students will meet independently with both the alleged victim(s)

and the alleged perpetrator(s). Both sides will have the option to excuse any two College Judicial Council members from hearing this case. The Dean will then appoint a three-member hearing panel from the remaining College Judicial Council members not excused. If the Chair of the College Judicial Council is not a member of College Judicial Council Sexual Assault Board, another faculty member will be designated as chair for the proceedings.

4. During the hearing, the alleged victim(s) and the alleged perpetrator(s) may be separated physically. Typically, a physical barrier may be used to eliminate any visual contact if requested by any party.
5. Both alleged victim and alleged perpetrator shall be entitled to an expeditious hearing of the case.
6. The hearing shall be of an informal nature and need not adhere to formal rules of procedure or technical rules of evidence followed by courts of law.
7. Following due notification prior to the hearing both the alleged victim and the alleged perpetrator shall be entitled to the following:
 - a. written notification of the time and place of the hearing,
 - b. written statement of the charges of sufficient specificity to enable the alleged perpetrator(s) to prepare a defense,
 - c. a copy of the procedures as outlined here.
8. Both the alleged victim(s) and the alleged perpetrator(s) shall be entitled to appear in person, to present his/her/their view of what took place to the judicial body, and may call witnesses in his/her/their behalf. Either of these persons may also elect not to appear before the judicial body. Should she/he elect not to appear, the hearing shall be held in his/her/their absence.
9. Both the alleged victim(s) and the alleged perpetrator(s) shall be entitled to assistance from any member of the College community: faculty, staff, or student. If a lawyer is to be consulted, such a person may give any advice she/he believes pertinent, but she/he may not enter into the proceeding of the judicial body or attend the hearing.
10. Both the alleged victim(s) and the alleged perpetrator(s) or his/her/their advisor shall be entitled to ask questions of the judicial body or any witness.
11. Both the alleged victim(s) and the alleged perpetrator(s) shall be entitled to refuse to answer questions.
12. A written record of the hearing shall be made and provided to the Dean of Students.
13. Both parties and all other non-members of the judicial body shall be excused when the council deliberates on its decision. That decision will be presented in writing to the Dean of Students, who will in turn notify both parties of the judicial decision. Notification of decision shall be accomplished by requesting that each party appear separately at an appointed time at the Dean's office. If either party does not appear at the appointed time, notification will be accomplished by mail.

Appeals

Any student having been accused of sexual assault or rape and having had a hearing before the College Judicial Council Sexual Assault Board may appeal the decision. The alleged victim(s) of such an offense also may appeal the decision. Any person wishing to appeal a decision of the College Judicial Council Sexual Assault Board must lodge a statement in writing to the Dean of Students. Such an appeal must be lodged within seven days of notification of the original decision and must specify the reasons for which the appeal is made.

Guidelines for the College Judicial Council Sexual Assault Board Hearing

In order to provide equity and efficiency in the administration of judicial procedures, especially in light of the problems of continuity and consistency that are created by the annual turnover on the College Judicial Council, the following guidelines for the operation of the Council have been created. These guidelines should be interpreted in light of the philosophy and procedures stated above.

If there is more than one alleged victim or more than one alleged perpetrator for a specific incident, the cases may be adjudicated separately.

The hearing shall be conducted in accordance with the following general format.

1. The chairperson of the College Judicial Council Sexual Assault Board shall inform all parties involved of the procedure to be followed at the hearing.
2. The chairperson shall then read the charges against the alleged perpetrator and shall ask that individual if s/he understands the charges and whether or not s/he concurs with them. If the alleged perpetrator concurs, the College Judicial Council Sexual Assault Board shall then consider the charges as accurate and hear any information that the alleged perpetrator may present in mitigation or explanation.
3. If the alleged perpetrator does not concur, the College Judicial Council Sexual Assault Board shall then hear the evidence in support of the charges. The alleged victim may present these or may ask a Sexual Assault Victim Advocate to do so in her/his behalf. After presentation of the evidence in support of the charges the alleged perpetrator shall have the opportunity to:
 - a. present evidence in refutation of any or all the charges,
 - b. present any other relevant information,
 - c. question witnesses testifying in support of the charges.
4. Both the alleged victim (or her/his proxy) and the alleged perpetrator may ask questions of the Judicial Council Sexual Assault Board members. Members may ask questions of the student charged as well as of any witness testifying at the hearing.
5. The students and all other non-members of the College Judicial Council Sexual Assault Board will be excused, except the Dean of Students who is to be consulted concerning penalty.
6. The Judicial Council Sexual Assault Board will deliberate and formulate its findings and recommendations.

Findings and Recommendations

The standard of proof required in student discipline cases is based on the strength of credible evidence (in contrast to the standard of proof required in criminal matters which is defined as beyond a reasonable doubt).

