

# Student Policy Guide



Linfield College

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# Student Policy Guide

## Getting in the Flow

### UNDERSTANDING ACADEMIC ISSUES

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#### Academic Advising

All new students are assigned an academic advisor who advises them in matters related to academic goals, academic planning, and career preparation. First-year students have both a FACULTY advisor and a PEER advisor with whom they meet regularly in Colloquium, a one-credit course for new students, taken in the fall semester. Students must consult their advisors at registration, and advisor approval is also required for a variety of other academic program options. Any time after the conclusion of Colloquium, students may change advisors by completing the Change of Advisor form (see below). Once a student decides upon a major, the advisor must be in the student's major department. Information about advising may be obtained for the McMinnville Campus in the Academic Advising office, Melrose Hall – Student Central and online at [www.linfield.edu/advising](http://www.linfield.edu/advising), or for the Portland Campus in Enrollment Services, Loveridge Hall – 1<sup>st</sup> Floor and online at [www.linfield.edu/portland/registration-and-records/advisor-resources](http://www.linfield.edu/portland/registration-and-records/advisor-resources).

#### Academic Integrity

Linfield College operates under the assumption that all students are honest and ethical in the way they conduct their personal and scholastic lives. Academic work is evaluated on the assumption that the work presented is the student's own, unless designated otherwise. Anything less is unacceptable and is considered a violation of academic integrity. Furthermore, a breach of academic integrity will have concrete consequences that may include failing a particular course or even dismissal from the college.

Violations of academic integrity include but are not limited to the following:

**Cheating:** Using or attempting to use unauthorized sources, materials, information, or study aids in any submitted academic work.

**Plagiarism:** Submission of academic work that includes material copied or paraphrased from published or unpublished sources without proper documentation. This includes self-plagiarism, the submission of work created by the student for another class unless he or she receives consent from both instructors.

**Fabrication:** Deliberate falsification or invention of any information, data, or citation in academic work.

**Facilitating Academic Dishonesty:** Knowingly helping or attempting to help another to violate the college's policy on academic integrity.

Faculty recognize their responsibility to help students understand academic integrity and how to conduct themselves with integrity in the classroom. To this end, faculty shall include a clear academic integrity policy within their syllabus.

In dealing with breaches of academic integrity, the instructor shall have discretion as to what penalty to impose regarding the course grade. Within ten days of the discovery of an offense, the instructor must submit in writing a description of the

offense to both the student and the dean of students or designee. This description should include the course consequences for violations of academic integrity and the penalty given in the specific case. If the student disagrees with the accusation of breach of academic integrity, the student will use the Academic Grievance process as outlined in the section entitled Academic Grievances. In addition, it is recommended that faculty issue an academic alert for any violation of the academic integrity policy.

The dean of students, or designee, will maintain a confidential list of students who are reported for violations of academic integrity in order to track repeat offenses. The dean will have discretion to refer a first-time offender to the College Conduct Board; however, any subsequent violations by the same student will automatically be referred to the Conduct Board. This decision on referral will be communicated in writing to the student and to the instructor(s), who has (have) a legitimate educational interest.

The Conduct Board may impose college-level penalties upon the offending student. Fundamental fairness shall be in force for all academic integrity proceedings, as outlined in the Policies and Procedures of the College Conduct Board (see the current Student Policy Guide).

## Academic Grades

A student's academic achievement is recorded on the permanent academic record in terms of the following grades:

A, A-	Excellent comprehension of the material and exceptional performance.
B+,B,B-	Above average capability and better than normal performance.
C+,C,C-	Adequate understanding of the material and acceptable performance.
D+,D	Marginal comprehension of the material and below average performance.
F	Inability to deal successfully with the material and inadequate performance.

## Academic Grievances

Academic grievances concerning teaching and learning should be settled as close to the level of student-faculty contact as possible. If students believe they have been treated arbitrarily or capriciously by an instructor in a grade assigned or other ways, they should first talk to the instructor. If the matter remains unresolved, they should speak with the chair of the instructor's department or, in the case of a nursing course, the appropriate semester coordinator. After this, if the matter is still unresolved, nursing students should speak with the Dean of Nursing; OCE students should speak with the Director of OCE. Finally, if the matter has not been resolved by the above means, students may bring the matter to the Vice President for Academic Affairs or designee. All grievances concerning grades must be filed by the end of the next semester after the grade is posted. In the case that a student is studying abroad the next semester, the grievance must be filed by the end of the next semester after the student returns. All academic grievances may only be filed by the student enrolled in the course in which the academic grievance occurred.

## Academic Standing

Academic standing is monitored at the end of each semester/term\* by the Registrar, who notifies the student and academic advisor when the student's performance is found to be unsatisfactory. Students who are not on probation or suspension are considered to be in Good Academic Standing and on track to meet the minimum graduation requirement of a 2.000 cumulative Grade Point Average (GPA)\*\*

Academic Warning: An Academic Warning is used to express concern to students that a possible problem is developing:

- a) Students are placed on Academic Warning if cumulative GPA is at least 2.000 and their semester GPA falls below a 2.000 (but above a 1.000).
- b) Students on Academic Warning will be placed on probation if they are not removed from academic warning at the end of their next semester.
- c) Students will be removed from Academic Warning if their semester and cumulative GPA are at least 2.000.

Academic Probation: Academic Probation is used to indicate to students that a problem exists. Students are placed on probation if their:

- a) cumulative GPA is below 2.000 at the end of any term or semester

- b) semester GPA is below 1.000 at the end of any semester, and/or
- c) semester GPA is below 2.000 for last two consecutive semesters.

Students on academic probation are ineligible to participate in Varsity Athletics (including practices and competition), Student Government, Greek Life, and other curricular and co-curricular activities with a minimum 2.000 GPA requirement. Students on probation will be suspended if they have not been removed from probation at the end of their next semester or within their next 12 credits, if they are part-time.

Removal from Probation: A student will be removed from probation if and when they remedy the unsatisfactory academic performance that led to the probation:

- a) Cumulative GPA fell below 2.000: A student whose cumulative GPA is at least 2.000 at the end of the next term or semester (or within their next 12 credits if they are part-time students) will be removed from probation. Students who are removed from probation after January or summer term will be placed on Academic Warning if their most recent semester was below 2.000.
- b) Semester GPA is below 1.000: A student whose semester GPA is above 1.000 the semester after which they have been placed on probation will be removed from probation, unless they violate one of the other two conditions for probation articulated in the section above.
- c) Semester GPA below 2.000 for their previous two consecutive semesters: A student whose semester GPA was below 2.000 for their previous two consecutive semesters\* will be removed from probation if both the semester and cumulative GPA are at least 2.000.