After hearing a case, the Council Sexual Assault Board may decide as follows:

1. Not responsible for a violation: No violation of a regulation has been proved.
2. Responsible for a violation: A violation of a regulation has been proved. In this case, the Council may impose a number of sanctions, individually or in a combination, including:
 - a. warning: an official reprimand in writing, delivered to the accused student and placed in the student's file;
 - b. probation: a condition that stipulates that any further violations of regulations may result in a suspension. Length of probation will be specified;
 - c. probation with terms: a condition that adds to regular probation stipulations that may deny the accused student certain privileges or requires certain action of him/her;
 - d. recommendation to the President for suspension: separation from the College for a definite or indefinite period of time;
 - e. recommendation to the President for dismissal: permanent separation from the College;
 - f. other action that may seem appropriate for any given case.

Sanctions against groups include those listed above in a-f, and also deactivation, loss of all privileges, including college recognition, either temporarily or permanently.

Responsibilities of the Chairperson

The chairperson of the College Judicial Council Sexual Assault Board has the following responsibilities:

1. To notify both the alleged victim and the alleged perpetrator of charges brought and to provide each party with a copy of the College's Sexual Assault Policy and Procedures;
2. To make all arrangements for the hearing, including time, place, notification of persons involved, and a record of the hearings (Secretarial support will be provided by the executive secretary to the Dean of Students);
3. To decide all procedural matters during the hearing in accordance with established written guidelines and normal due process;
4. To control the conduct of the hearing with authority to exclude any person who refuses to comply with the rules or determinations of the chairperson;
5. To prepare or cause to be prepared in writing the findings and recommendations of the College Judicial Council Sexual Assault Board, and to deliver them to the Dean of Students within 24 hours of the hearing.

Post Hearings

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

Confidentiality

- Both the content and the outcome of a hearing shall be considered confidential and no member of the College Judicial Council Sexual Assault Board shall discuss a student's role in an incident except with other members of the College Judicial Council Sexual Assault Board.
- The right of the College community to knowledge of the work of the Council shall be met through the releases of summary outcomes of cases that do not mention the names of individuals.
- In certain cases, the public nature of the violation of regulations or the student's own public admission of guilt may bring attention to a case, but this does not alter the confidentiality of the judicial proceedings.

Presidential Prerogative

As the final administrative authority for the College, the President has and must have the authority to act in emergencies without consultation with any other person or judiciary and to suspend any student who is acting in a manner which the President feels is contrary to and of a dangerous character to the College as an institution or to persons belonging to or associated with the College Community.

ANTI-HARASSMENT AND SEXUAL HARASSMENT POLICIES

Policy Statement

It is the policy of Linfield College to maintain a work and academic environment free from harassment for its employees, students, visitors, and vendors. Discriminatory harassment, including sexual harassment, is a violation of state and federal law. No form of discriminatory harassment, including sexual harassment, will be tolerated by Linfield College. Any and all complaints or allegations of harassment, including sexual harassment, will be investigated promptly. Appropriate, corrective action will be implemented based upon the results of the investigation in the event harassment in violation of this policy is found to have taken place.

As a college that prides itself on fostering academic freedom, including freedom of speech and freedom of conscience, Linfield especially recognizes these values insofar as the classroom and learning environment is concerned. Faculty members and students should refer to the section "Anti-harassment Protection and Academic Freedom" in the Faculty Handbook for consideration of the importance of academic freedom, freedom of speech, and freedom of conscience.

Anti-retaliation Statement

Any form of retaliation against those who in good faith bring forward complaints or allegations, or who participate in an investigation of discrimination or harassment, is strictly prohibited.

False Allegations Made in Bad Faith

If the investigation reveals that a complainant, victim, or witness has made a knowingly false allegation in bad faith, disciplinary or other appropriate action against this person may be imposed.

Definition of Harassment

Harassment is verbal or physical conduct that demeans or shows hostility, or aversion, toward an individual because of his/her race, color, religion, gender, national origin, age, sexual orientation, or disability, or that of his/her relatives, friends, or associates and that:

- Has the purpose or effect of creating an intimidating, hostile, or offensive working environment; or
- Has the purpose or effect of unreasonably interfering with an individual's work performance; or
- Otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to the following:

- Epithets, slurs, jokes, negative stereotyping or threatening, intimidating or hostile acts that relate to a person's race, color, religion, gender, national origin, age, sexual orientation, or disability.
- Written or graphic material which demeans or shows hostility or aversion toward an individual or group because of race, color, religion, gender, national origin, age, sexual orientation, or disability and is posted on walls, bulletin boards, e-mail or elsewhere on the college premises, or is circulated within the college.

Definition of Sexual Harassment

Civil Rights Laws define sexual harassment as: "unwelcome sexual advances, requests for sexual favors, and all other verbal or physical conduct of a sexual nature, from one of the opposite sex, or from one of the same sex" when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education,
2. Submission to or rejection of such conduct by an individual is used as the basis for decisions affecting such individual's employment or education.
3. Such behavior has the purpose or effect of unreasonably interfering with an individual's work or academic performance, or is so pervasive or severe that it creates an intimidating, hostile, or offensive environment.

The terms intimidating, hostile and offensive are interpreted according to legal standards as determined by the law, and are looked at from the viewpoint of a reasonable person in similar circumstances as the complaining party.

For further information on anti-harassment measures for faculty members, refer to the Faculty Handbook statement "Anti-harassment Protection and Academic Freedom."

Counseling

The college recognizes that employees may wish to seek counseling and discuss circumstances relating to possible harassment without initiating a complaint. Under these circumstances, employees may contact the 24-hour Employee Assistance Program at:

1-800-654-9778

McMinnville Campus students who wish to seek counseling may contact the Counseling Center or the college chaplain. Portland Campus students may contact the Psychological Service Center.

State-licensed counselors and the college chaplain by state order are immune from being compelled to divulge confidences. Any communication with a state-licensed counselor or the college chaplain is not a complaint to the college and will remain confidential and will not result in an investigation.

Reporting a Complaint

If an individual believes he or she is the victim of harassment or sexual harassment or retaliation, he or she is encouraged to report such complaint immediately. The college has designated the director of human resources to receive all employee complaints, verbal or written, of harassment on behalf of the college.

An alternate choice for reporting a complaint directly to the director of human resources is to contact the dean of faculty, dean of students, or a department director who will inform the director of human resources. Once the college has knowledge of the complaint, the college is obligated to investigate the allegation.

Employees who become aware of potential harassment of others which may be in violation of this policy are encouraged to report such conduct. Supervisors have an obligation immediately to report any potential instances of harassment involving employees or others to the director of human resources.

Investigation Procedures

1. The director of human resources is responsible for documenting the complaint and determining, with such consultation as he or she deems appropriate, who will conduct the investigation. In the event the harassment allegations personally involve the director of human resources the college will designate an alternate investigator.
2. The director of human resources or other designated investigator will provide both parties the opportunity to present their side of the incident. The investigation will include separate interviews with the complainant, the accused, and any other relevant witnesses as appropriate under the circumstances. The director of human resources will consult, where appropriate, with the vice president in charge of the accused employee's division to review the kinds of questions for both the accused and the complainant that might be specific to the circumstances of that division.
3. Before a final decision is made or corrective action taken against the accused, a written summary of the allegations upon which the corrective action is based will be delivered to the accused for his/her opportunity to respond (within a reasonable time to be determined by the director of human resources or designee) if he/she so chooses.
4. The director of human resources or other designated investigator will consult with the vice president (or designee) in charge of the accused employee's division prior to any corrective action against the accused. Corrective action, if any, against the accused will be determined based on the seriousness of the offense, the employee's prior history, and other relevant circumstances.
5. Upon resolution of the investigation, all investigative reports, notes, evidence, and records will be maintained within the office of the college's Human Resources Department as needed to investigate and respond to other complaints, or as compelled to produce the files through legal process.

Charges not substantiated by the investigation will be maintained in a general investigation file, kept under lock and key, with no record included in the accused employee's personnel file unless later proven relevant to subsequent substantiated charges of harassment or retaliation. Documentation regarding disciplinary action taken as a result of a substantiated harassment complaint will be maintained in the employee's personnel file.

Confidentiality

In its own actions and the actions of its official representatives, the college will maintain the confidentiality of all harassment investigations to the extent possible, consistent with the college's need to conduct an adequate investigation and to take prompt corrective action to rectify any harassment in violation of this policy which is found to have taken place. However, the college cannot guarantee that confidentiality will be maintained by other employees or students who may need to be questioned about the allegation, or the parties directly involved in the investigation, although the college will advise all concerned to keep investigative matters confidential and not to discuss them elsewhere.

Corrective Action

Appropriate corrective action will be initiated whenever the evidence warrants it. Violation of Linfield College's anti-harassment or sexual harassment policy will subject an employee to sanction up to and including termination of employment. Employees against whom corrective action is taken may appeal by following procedures outlined in the handbook or agreement appropriate to their employment status.

Student-to-Student Harassment

For the college's policy regarding student-to-student harassment, please consult the Student Handbook.

BUCKLEY AMENDMENT

What is FERPA, the Buckley Amendment, and Directory Information?

On June 17, 1976 the then Department of Health, Education, and Welfare issued the initial final regulations in the Federal Register for the Family Educational Rights and Privacy Act (FERPA) of 1974 (P.L. 93-380 s 513) as amended (P.L. 93-568 s 2). An additional document relating to the Act, popularly known as the "Buckley Amendment," appeared in the June 17, 1976, issue of the Federal Register.

The Essence of the Act:

- Students upon reaching age 18 or attending postsecondary institutions must be permitted to inspect and review their own educational records, to the exclusion of their parents. There are no rights guaranteed under the Act for parents of students attending a postsecondary institution.
- Institutions may not disclose information about students nor permit inspection of their records without their permission unless such action is covered by certain exceptions as stipulated in the Act.

Disclosure of Information:

1. Institutions must disclose Education Records without the written consent of students to:
 - a) Comptroller General of the United States
 - b) The Secretary, or
 - c) State educational authorities.
 - d) State and local officials to whom disclosure is required by State Statute adopted prior to November 19, 1974.
 - e) Veteran's Administration.
2. In general, unless released to do so by the student, the institution will NOT disclose *educational records* that include grades and other academic transcript information.

Under no circumstances should Educational Records be released without the express written permission of the student. All such requests should be directed to the Registrar's Office.