Academic Suspension: Suspended students are ineligible to enroll at Linfield College for at a minimum one semester\* for all Linfield Students. Students are academically suspended if:

- a) Their semester GPA falls below 0.500 in their first semester at Linfield, or
- b) They remain on Academic Probation after one semester.

Returning after Academic Suspension: A student on Academic Suspension must meet the following conditions to be considered for reinstatement:

- Demonstrate academic success by earning at least a 2.500 GPA with full-time enrollment at another regionally accredited college, or within their next 12 transferable credits (as verified by the Registrar) if the student is part-time.
- An official transcript of all coursework completed elsewhere during the time of absence from Linfield College.

Students who have been approved for reinstatement will be reinstated on Probation.

Academic Suspension Appeals: If there are extenuating circumstances surrounding the student's poor academic performance, the student may appeal to the Student Policies Committee for a review of Academic Suspension. Appeals should be submitted in writing to the Registrar. The appeal should include: Academic Warning is used to express concern to students that a possible problem is developing:

- Personal assessment of the underlying reasons for poor academic performance.
- An explanation of how the student intends to overcome the difficulty, along with a proposed academic plan.
- Any relevant documentation (note: health care related documentation should be sent to the Director of Health, Wellness, and Counseling).
- In addition to the appeal letter, students may ask that any Linfield College faculty member or administrator submit a letter of support on their behalf. Letters will not be accepted from family members or friends.

Appeals for students who have been suspended at the end of Fall semester will not be able to appeal in time to enroll the subsequent January Term.

\*January term is not considered a semester and therefore does not qualify in the calculation of semester GPA. Summer terms are treated as semesters and therefore qualify in the calculation of semester GPA for: a) all Online and Continuing Education (OCE) students, b) Portland Campus students with full-time summer enrollment as a required part of their

program, c) Portland Campus and McMinnville Campus students for whom summer is not part of their program only when enrolled in a full-time load of 12 credits.

\*\*For all Linfield students, only grades earned at Linfield College affect GPA calculations used for academic standing. Grades for all semesters/terms are calculated in cumulative GPA.

## Class Standing

A student's class standing is determined as below:

First year: Successful completion of 0 - 29.99 credit hours

Sophomore: Successful completion of 30 - 61.99 credit hours

Junior: Successful completion of 62 - 93.99 credit hours

Senior: Successful completion of 94 or more credit hours.

For questions regarding academic standing, please contact the Registrar.

## Classroom Recording

The electronic recording of classroom lectures, discussions, simulations, and other course-related activity is governed by this Classroom Recording Policy. This Linfield College policy on classroom electronic recording balances the needs of students with disabilities, the intellectual property concerns of its instructors, and the privacy rights of its students.

For purposes of this Classroom Recording Policy, electronic recording means a video or audio replication or photographic image recorded on devices including, but not limited to, audio recorders, video recorders, cellular phones, digital cameras, MP3 players, computers and other handheld devices that record images and/or sound.

### Classroom Electronic Recording by Students

Students with Documented Disabilities.

Federal law, including the 1973 Rehabilitation Act and the Americans with Disabilities Act, requires institutions of higher education to provide reasonable accommodations for students with disabilities. Learning Support Services (LSS), in consultation with the instructor, will determine if classroom electronic recording is an appropriate academic adjustment, auxiliary aid, and/or service with respect to each individual student's documentation. Prior to the student electronic recording of any classroom activity, a student electronic recording agreement must be signed by the student and the instructor, and filed with LSS. The student electronic recordings must either be destroyed or stored with LSS at the end of the term or semester. The student may not publish or share the electronic recordings without the instructor's written permission.

Students without Documented Disabilities.

Students without documented disabilities may also request to electronically record classroom activity for purposes of private academic study and review. Students are required to ask permission from faculty before recording class lectures and discussions. The instructor will have the sole discretion to determine if electronic recording will be allowed. Unless otherwise expressly agreed to by the instructor, the student electronic recordings will be destroyed or stored by the instructor at the end of the term or semester.

Common Provisions.

As to both students with documented disabilities and those without documented disabilities, students making classroom electronic recordings are responsible for keeping sensitive and personal materials private. Instructors have the authority to spontaneously, or in advance, prohibit student electronic recording of personal student information. Recordings of class lectures or class presentations are authorized solely for the purpose of individual or group study with other students enrolled in the same class. Students may not publish, quote, or share classroom electronic recordings in publicly accessible locations, and in real or digital (e.g. networked or online) environments, without the expressed consent of the individuals being recorded or affected by the electronic recordings. Electronic recordings may not be exchanged or distributed for commercial purposes, for compensation, or for any purpose other than study by students enrolled in the class. Student violations of

any part of this Classroom Recording Policy may result in disciplinary action, up to and including dismissal from the college, as prescribed by Linfield College policies and procedures.

Students enrolled in a class where classroom activities are being recorded shall be informed by the instructor prior to the first recorded class session.

### Classroom Electronic Recording by Instructors

Instructors shall have the authority to record their own class lectures and discussions to serve various purposes at the discretion of the faculty member. If it is the instructor's policy to record classroom activities, the intent to record should be indicated on the course syllabus or course site. In the event an instructor has not indicated on the course syllabus or course site a policy of recording, the instructor may record classroom activities but must provide express notice to students in advance that they are to be recorded. Instructors may record their own class lecture and may distribute or post in a private classroom environment (e.g. Blackboard Learn) those recordings. Instructors may not otherwise publish, quote, or share classroom electronic recordings in publicly accessible locations, and in real or digital (e.g. networked or online) environments, without the expressed consent of the individuals being recorded or affected by the electronic recordings.

If an instructor records classes to support research activities the instructor must obtain informed consent from students before collecting any classroom--based data. Instructors and others wishing to conduct classroom-based research are required to adhere to protocols, set by the Linfield College Institutional Review Board, that govern such research.