3. Institutions may release without written consent those items identified as *Directory Information** for students who are currently enrolled, provided the following conditions are met prior to disclosure:
 - a) that the institution inform the students of categories designated as Directory Information (see below).
 - b) that students be given the opportunity to refuse disclosure (forms are available in the Registrar's Office).
 - c) that students be given a reasonable period of time in which to state refusals in writing.

* Linfield College designates the following student information as "Directory Information":

Name, address, e-mail address, telephone number, dates of attendance, class, previously attended institution(s), major, awards, honors, degree(s) conferred (including dates), past and present participation in officially recognized sports and activities, physical factors (height and weight of athletes), date and place of birth.

Students who wish to have even Directory Information withheld must file a signed statement with the Registrar's Office in Melrose Hall.

The Office of the Registrar maintains records of students who have requested non-disclosure of Directory Information.

The consequences of non-disclosure of Directory Information include:

- students will not be listed in the campus directory
- students will not be included on Dean's Lists and other public recognitions
- their attendance at the college will not be acknowledged

This represents a brief overview of those portions of the act that pertain to the general campus community. For additional information or a complete copy of the act contact the Registrar's Office in Melrose Hall.

POLICY STATEMENT AND GUIDELINES REGARDING SERVICES FOR STUDENTS WITH DISABILITIES

Preface

Linfield's commitment to a supportive teaching environment has regularly translated into instructional practice both inside and outside the classroom intended to maximize each student's potential to succeed. In keeping with that philosophy and those practices, this booklet has been composed to assist faculty, students and staff in understanding the rights of students with disabilities and the best strategies for accommodating their special educational needs. It hardly needs to be said that all of the pedagogical innovations listed inside are already in practice in classrooms across the campus. Nor should any of us be surprised that the instructional techniques that have proven effective in accommodating disabled students belong as well to the repertoire of teaching methods that practiced teachers employ to serve the diverse needs of any classroom.

Linfield College Policy Statement and Guidelines Regarding Services for Students with Disabilities

It is the policy of the college not to discriminate on the basis of handicap, race, color, national origin, marital status, gender, sexual orientation, or age in admission, access to, or treatment in employment, educational programs, or activity. The college conforms to Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973; Title VI of the Civil Rights Act of 1964; The Age Discrimination Act, and their implementing regulations. In accordance with Public Law 93-112, the Rehabilitation Act of 1973, section 504, and the College's non-discrimination statement, Linfield College presents its policy and implementation guidelines and charters the Office of Learning Support Services.

Background

A. Legal Foundations For Services To Students With Disabilities

Under Section 504 of the Vocational Rehabilitation Act of 1973, as amended; the Civil Rights Restoration Act of 1988; and the Americans with Disabilities Act of 1990 Linfield College has a responsibility to accommodate and provide access to students with disabilities. The Section 504 reads, in part:

No otherwise qualified handicapped individual in the United States shall, solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

This act guarantees civil rights for Americans with disabilities, which has been extended recently with the passage of the Americans with Disabilities Act. With respect to postsecondary education services, "otherwise qualified" means a person with disabilities who meets the academic and technical standards requisite to admission or participation in the program or activity.

Section 504 is the section of the law that specifically refers to postsecondary and vocational education services. This section requires that colleges and universities make adjustments necessary to eliminate discrimination on the basis of disability. The key is accommodating the disability, not altering course content. With the exception of removing architectural barriers, no set formulas exist for making adjustments which will be helpful in every case. Thus, adaptations will be specific to the needs of individual students. In every case, the intent is to accommodate the disability without altering academic standards or course content.

The law requires that an instructor make reasonable adaptations to meet the unique needs of the student's disabling condition. Adaptations of course procedures are not solely the instructor's responsibility. Students bear responsibility to make their abilities and limitations known and to meet the instructor's expectations concerning attendance, class participation, and performance or work standards.

B. Rights and obligations regarding academic adjustments: a summary

Students' Rights: A college student with a disability has the right to appropriate academic adjustments under Section 504 of the Vocational Rehabilitation Act of 1973. Decisions regarding the nature of the adjustments are made by the Director of Learning Support Services in consultation with the appropriate faculty members. Provisions protecting the student from discrimination on the basis of a disability are guaranteed. The student has the right to file a grievance

concerning any alleged failure to comply with the laws, regulations and procedures set forth for people with disabilities. Grievances shall be processed through Linfield's existing discrimination grievance procedure.

Students' Responsibilities: Students with disabilities must demonstrate that they have acquired the same mastery of course content as the other students enrolled in the class for which they are requesting adjustments. Students with disabilities are obligated to use the adjustment responsibly. Adjustments must be requested in advance, allowing sufficient time for instructors to arrange for the modifications requested.

Faculty Members' Rights and Responsibilities: When a request for an adjustment for a specific course is received, the faculty member may require verification of the disability from the Director of Learning Support Services (defined below). The adjustment requested must not compromise the content of the course, or the requirements for satisfactory course completion.

Admissions

The college places no limitation on the number or proportion of qualified persons with disabilities who can be admitted or enrolled. Students with disabilities will be governed by the same rules for admission/enrollment applied to other students (i.e., application dates, completion of enrollment information, test scores, recommendations, fees, deposits, etc.). When test scores are required for admission, scores may be weighted or tests may taken on an untimed basis to provide reasonable accommodation.

The Linfield College application form provides space for a student to present additional or extenuating factors, including disabilities, to be considered as part of the admissions process. Upon receipt of this information, through the application or through direct contact, the Office of Admissions will provide the applicant with information regarding substitutions for admission requirements, documentation needed, and procedures to be followed. It is the responsibility of the applicant, once notified, to provide all documentation necessary to complete the application before the deadline. A student who claims a disability and who does not provide the requested documentation in time will no longer be considered for admission and will, if sufficient academic information exists, be reviewed on the academic merits of his/her credentials without regard for any alleged disability. The Admission and Financial Aid (AFA) Committee of the Faculty Assembly will decide whether the student has sufficiently demonstrated the claim in question.

Financial Aid Assistance

Linfield shall provide financial assistance to students with disabilities in the same manner such assistance is provided to students without disabilities. Every effort shall be made to assure that financial aid awards recognize the special needs of students with disabilities, including the possible need for additional budget allowances for documented expenses related to his/her disability. These additional expenses would be allowed when not provided by assisting agencies.

Allowance may be made for students with documented disabilities who require a reduced course load of nine (9) hours per semester. Students carrying 9 hours per semester will be considered, based on their eligibility, for the campus-based programs (Perkins NDSL, Supplemental Educational Opportunity Grant, College Work Study), Part B loans (Stafford GSL, PLUS, SLS), and Pell Grants (3/4 time). Recommendations for this form of accommodation shall be coordinated by the Director Of Learning Support Services. The Linfield Financial Aid Office shall be responsible for individual financial assessment through the application of standard criteria, including budget allowance, family contribution, and program eligibility.

Priority Scheduling/Early Registration

Where appropriate based on disability, priority scheduling also allows the student to choose available classes on the basis of those that most suit his/her learning style, course schedule needs, or test preference.

Students with disabilities receiving academic support services from the college are encouraged to participate in priority scheduling and early registration, when to do so would provide an appropriate academic adjustment. Early registration is a service provided by the Registrar at least four weeks prior to the regular registration period. Early registration may be necessary to facilitate special needs such as acquiring taped books, ensuring the availability of close-captioned films, arranging computerized lab simulations, or scheduling tutorials.

Where chronic illness or special health problems exist, an effort shall be made by the Registrar to assist the student in gaining access to preferred classes in a timely fashion. This includes satisfying special needs for neurological problems, such as seizure disorder, that may require time management or regular scheduling.

Degree Requirements

A. Policy

It is the policy of Linfield College that any student who has a disability shall be eligible to make reasonable substitution for any requirement for graduation, admission into a program of study, or entry into upper division courses where documentation can be provided that the person's failure to meet the graduation requirement or program admission requirement is due to a disability and does not constitute a fundamental alteration in the nature of the program.

Students will not be excluded from a course of study (major) solely on the basis of a disabling condition. Every attempt will be made to adjust the academic environment appropriately for students. However, if an assessment of the learning environment shows that, even with appropriate adjustment, there remains a situation dangerous to the student in question or to others in the class, the student may be excluded.

Adaptations in degree or academic course requirements will be considered when such requirements cannot reasonably accommodate qualified students with disabilities. Students with disabilities must request modifications through the Director Of Learning Support Services who, in consultation with the appropriate parties, will determine what adjustments are needed.

Academic requirements shall be modified, as necessary, to ensure that they do not discriminate against qualified applicants and students with disabilities. These adaptations are not required at the expense of either the substance of the educational programs or the compromising of educational standards, nor should they intrude upon legitimate academic freedom.

Academic requirements that are essential to programs of instruction or to any directly related licensing requirement and for which appropriate adaptations cannot be made are not regarded as discriminatory.

B. Procedures

To secure a substitution for an admission or graduation requirement:

The student must first be diagnosed as having a disability as defined by Section 504 of the Vocational Rehabilitation Act of 1973, as amended, and, on the basis of appropriate tests, certified by the appropriate college officers.

While being provided with appropriate accommodations through the Learning Services Office, the enrolled student must demonstrate an inability to complete the tasks encompassed by the requirement.

If inability is demonstrated, the student will be referred to the appropriate committee of the faculty for appropriate action (currently the Academic Support Committee). The Committee shall review the student's case and determine whether substitution for the requirement is warranted. If it is, the committee will notify the student along with the department or the admissions committee, and will provide a list of possible substitutions to satisfy the requirement in question. In the event that the course for which substitution is needed is a college and/or major program requirement, the Academic Support Committee shall determine whether a substitution constitutes "a fundamental alteration in the nature of the program."

Should any student with disabilities have academic difficulty related to her/his disability, the college may authorize "retroactive withdrawal" from a class. Additionally, the college may reinstate or allow a student with a disability to remain on academic probation for longer than the "normal" period or authorize dropping classes beyond the deadline without a failing grade.

Academic Advising and Career Goals

Linfield is committed to helping all students achieve their academic and personal goals. Students with disabilities shall not be counseled or advised toward more restrictive career opportunities solely on the basis of their disabilities. The only notable exception is if the licensing or certification requirements of the profession justify such counseling.