### Credit for Academic Work

The College awards credit for academic work in terms of "semester hours." Normally, one semester hour of credit is granted for fifteen 50-minute periods of instruction (including discussion, testing, etc.) or the equivalent. Laboratories of two or three hours are considered the equivalent of one period of instruction.

The normal student load in any semester is 12-16 credits; 3-5 credits is normal in January Term. New students often take 12-13 credits in their first semester. Regular full-time tuition is the same for students taking from 10 to 18 credits in a semester. Full-time status for financial aid and/or athletic eligibility requires a minimum of 12 credit hours in a semester. An additional tuition charge is made for course loads exceeding 18 semester hours. Students must have a cumulative GPA of 3.5 or better, or the permission of their academic advisor, to enroll in more than 16 semester hours in fall or spring semester. The petition form is available on the Registrar's website. Students are allowed to take 1 academic course and 1 para-curricular course during January term. Any exception to this limit is by form, which may be obtained on the Registrar's website.

### Declaration or Change of Major/Minor and Change of Advisor

Declaring a Major/Minor: Determining a major field of study is an important choice in a student's academic career. Some students need time to explore while others come with a strong inclination toward a particular field. In either case, a major must be declared by spring semester of the sophomore year (or when a student has completed 45 semester hours). To declare a major, students should obtain the appropriate signatures on a Declaration or Change of Academic Program Form, available in the box outside Academic Advising, Melrose Hall – Student Central. A student's faculty advisor must be in the department where the student wishes to major.

Changing Advisors: Students are welcome to change advisors at any time on the Portland Campus, or after their first semester on the McMinnville Campus as long as the new advisor is in agreement. The change may be made by obtaining signatures from both the old and new advisors. The Change of Advisor form, with these signatures, must be turned in to the Office of Academic Advising in McMinnville or in Enrollment Services in Portland. By means of processing this change, the student's file will be updated and forwarded to the new advisor. The new advisor will also have access to the student's record on WebAdvisor.

### Degree Requirements

See the College Catalog. A candidate for the bachelor's degree must earn a minimum of 125 semester credits and earn a cumulative grade point average (GPA) of 2.00 or better.

## Exceptions to Academic Policies

Petitions for exceptions to academic policies of the College may be submitted to the Curriculum Committee through the Registrar. By definition, a petition for an exception must explain why a rule which otherwise applies to everyone else, should be set aside in the case at hand.

## Final Exams

The schedule for final examinations is established and published by the Registrar.

It is generally available when you register for classes. Make your travel arrangements accordingly. Students who encounter a schedule hardship (such as several exams on the same day) may file a Petition to Change the Final Examination Schedule which is available in the Registrar's Office, Melrose Hall – Student Central in McMinnville, or in Enrollment Services, Loveridge Hall – 1<sup>st</sup> Floor in Portland.

## Grade Point Average (GPA)

A student's grade point average is calculated by using the grade earned and the number of credit hours the class was worth. The following is a break-down of points per grade received:

A	4.00	B+	3.30	C+	2.30	D+	1.30	F	0.00
A-	3.70	B	3.00	C	2.00	D	1.00		
B-	2.70	C-	1.70						

When a student receives an A in a 5-credit class, it is like getting 5 A's. The same is true for all other grades. To average an A in a 3-credit class and a C in a 5-credit class, multiply 4("A" equivalent) and 3 (number of credits) to get 12. Multiply 2("C" equivalent) and 5(number of credits) to get 10. Add 12 and 10 to get 22. Divide by 8(number of total credits) and the grade point average (GPA) is 2.75. Only Linfield courses are used in computing a GPA.

## Other Grades

- S "Satisfactory." Acceptable understanding of the material and adequate performance. Equivalent to a C or better. There is no GPA calculation for this grade.
- U "Unsatisfactory." Marginal comprehension of material and inadequate performance. Equivalent to a C- or poorer. Counts as zero quality points in GPA calculation.
- M Student has mastered the goals set forth in a course in which the instructor has opted to use mastery grading procedures.
- I Work incomplete. An Incomplete is given at the discretion of the instructor when the quality of work is satisfactory but the course requirements have not been completed for reasons of health or other circumstances beyond the student's control as determined by the instructor. Each incomplete requires a contract to be filed in the Registrar's Office. See the Linfield College Catalog for details.
- IP Work In Progress. An IP designation is used for thesis, research, independent study, and internship courses when a continuing project must be extended for legitimate reasons beyond the semester or term. The extension may not exceed an additional semester without approval of the Academic Procedures Committee. See the Linfield College Catalog for other details.
- AUD Audit implies regular attendance/participation in the course.
- CE Credit earned by examination.
- W Withdrawal. Given, when prior to a published deadline, the student so requests.
- AW Administrative withdrawal. Entered on the record by the Registrar in the case of a student who is officially registered in a course but who has not attended the class and not requested a withdrawal.

These latter grades (S, M, I, IP, AUD, CE, W, and AW) do not influence the GPA.



## Last Date to Enroll in a Course

A student may add a class during the first two weeks of a semester only with the instructor's signature. A student may not enroll in a course after the second full week of classes during a semester nor after the third day of a January or Summer Term under any circumstances. Add/Drop slips are available in the Registrar's Office, Melrose Hall – Student Central in McMinnville, or in Enrollment Services, Loveridge Hall – 1<sup>st</sup> Floor in Portland. Refer to the academic calendar for all enrollment dates and processes.

## Student Records

Information about students fall into two general categories: that which is "public" and that which, by law, needs to remain private.

Public information is often called "Directory Information" and includes name, addresses, e-mail address, telephone numbers, dates of attendance, class, previously attended institutions, major, awards, honors, degrees conferred, past and present participation in officially recognized sports and activities, physical factors (height, weight of athletes), date and place of birth. Upon careful consideration, a student may ask the institution not to release such information, but then will not be listed in campus directories, on the Dean's List, or other public pronouncements.

On the other hand, information contained in student files and student transcripts is private and, in general, is released only with written permission of the student. The primary exception to this is that faculty and other campus personnel connected with a student's educational program, curricular and co-curricular, may review information about the student, including the student's transcript. In accordance with federal law, students over the age of eighteen may review the contents of their college files.

Information gathered about students during counseling is confidential, subject to state and federal privacy laws. For a detailed understanding of confidentiality and exceptions please consult with your counselor. One exception arises when, in the judgment of the counselor, a student poses an immediate threat to themselves or to another individual.