Clubs and Organizations

College honoraries, social organizations, clubs, living groups, and political organizations shall not deny consideration for membership to any qualified student because of disability. The college shall deny or withdraw recognition of or assistance to fraternities, sororities, or other campus organizations that discriminate against individuals based on disabilities.

Charter for the Office of Learning Support Services

In order to facilitate the implementation of Section 504 of the Vocational Rehabilitation Act of 1973, as amended; the Civil Rights Restoration Act of 1988; and the Americans with Disabilities Act (ADA) of 1990, Linfield College hereby establishes the Office of Learning Support Services. The primary goal of Linfield's provision of services to students with disabilities is to provide access to and equalization of educational opportunities on a college-wide basis. All support services are elective, and may be requested by the instructor or by the student.

The Director of Learning Support Services is available to assist in determining what assistance will be of the most benefit to the student. The Director Of Learning Support Services is available to students, faculty, staff, parents, and other community members to offer information, assistance, support, and reassurance as they seek to accommodate students with disabilities. The Director Of Learning Support Services will assume responsibility for establishing and maintaining confidential records regarding the student's disability, developing and monitoring the operating budget of the services offered, and maintaining records of the numbers of persons requiring auxiliary aids, types of disabilities for which such aids were provided, the specific aids actually given, and associated costs.

Grievance Resolution

If a student with disabilities believes he/she has experienced discrimination from a member of the Linfield College faculty, staff, or administration solely on the basis of disabilities, he/she should contact the Dean of Student Services (Ext. 2253), the Vice President for Academic Affairs (Ext. 2270), or the Director of Learning Support Services (Ext. 2444).

Guidelines for Operation of the Office of Learning Support Services

Registering for services

A. Process

By law, students who have disabilities are not required to identify themselves as having disabilities. However, students are encouraged to register with the Office of Learning Support Services immediately upon entrance to Linfield College. In order to register for learning support services for students with disabilities, students must submit appropriate documentation to substantiate their disabilities. At the time of initial registration, students are encouraged to complete a self-identification form and make an appointment to meet with the Director of Learning Support Services to discuss the program and any adjustments that may be necessary. All learning support services are provided at no expense to the student and are based upon the individual student's need. The responsibility for determining a student's eligibility for services rests with the Director Of Learning Support Services.

The Director Of Learning Support Services can determine appropriate academic adjustments and make arrangements to provide appropriate auxiliary learning aid assistance and support services to students with documented needs. Students with sensory, physical, or other health impairments should provide written documentation in the form of medical reports or letters from physicians detailing the disability. Such documentation must be provided even if the condition is temporary (e.g. broken hand, dislocated shoulder). In emergencies (such as missed classes due to emergency surgery) the documentation may be acquired after the service has been rendered. Such instances will be considered and acted on at the discretion of the Director of Learning Support Services.

B. Documentation

The following provides a brief description of disability areas and samples of appropriate academic adjustments that may be required.

Mobility Impairments: There are students with birth anomalies or alterations in gross motor/fine motor functioning due to illness or injury. In addition to physical accommodations (e.g. electric doors, accessible restrooms) for individuals with functional impairments, student may require academic adjustments (e.g. notetakers for their classes, test proctors who transcribe their responses to test questions).

Sensory Impairments: Some students suffer hearing or visual impairments. Most students who are deaf require sign language interpreters, or oral interpreters, and/or notetakers in the classroom. Students who are blind or who have other visual impairments will usually need notetakers and textbook readers and will require adjustments during testing conditions. There may be other services provided in the classroom by the instructor (alternate testing, alternate text formats).

Learning Disabilities: Students with learning disabilities (LD) have specific academic deficiencies that are related to dysfunction of the central nervous system. Learning disabilities may be acquired (e.g., loss of reading or speaking skills resulting from a stroke or head trauma) or developmental (e.g., the failure to acquire reading or mathematics skills resulting from genetic factors or neurological damage at birth). Students with learning disabilities who are in college have a demonstrated ability to utilize their cognitive strengths to compensate for their specific academic weaknesses. Some students with learning disabilities may require extended time for testing because it takes longer for such students to determine what the test questions are asking for and to formulate their responses. Notetakers, readers of textbooks, and assistive technology devices may also be required.

Other Health Impairments: Students may have other health impairments (e.g., epilepsy, lupus) that may require academic adjustments. Such adjustments include extended time (allowing rest periods to combat fatigue), isolated settings (reducing stress or distractions), and so forth.

Services Provided

This section provides information about the services that are offered at Linfield College for students with disabilities.

Readers, Notetakers, Interpreters

Through the Office of Learning Support Services the Director of Learning Support Services makes arrangements to provide readers for those with visual impairments or other print disabilities, sign language or oral interpreters for students with hearing impairments, and notetakers for those unable to take notes because of various disabilities. Provision of these services is made on the basis of individual need. All services are provided to students who make the effort to attend classes regularly; they will not be provided once students fail to meet their obligations as class members by ceasing to attend class. Exceptions may be made at the discretion of the Director Of Learning Support Services in consultation with the faculty member in question.