The college conduct process is confidential and will only be released to those at the institution on a need to know basis.

## Withdrawal from Courses

Students may drop a course before the end of the third week of a semester or at the end of the first week of a January or Summer Term without any record appearing on the transcript. Students withdrawing after the end of the third week and before the end of the tenth will receive the mark of a "W". This mark does not alter the GPA. After the tenth week, withdrawals are not possible. Add/Drop slips are available in the Registrar's Office, Melrose Hall – Student Central in McMinnville, or in Enrollment Services, Loveridge Hall – 1<sup>st</sup> Floor in Portland.

## Withdrawing From School

Students leaving school should fill out a "Withdrawal from Linfield College" form available in the Registrar's Office in McMinnville or Enrollment Services in Portland. Students will need to obtain the appropriate signatures from college officials and return the completed form to the appropriate office. Room and Board costs are pro-rated by the week. Tuition charges are billed as noted in the Linfield College Catalog. See the current catalog under "Withdrawal from Linfield" for transcript posting of withdrawn courses.

# LINFIELD COMMUNITY STANDARDS

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Linfield College has established standards of behavior that are expected of all members of the community. Further information about these standards, rules, and regulations can be found in the catalog or from appropriate college offices. The following regulations are in effect.

## Absences From Class

When situations beyond a student's control, such as illness, result in a student missing a portion of a course's grade base, the student is responsible for contacting each professor in person or via email, if necessary. It is the prerogative of individual instructors to determine if a student should be allowed to make up tests or other assignments. Therefore, a student who misses class due to such circumstances should make arrangements, as soon as possible, with each instructor to determine potential make up procedure.

## Alcohol and Other Drugs

In keeping with the mission of the college, Linfield is committed to providing an environment that 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 or be under the influence of 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 and is a violation of the alcohol policy.
- Those 21 and over may consume alcohol on campus only in the private rooms or apartments of those 21 and over with the door closed. All other areas of the college, indoor and out are considered public areas.
- Alcohol is not permitted in public unless such use is specifically authorized in writing by the President or the President's designee.
- Public consumption of alcohol or public possession of an open container of alcohol anywhere on campus is a violation of Linfield policy and City Ordinances of McMinnville and Portland regardless of a student's age. College apartment balconies are considered public areas.
- Kegs, beer bongs and other large containers of alcohol are not permitted in college owned or affiliated properties and will be confiscated and will not be returned.

If minors are present where alcohol is being consumed, all persons there may be held in violation of the college alcohol policy unless the minors can demonstrate that they consumed no alcohol. This can only be done on the McMinnville Campus by volunteering for a breathalyzer, administered by College Public Safety. It is each student's right and responsibility to request a breathalyzer by contacting CPS.

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

For students, minimum responses to alcohol 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 education program, which may be at the student's expense.
- **Second violations** result in a meeting with a representative from the Dean of Students Office 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** may result in a recommendation for suspension from the College.

If alcohol consumption results in a health risk or hospitalization, the college may notify parents/guardians.

Additional sanctions may be imposed for situations including among others:

- 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 respect for or cooperation with responding authorities
- Providing false ID or misrepresentation of age or name
- Physical or verbal abuse of staff or police
- Leaving without first providing identification

Additional sanctions may include, but are not limited to:

- Community restitution hours
- Educational programs
- Fines and/or
- Exclusion from College residence halls or apartments.

Students who have issues with alcohol consumption, or who develop a potential for such problems are encouraged to seek assistance in the Counseling Center in Walker Hall 105 or the Wellness Coordinator in Walker Hall 102 in McMinnville, or Peterson Hall 319 in Portland. Employees should seek assistance through the EAP via the Human Resources Office.

All Residence Life and/or College Public Safety staff members shall investigate any situation in which they have reason to believe there may be a policy violation. Neither Residence Life nor CPS need a student complaint to investigate a possible violation of policy. However, physical evidence, observed actions, comments, loud noise, large gatherings of students, etc., may give sufficient cause to investigate further.

## Drugs

Linfield College is a drug-free workplace. These regulations are part of the Federal Drug-Free Schools and Communities Act. The regulations require that, as a condition for receiving federal financial assistance, an institution of higher education must certify that it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by its students and employees on school premises or as part of any of its activities.

Any member of the College community who uses, is under the influence of, manufactures, possesses, has under their control, sells, furnishes, or facilitates the use of a narcotic or dangerous drug or misuses prescription medication, is subject to disciplinary action up to and possibly including separation from the College. This includes the possession or use of marijuana, marijuana oil, food products, etc.

Because drug use is a hindrance to success in college, the college will treat any violation of any college policy, state or local drug laws on or off campus by students as a violation of the college drug policy. Law Enforcement may be contacted at the College's discretion.

For students, minimum responses to 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 education program, which may be at the student's expense.
- **Second violations** result in a meeting with a representative from the Dean of Students Office 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** may result in recommendation for suspension from the College.

If drug use results in a health risk or hospitalization, the college may notify parents/guardians.

Additional sanctions may be imposed for situations such as:

- Violations of local, state, or federal drug laws
- Hosting a function which involves any drug violation
- Furnishing drugs
- Tampering with smoke detectors
- Disruption of community
- Unreasonable or excessive noise
- Lack of respect for or cooperation with responding authorities
- Providing false ID or misrepresentation of age or name
- Physical or verbal abuse of staff or police
- Leaving without first providing identification

Sanctions may include, but are not limited to:

- Community restitution hours
- Educational programs
- Fines and/or
- Exclusion from College residence halls or apartments.

Students who have a drug problem, or who develop a potential for such a problem are encouraged to seek assistance in the Counseling Center in Walker Hall 105 or the Wellness Coordinator in Walker Hall 102 in McMinnville, or Peterson Hall 319 in Portland. Employees should seek assistance through the EAP via the Human Resources Office.

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 subject to severe penalty by a criminal court.

### **Drug Paraphernalia**

Drug paraphernalia found in possession of persons under the age of 21 will be confiscated and destroyed by College Public Safety, regardless of the value or suspected ownership. This includes, but is not limited to: bongs, grinders, pipes, vapes, bottles, or any other equipment, product, or accessory that is intended or modified for the use, consumption, or storage of federally illegal drugs.

Drug paraphernalia found in possession of persons over 21 will be confiscated and held by College Public Safety. At the discretion of the Director of Public Safety, confiscated items may be returned to the person as long as they are removed from Linfield property. A receipt for the returned item(s) will be issued to the student by College Public Safety. This includes, but is not limited to: bongs, grinders, pipes, vapes, bottles, or any other equipment, product, or accessory that is intended or modified for the use, consumption, or storage of federally illegal drugs

### **McMinnville Campus Residence Life and CPS Response**

Steps used by staff when responding to possible policy violations may include (Depending on the specific circumstances, the order of these steps or the entire process may change as the situation warrants):

- Staff will knock on the door and announce who they are. Those residents present need to respond and answer the door. Failure to respond in a timely manner will result in an additional knock and an announcement that ResLife will be entering the room or apartment.
- Students that live in the room or apartment will be asked to turn down the music and to speak with a Residence Life or CPS staff member. It will be explained to them that there is a concern that there may be a possible violation of policy.
- Students will be informed that they are responsible for all individuals in their room or apartment (including the balcony) and that ALL college policies (including alcohol) must be followed.

If alcohol and/or drugs are present or staff believe that other policies may be in violation the room or apartment may be searched at this time. In drug cases students can work with the College or the police. The police will be called in to help search a room if students are not cooperative or if the College believes additional assistance is needed.

- Student IDs and driver's license (if alcohol is present) will be checked in an orderly fashion. If no ID is available students will be asked to wait until the staff finishes with everyone else, the student will then be accompanied to their room/apartment to see proper ID.
- A student's entire room or apartment (all rooms) will be searched during the ID check process to make sure that all students are properly checked for ID.
- If all present are of legal drinking age, students will be informed that the staff will be returning to check on the apartment/room and if at that time noise is still a problem the staff will ask that all non-residents leave the room or apartment.
- If any illegal substances are present, staff will collect all names of people present and the illegal substances will be confiscated and turned over to the police.
- IF MINORS ARE PRESENT...Staff will collect all names of people present. If minors wish to volunteer for a breathalyzer CPS will be called and the students will be asked to wait to submit to the test. **IF YOU ARE A MINOR: YOU MUST REQUEST A BREATHALYZER OR YOU WILL BE ASSUMED IN VIOLATION.**
- If all minors present can demonstrate that they have not consumed alcohol, students will be informed that the staff will be returning to check on the apartment/room and if at that time noise is still a problem the staff will ask that all non-residents leave the room or apartment
- If any minor does not take the breathalyzer or if any minor does not pass the breathalyzer then all non-residents of the room or apartment will be asked to leave and one of the two following actions will occur:
  - If all residents of the room or apartment are of legal drinking age (21) then all open containers will be dumped and any unopened containers of alcohol will be allowed to remain in the apartment or room.
  - If any resident of the room or apartment is under the legal drinking age (under 21) then all containers of alcohol will be confiscated and dumped down the most convenient drain. All alcohol bottles will be recycled when possible.
- If an alleged policy violation has occurred all students' names will be sent to the Associate Dean of Students for determination of the appropriate conduct review process. Students can find a copy of the Conduct Review Process in the Student Policy Guide.

#### Drug-Free School and Community Act

Linfield College is required by federal law (the Drug-Free School and Community Act) to publish the following:

#### Driving Under the Influence of Intoxicants (DUII)

It is illegal to drive in Oregon with a Blood Alcohol Count (BAC) of .08% or more, or under the influence of intoxicants (alcohol and other drugs). DUII is a Class A misdemeanor that can carry a maximum fine of up to \$5,000. You may be found guilty at a lower BAC reading - or even without a breath test if you show visible signs of physical or mental impairment.

#### Other Drugs and Driving

Oregon's DUII law states that it is illegal to drive under the influence of either intoxicating liquor or a controlled substance (over-the-counter, prescription or illicit drugs), or a combination of both.

#### Open Container Law

In Oregon, it's against the law to drink any alcoholic beverage in a car on a public highway, and it's illegal for the driver or passenger to have an open container in the car on a highway, moving or not.

### Implied Consent Law

This law provides that anyone (whether licensed in this state, some other state or unlicensed) is deemed to have given consent to a blood alcohol count (BAC) test when arrested for driving under the influence (DUID) on a public highway or premises open to the public

### Host/Server Liquor Liability ORS 471.410

In Oregon, it's against the law to serve or to make available an alcoholic beverage to a visibly intoxicated individual. Whether you are a host in your home or a server in a licensed establishment, you could be held liable for damages. Penalty: Maximum \$2,500 fine plus one year in jail.

### Minor in Possession (MIP) ORS 471.430

If you are under 21 years of age, it is against the law for you to:

- Purchase, attempt to purchase, or acquire alcoholic beverages.
- Have personal possession of alcoholic beverages.
- Enter or attempt to enter any portion of licensed premises posted or otherwise prohibiting use of minors.

Penalty: you could be fined up to \$250 for any of the above offenses.

If you are under 18 and violate the MIP laws pertaining to alcohol or controlled substances, you may lose your driver's license for at least one year. If you are not yet licensed to drive, your right to apply for a driver's license may be suspended for one year or until you are 17, whichever is longer.

### Furnishing Alcohol to a Minor

Making alcohol available to a minor is a crime. This would include presenting a gift of alcohol, sharing a drink, collecting party donations, or purchasing alcohol for the minor. Selling (collecting party donations) alcohol to a minor is also illegal.

Penalty: The mandatory minimum fine for a first offense is \$350. The maximum which could be imposed is a fine up to \$2,500, one year in jail, or both.

### Identification

If you are 21 or older and attempt to purchase alcoholic beverages or enter an establishment where liquor is served, you must be able to produce a driver's license, or, if the license doesn't have your photograph, an identification card issued the Motor Vehicles Division.

It is against the law for you to:

- Loan your license or ID card to someone else.
- Attempt to use a card belonging to someone else or attempt to use a falsified ID card.
- Make a written statement of age that is false in whole or in part, or produce any evidence that would falsely indicate your age, either in trying to enter a bar or when applying for an ID card from the Motor Vehicles Division.

Penalty: Violations involving ID cards are considered criminal offenses (class A misdemeanors) and carry a fine of not more than \$2,500 or one year in jail or both.