Strategy Training

Students may receive individualized strategy training from the Director of Learning Support Services if they display a need and ask for such services. Such training involves teaching skills related to time management, test preparation and test taking, and brainstorming for written assignments. Content peer tutoring is available for most courses. These services are provided at no cost to students and are available to all students at the college, whether or not they have disabilities.

Special Testing Settings/Conditions

Some students with disabilities need academic adjustments during testing (e.g., proctors, isolated settings, computer access, extended time). Students who are blind, for example, require test proctors to read the test questions and record student responses. Because this process takes more time to accomplish than is usually given for testing, extended periods must be permitted. Decisions for appropriate academic accommodations of this nature are made on an individual basis by the Director of Learning Support Services.

Registration Assistance

Registration assistance is available to students with disabilities. If possible, students who require extensive course adaptations should notify the Director of Learning Support Services at least one semester in advance to ensure access to the course and to allow plans for appropriate academic adjustments to be arranged.

Meetings among faculty, the student, the Director Of Learning Support Services, and other necessary persons may take place prior to enrollment of students with disabilities to provide information, make plans for alternate presentation of material, and to clarify to all parties the needs of the student. Meetings may be called any time during the semester, or even before the beginning of the academic year.

Appropriate Academic Adjustments

The role of the Director of Learning Support Services is to assist all units of the college in meeting their responsibilities to provide appropriate academic adjustments. In essence, legislation allows for students with disabilities to operate on an equal playing field with their peers. The law has been interpreted by the judicial system to call for equal access, but there should not be any “watering down” of the curriculum. Students with disabilities have an equal right to pursue an education to the best of their abilities; the college does not, however, guarantee them success independent of those abilities. The Director of Learning Support Services serves both the students and faculty members and is constantly evaluating policy to ensure that the integrity of the curriculum is not violated in any way.

Upon a student’s request for services, the Director of Learning Support Services will meet early in the semester with a student with disabilities so that course requirements and appropriate academic adjustments can be discussed. Topics that generally need to be addressed early are special considerations regarding test-taking and note-taking procedures, reproduction of written materials and visual aids, and a description of lecture procedures.

The Director of Learning Support Services may inform faculty members that a student with a disability will be in a class. However, such intervention is conducted only upon the request of a student. The student is encouraged to advise the faculty member early in the semester about the nature and extent of the disability as well as the most suitable adjustments to assist in the mastery of the course material. Confidentiality is maintained within the Learning Support Services Office, so verification of a disability can be made only upon the student’s written release. Without such a release, the Director of Learning Support Services is unable, by law, to discuss the specific nature of the student’s disability.

Faculty are encouraged to inform students about services available through the Learning Support Services Office. One way to inform students with disabilities support services and to encourage them to discuss needed accommodations is to include the following statement on the course syllabus and to repeat it during the first class meeting:

Any student who has a disability and is in need of classroom accommodation, please contact the Director of Learning Support Services in Walker 124.

A. Auxiliary Aids

In order to provide equal access to educational opportunities for students with disabilities, Linfield is responsible for ensuring that no student is denied benefits or excluded from participation in a program because of the absence of auxiliary aids. “Auxiliary aids” include such items as tape-recorded texts, interpreters, or other methods of making orally delivered materials available to students with hearing impairments, readers for students with visual impairments, classroom equipment adapted for use by students with visual impairments, and other services and actions.

Students whose auxiliary aids are not paid for by a state vocational rehabilitation agency shall be provided auxiliary aids as a form of appropriate academic adjustment by the college. The college is not required to provide personally prescribed devices. The appropriate number and type of aid shall be determined on a case-by-case basis. Discretionary auxiliary aids may be provided to the extent that funding allows.

B. Testing Adjustments

Students with disabilities are entitled by law to alternative testing arrangements that offer optimum conditions for success. The college’s responsibility is to respond to a request for test adaptation and to assure the valid measurement of a student’s academic achievement, not the functional limitations caused by the disability. The student has a right to appropriate testing adjustments based upon the type of disability. Testing adjustments may be provided by the faculty member or the Director of Learning Support Services. This determination will be made through consultation between the faculty member and the student.

1. Guidelines for Testing Adjustments Provided By Faculty

Faculty members may wish to handle their own adaptive testing. In such instances, primary consideration should be given to arranging a test so as to measure the student's acquired knowledge of the subject matter. To create a fair testing situation for students with disabilities, the following adjustments should be considered:

- An accessible test site
- Special Equipment
- Alternate Formats

- Large-print copies of test
- Sufficient uninterrupted time

- Readers
- Scribes
- Quiet test environment

The nature of the disability dictates the adjustment needed. Faculty members should consult the Director of Learning Support Services with regard to making academic adjustments.

2. Guidelines for Testing Adjustments Provided by the Director of Learning Support Services:

Testing with adjustments can be conducted under the supervision of the Director of Learning Support Services. The following are guidelines for professors to follow when providing testing adjustments through the Learning Support Services facility:

The office has developed a system for transporting tests to and from the office. Professors receive written notification approximately one week prior to testing (or earlier) regarding requested adjustments. A form detailing requirements (e.g., whether the exam is open book, open note, or whether tables or formula sheets are allowed during testing) for the test (and other tests during the semester) is filled out by the instructor. After the form has been completed, copies are sent to the instructor, the student, and the student's file in the Learning Support Services office. (NOTE: Student books and notes are not allowed in the testing site unless documentation to the contrary is received from the professor).