Under Oregon law, the charge and penalty you face for possession of drugs depends on the drug you were caught with. The chart below represents some of the more common possession charges and their maximum sentences:

<b>Drug</b>	<b>Charge</b>	<b>Potential Sentence</b>
Heroin, LSD	Class B felony	Up to 10 years in prison and \$100,000 in fines
cocaine, methadone, methamphetamines	Class C felony	Up to 5 years in prison and \$100,000 in fines
Steroids, some prescription drugs	Class A misdemeanor	Up to 1 year in jail and \$2,500 in fines

Ref: OR.Rev Stat. §475

### **Medical Clemency Policy**

STUDENT SAFETY COMES FIRST!

IN ANY EMERGENCY INVOLVING ALCOHOL OR OTHER DRUGS, CALL 911 IMMEDIATELY FOR EMERGENCY MEDICAL ASSISTANCE.

Linfield College is strongly committed to the health, safety, and wellbeing of all its students. Students are encouraged to look out not only for their own health and wellbeing, but also for that of their peers. When someone's health or safety is threatened or appears to be at risk, students should take immediate action to prevent injury, illness, or danger. Medical Clemency is a policy that allows students to seek help for themselves or others, involved in a drug or alcohol-related emergency, without being referred to the formal conduct process.

Linfield College is deeply concerned that, in a medical emergency involving alcohol or other drugs, some students may consider refraining from calling for help because of fear that doing so might subject them to disciplinary action. To address this concern, the following protocol will be used for addressing possible disciplinary consequences when medical emergencies result from the use of alcohol or other drugs. A student may only claim Medical Clemency prior to any report or discovery of an alcohol or drug violation by Residence Life or CPS staff.

- a. Any individual who seeks campus or medical assistance on behalf of another student during an alcohol or other drug-related emergency will meet with the appropriate college official(s) to discuss the incident, but will not be subjected to disciplinary proceedings through Linfield College's conduct review process for possession or consumption of alcohol or other drugs.
- b. The recipient of medical clemency will not be required to resolve the matter through Linfield College's conduct review process if the student agrees (1) to participate in a referral to an appropriate campus or community resource, and (2) to comply with any possible recommendations set forth by that resource. If the recipient of medical attention does not comply with provisions one and two then the student will be sent through the normal conduct review process. (3) Because the safety and wellbeing of our students is such a concern, students with multiple Medical Clemencies may be asked to seek a professional evaluation regarding their alcohol and/or drug use. Should illegal drugs be discovered as a result of medical clemency, the College is obligated to contact local law enforcement.
- c. If an individual or representative of an organization hosting an event calls for medical assistance, this act of responsibility will alleviate any conduct review sanctions against the individual or organization that might arise from the possession or consumption of alcohol or other drugs. This condition will apply in isolated incidents only and will not excuse or protect those individuals or organizations that flagrantly or repeatedly violate the Linfield College Alcohol and Drug Policies. Similarly, failure to call for campus or medical assistance in an alcohol or drug related emergency will be considered an "aggravating circumstance" and may affect the conduct review resolution against the individual or organization, if violations of the Linfield's Student Code of Conduct have occurred. This protocol refers only to incidents occurring at college and fraternity housing.

The responsibility for determining applicability of this protocol rests solely with the Office of Student Conduct and Community Standards. This protocol is not intended to address possible violations of criminal laws or their consequences outside the Linfield campus.

### **State Clemency Policy**

A person under 21 years of age is not in violation of, and is immune from prosecution under, this section if:

a. The person contacted emergency medical services or a law enforcement agency in order to obtain medical assistance for another person who was in need of medical assistance due to alcohol consumption and the evidence of the violation of this section was obtained as a result of the person's having contacted emergency medical services or a law enforcement agency; or

b. The person was in need of medical assistance due to alcohol consumption and the evidence of the violation of this section was obtained as a result of the person's having sought or obtained the medical assistance.

Paragraph (a) of this subsection does not exclude the use of evidence obtained as a result of a person's having sought medical assistance in proceedings for crimes or offenses other than a violation of this section.

SECTION 2. The amendments to ORS 471.430 by section 1 of this 2014 Act apply to conduct occurring on or after the effective date of this 2014 Act.

Residents under 21 years of age:

Cannot have any alcohol containers whether full or empty in their residence hall room. Residents who are found with empty containers in their room will be charged \$50 and/or community restitution hours, as determined by the Peer Conduct Board. Residents who are found with full containers in their room will be charged \$50 and/or will be assigned with community restitution hours along with disciplinary action related to the Alcohol Policy (as determined by the Residence Life Peer Conduct Board or the Director of Student Conduct). All containers of alcohol will be removed and dumped down the most convenient drain. All alcohol bottles will be recycled when possible.

## **Anti-harassment**

### **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 will be investigated promptly. Appropriate, corrective action will be implemented based upon the result 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. Students should refer to the section "Anti-harassment Protection and Academic Freedom" in this 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, 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, physical or other (including electronic) conduct that demeans or shows hostility, or aversion, toward an individual because of the student's race, color, religion, sex, gender, national origin, immigration status, age, sexual orientation, or disability, or that of the student's relatives, friends, or associates and that:



- Has the purpose or effect of creating an intimidating, hostile, or offensive environment; or
- Has the purpose or effect of unreasonably interfering with an individual's work performance or living environment; or
- Otherwise adversely affects an individual's academic 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, sex, gender, gender identity, national origin, immigration status, age, sexual orientation, or disability.
- Any material or action which demeans or shows hostility or aversion toward an individual or group because of race, color, religion, sex, gender, gender identity, national origin, immigration status, age, sexual orientation, or disability and is posted on walls, bulletin boards, e-mail, social media or elsewhere.

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.

#### **Counseling:**

The college recognizes that students may wish to seek counseling and discuss circumstances relating to possible harassment without initiating a complaint. Under these circumstances, students are encouraged to seek counseling in the Offices of Student Health, Wellness and Counseling in Walker 103 or the College Chaplain in Melrose 110. Portland Campus students may contact the Student Counseling Center in Peterson hall 319 or by emailing [pdx counseling@linfield.edu](mailto:pdx counseling@linfield.edu). Online students should utilize local resources in their community.

State-licensed counselors, Student Health Center providers, 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 a student believes they are the victim of harassment or retaliation, the student is encouraged to report a complaint immediately. If the complaint is from a student making an allegation against a college employee then the student may either contact the Dean of Students Office, Dean of Faculty, or the Director of Human Resources. When the allegation is against a college employee the procedure as outlined in the common chapter of the employee handbook will be followed. If the harassment is student to student, students are encouraged to report it to the Dean of Students Office or the Title IX Officer at which time an investigation will begin.

Employees who become aware of potential harassment of others which may be in violation of this policy must report such conduct to one of the following offices: Dean of Students Office, Dean of Faculty, or the Director of Human Resources. Supervisors have an obligation to immediately report any possible instances of harassment involving employees, students or others to the Director of Human Resources or other appropriate persons as indicated above. Once the college has knowledge of the complaint, the college is obligated to investigate the allegation.

#### **Title IX**

Title IX of the Education Amendments of 1972 prohibits discrimination based on gender in educational programs which receive federal financial assistance. Title IX can apply in areas such as athletics, student recruitment and admissions, financial aid, scholarships, course offerings and access, employment, and housing and residential services. Title IX also protects students and employees, both male and female, from unlawful sexual harassment in school programs and activities, as well as sexual assault, which are forms of unlawful discrimination under Title IX.

Linfield has established a committee, consisting of a Title IX Coordinator and Deputy Coordinators, each of whom have specific knowledge to respond to concerns in the areas described above. Inquiries related to this policy can be directed to the following:

## Title IX Coordinator

Susan Hopp, Vice President of Student Affairs and Athletics/Dean of Students

## Title IX Deputies:

Brenda De Vore Marshall, Professor Theatre & Communication Arts

Mary Ann Rodriguez, Vice President for Finance and Administration/CFO

Amy Dames Smith, Assistant Athletic Director/Senior Woman Administrator (SWA)

Jeff Mackay, Associate Dean of Students/Director of Residence Life

## **Investigation Procedures:**

1. The Dean of Students or designee is responsible for documenting the complaint and determining, with consultation as he or she deems appropriate, who will conduct the investigation.
2. The Dean of Students 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.
3. Before a final decision is made or corrective action is taken against the accused, a written summary of the allegations upon which the corrective action is based will be delivered to the accused for their opportunity to respond (within a reasonable time to be determined by the Dean of Students or designee) if the student so chooses.
4. As appropriate during and following the investigation, the College will inform students who have reported alleged harassment about the status of the investigation.
5. Upon resolution of the investigation, all investigative reports, notes, evidence, and records will be maintained within the student's file maintained in Student Affairs as needed to investigate and respond to other complaints, or as compelled to produce the files through legal process.

## **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 policy will subject a student to sanctions up to and including separation. Students against whom corrective action is taken may appeal to the College Conduct Board as outlined in the student policy guide.

## **Anti-Harassment Protection and Academic Freedom:**

Academic freedom and freedom of inquiry are values to which Linfield College subscribes and which it protects by prescribing boundaries on the extent to which college officials may regulate discourse, speech, and the articulation of conscientiously held beliefs. So long as an opinion is delivered in a civil manner that invites and respects argument to the contrary, academic freedom demands that the college protect its expression. Maintaining academic freedom requires an atmosphere of trust and mutual confidence such that dishonesty, intimidation, harassment, exploitation, and the use or threat of force are incompatible with the preservation of this freedom. Accordingly, substantiated charges of sexual or other kind of discriminatory harassment must be sanctioned both for the reasons articulated in the college's anti-harassment policy as well as for the protection of academic freedom itself.

Anti-harassment policies are not intended to limit the free exchange of opinions or the vigorous debate over ideas, except when harassment and intimidation preclude the very possibility for maintaining an atmosphere of academic freedom. All members of the college are entitled to use speech to convey disagreement, agreement, inquiry, or commentary in keeping with the principles underlying constitutionally protected free expression. In particular, speech that is related to or uttered

in connection with academic affairs or the expression of non-anonymous opinions in classrooms, open forums, papers, newspapers, or pamphlets will not constitute discriminatory harassment unless it is so severe or pervasive as to interfere unreasonably with an individual's work or academic performance or unreasonably create an intimidating, hostile, or offensive work or academic environment.

## Automobile Regulations

Linfield College's McMinnville Campus requires any motor vehicle that will be used as transportation on campus, or to and from campus, be registered with Linfield College Public Safety, regardless of whether or not the vehicle will be parked on campus property, or whether or not the owner of the vehicle lives on campus. All Linfield community members parking within the Linfield Parking District must display a current parking permit at all times.

Parking permit applications can be downloaded and brought to the CPS office, or picked up at the CPS office. Linfield College offers two (2) types of student permits:

- General student permits are valid in any non-restricted parking space on the Linfield campus. There is an eighty-five (\$ 95.00) dollar annual fee for general permits.
- For students who may not drive often or who are willing to walk a bit farther, the College now offers Sustainable Parking Permits. The annual cost for these permits is forty (\$ 45.00) dollars and they are only valid for parking in the South Blaine, East Ford, and Davis Street parking lots.

Guest Parking: Linfield College Public Safety requires all vehicles on campus to be registered if they will be parked overnight on campus. If you have a visitor on campus, you may come to Cozine Hall and have a Temporary/Guest Permit issued to your visitor, Monday-Friday from 8am-5pm. If your guest arrives after 5pm or on a weekend, you may also e-mail [cps@linfield.edu](mailto:cps@linfield.edu) with the guest's name, vehicle make, model, license plate, and color along with the duration of the stay. The issued permit is to be displayed on the driver's side dash with the information clearly visible.

As long as your guest is parked in accordance with Oregon state law and the Linfield College Traffic and Parking Regulations, there should be no problem. Your guest may park in any regular parking space. Should your guest receive a citation, contact the Linfield College CPS office immediately for further instructions.

McMinnville Campus students are required to register their vehicles annually. Parking permit fees are assessed at the time the vehicle is registered and will be posted to the student's account.

There is no required vehicle registration on the Portland Campus.

## CatAlert Emergency Notification

CatAlert is an emergency notification system that notifies faculty, staff, students and others of critical information and situations affecting campus through the use of text messages, voice messages to multiple phone numbers, email, and more. This system makes immediate notifications across campus without delay.

Current students, faculty and staff are automatically enrolled for CatAlert voice and email messages through WebAdvisor. To receive text messages, students, faculty and staff will need to "opt-in" for text messaging via WebAdvisor, or create a CatAlert portal account. CatAlert is the primary means of emergency communication with the Linfield Community.