Questions or concerns should be directed to the Director of Learning Support Services (Ext. 2444).

Extended Testing Time

There are situations in which a reasonable adaptation dictates permitting extended time for test-taking. For many students with disabilities, taking tests within the time allotted class members generally may not result in a fair evaluation. The rule of thumb for adequate extended time is time and a half. At times, however, more or less time may be needed, depending on the type of exam and the extent of the student's disability. The Director of Learning Support Services will work with faculty members and students individually to establish what is a fair amount of time. Faculty members will find that often students will not use all the additional time allotted. Having the extended time will, however, allay the fear of not being able to complete the test and the result will be a more equitable testing environment for the student.

Alternate Testing and Evaluation Methods

Alternative testing and evaluation methods for measuring student achievement may be provided for students with disabilities. The results of any classroom evaluation should represent the student's mastery of knowledge rather than reflecting the disability. Such methods may include, but are not limited to, oral exams, distraction-free testing rooms, test readers, test scribes, lists of words to be used on tests, dictation, demonstration, enlarged materials, preferential seating, alternate format (black/white copy), alternate style (essay instead of multiple choice), computer-assisted, take-home material, and extended time. It is the student's responsibility to request test accommodation at enrollment or at the beginning of the program/course according to institutional procedures.

Proctors, Scribes, Readers

When proctors are used as scribes or readers, they read the test items and/or written responses exactly as given. Proctors are neither allowed to provide additional information, interpret, or give definitions about test items, nor to assist the examinee in answering the test questions. Their purpose is to decode and transcribe only. If faculty members want examinees to be allowed any of the above privileges during a specific testing session, they must inform the Director of Learning Support Services of their allowances.

All students utilizing the testing facilities at the Learning Support Services office are informed, in writing, of the rules, and sign a statement acknowledging that they are aware of the rules. The statement is on file in the Learning Support Services office. If academic irregularities occur, the Director of Learning Support Services will provide written or oral notification to the appropriate faculty member.

General Classroom Suggestions

The following list presents a variety of methods that can be utilized selectively to make appropriate adjustments in the classroom for students with disabilities. Because the list is essentially composed of elements associated with effective teaching, the techniques are appropriate for all students, including those without disabilities.

1. Provide the course syllabus early to assist students in planning modifications and completion of assignments.
2. Begin lectures/discussions with a review and overview of the topics to be covered. Use a chalkboard or overhead projector to outline lecture material, reading aloud what is written.
3. Use the chalkboard or overhead projector to highlight key concepts, unusual terminology or foreign words.
4. Emphasize important points, main ideas, and key concepts orally in lecture.
5. Provide assignments in writing as well as orally, and be available to clarify individual questions.
6. Provide an opportunity for participation and questions during class; encourage students to organize review sessions to aid in mastering material and preparing for exams.
7. Encourage students to come by during office hours for individual discussion of assignments, questions about lectures and readings.
8. Provide test study guides and study questions, as well as encourage review sessions to aid in mastering material and preparing for exams.
9. Allow oral presentations or audio tapes as submissions for assignments instead of written papers. Modify evaluation instruments and procedures required.

Use of devices or aids which ensure the full participation of students with disabilities in the classroom is encouraged and will be recommended where appropriate. Such devices may include, but are not limited to tape recorders, hearing aids, sound systems, wheel chairs, texts on tape, notetakers, and assistants.

The Learning Support Services office keeps a file of suggestions for working with students with specific disabilities. Information in the form of articles, books, lists, and flyers is available upon request.

References:

Association on Higher Education and Disability
Chemeketa Community College
Ohio State University
Florida Atlantic University
Oregon State University
Pennsylvania State University
Portland Community College

LINFIELD COLLEGE COMPLAINT PROCEDURE

An individual desiring to file a complaint alleging that an institution is not complying with these regulations should contact the Director of the Regional Office that serves the State in which the institution is location. For Oregon the office is:

Susan Bowder, Area CASE Director
U.S. Department of Education
Student Financial Assistance Program
Case Management Division NW
701 Fifth Ave., Suite 1600
Seattle, WA 98104-7046
(206) 615-2594
FAX (206) 615-2508

POLICY HANDBOOK DISTRIBUTION

College Employees

McMinnville Campus:	Campus-wide e-mail and website: www.linfield.edu/policy/linpolicy.pdf
Portland Campus	Campus-wide e-mail and website: www.linfield.edu/policy/linpolicy_pdx.pdf

Students

McMinnville Campus	Campus-wide e-mail and website: www.linfield.edu/policy/linpolicy.pdf
Portland Campus	Campus-wide e-mail and website: www.linfield.edu/policy/linpolicy_pdx.pdf
Adult Degree Program	Campus-wide e-mail and website: www.linfield.edu/policy/linpolicy.pdf 50 copies to those without e-mail or web access