To create your own CatAlert portal account, visit [webadvisor Emergency Notification](#).

## Changes in Policies and Regulations

Changes in any college policies are made through participation in the organized channels of the College, e.g., the ASLC, the faculty, and the Board of Trustees. If you have a concern, suggestion, or complaint about something at Linfield, speak out! Some avenues for the expression of these issues are already established.

If your concern pertains to academics, and you are unable to discuss the matter with your professor, discuss the matter with the department chairperson. If the department chairperson happens to be the professor involved or doesn't handle the situation to your satisfaction, consult the Vice President of Academic Affairs, Melrose 201 in McMinnville.

If you have a complaint about an administrative department, contact the head of that department and the appropriate

vice president of that division, or contact the Dean of Students in Melrose 110 in McMinnville for assistance.

## **Community Relations**

Linfield College is part of the McMinnville and Portland Communities. All students have an obligation to behave in a manner that creates good relationships with our neighbors. Behavior on campus and off is subject to college policy and to the same rules, regulations and laws as apply elsewhere in the city, and local police have jurisdiction both on and off the campus. Anyone approached by campus or local authorities:

- should be courteous,
- should show identification upon request,
- should be truthful, and
- should comply with requests made by those acting within their scope of their authority while doing their duty.

## **College Vehicles**

McMinnville Campus clubs and organizations recognized by the College or by ASLC may arrange to rent vehicles through the College for events (within 400 miles of the college; 800 miles round trip) to which all members of the club or organization are invited. Any trip that requests 3 or more college vans may be required to travel by a commercial bus with a professional driver. Use of the vehicles must first be approved by the Director of College Activities and then be reserved through Facilities Services. Approval of vehicle use does not guarantee that one will be available, so please plan well ahead when requesting vehicles. ASLC organizations must also first complete a vehicle request form and receive the approval of the ASLC Vice President of Business and Finance. All drivers of college vehicles must have completed a driving safety course approved by Facilities Services. In any vehicle obtained under this policy, neither alcohol nor tobacco are permitted. The Student Organizations Vehicle Reservation Form may be found at <http://www.linfield.edu/assets/files/activities/Vehicle-Reservation-Form.pdf>

The Transportation Policy may be found at:

[http://www.linfield.edu/assets/files/facilitiesservices/TransportationPolicy\\_7\\_24\\_15.pdf](http://www.linfield.edu/assets/files/facilitiesservices/TransportationPolicy_7_24_15.pdf)

Portland Campus student groups interested in College vehicles should contact Campus Operations.

## **Commencement**

The college reserves the right to insist that all of a student's bills must be paid and conduct matters resolved for the student to participate in commencement activities and to receive a diploma.

## **Damage/Vandalism Billing**

When possible, damage charges are assessed to the responsible party. In residence halls, damage to common areas will be billed to the appropriate residence group if the responsible party cannot be identified. This policy is spelled out in the McMinnville Campus Guide to Living at Linfield found on the Residence Life website: [www.linfield.edu/reslife](http://www.linfield.edu/reslife). The same policy applies to the Suburbs. The Portland Campus housing policy guide can be found at <http://www.linfield.edu/portland/student-life/residence-life-and-housing>.

## **Federal Law Guidelines**

In accordance with the Higher Education Act of 1965, you have the right to know certain information about Linfield College including a variety of services for students with disabilities, student right to know and various other college policies. As part of our compliance with this regulation, we direct you to visit the web link <http://www.linfield.edu/policy/linpolicy.pdf>.

## **File Sharing & Copyright Use**

Access to all shared files on a user's computer must be secured by a password. It is illegal to share or use files, software and other work creations that are protected under copyright law, without explicit permission from the copyright holder. This includes, but is not limited to, all copyrighted audio, video and game files, and published software that is licensed. Users

who violate copyright laws may be subject to Linfield disciplinary action and/or prosecution under State and Federal guidelines. The college policy on file sharing and copyright use is set forth at: [www.linfield.edu/it/heoa-compliance.html](http://www.linfield.edu/it/heoa-compliance.html).

## Greek Life

Linfield recognizes four sororities and four fraternities, all located on the McMinnville Campus. The sororities and some fraternities do not have houses, but rather meeting rooms in the lower level of Miller Hall. Most of the fraternities have houses near campus. There will be a structured recruitment week in mid-February for new students interested in finding out more about Linfield's fraternities and sororities, and informal recruitment events throughout the remainder of the academic year.

For students choosing to join a sorority or fraternity, there is usually a fee for initiation and dues which need to be paid sometime during the semester in which they join. After their first semester, all fraternity and sorority charges will appear on the students' accounts. These charges are applied to the account only after the student has signed a billing slip authorizing the charge to be made. This charge is typically for dues, local fees, and in the case of fraternities, housing charges. Men joining fraternities may move to the fraternity house after one full semester in college housing. Again, these charges will be added to the student's account.

Questions about sororities and fraternities should be directed to the Greek Advisor, Riley 304, 503-883-2435.

## Guests and Visitors

Guests and visitors shall abide by Linfield policies. Those who invite guests to campus are responsible for their behavior and will be held accountable for their guests' actions. Residents who host overnight guests must have permission of their roommates and must notify their RA in accordance with the policy in the Guide for Life at Linfield for McMinnville and the Loveridge Hall Handbook in Portland.

McMinnville Campus:

. To avoid the cost of a "No Permit" citation, Linfield community members must notify College Public Safety they have a temporary or overnight visitor vehicle on campus. Vehicles can be registered online, in person, over the phone, or via email.

To register a vehicle please provide the following information:

- Name and phone number.
- Vehicle plate number.
- Vehicle make, model & color.
- Visitor's name and phone number (visiting vehicles only)

As long as your vehicle is parked in accordance with Oregon state law and the Linfield College Traffic and Parking Regulations, there should be no problem. Your visitor may park in any regular parking space. Should you receive a citation contact the CPS office for further instructions.

## Information Technology Policies

Information technology policies and guidelines have been designed with existing laws and other policies as well as the following guiding principles in mind:

- Primary vs. Secondary use: Information technology resources are provided primarily to support and enhance the educational and scholarly mission of Linfield College. Linfield College encourages the use of information technology resources for this primary activity and supports such activity to the extent resources permit. Other activities are considered to be secondary. As such, they are not necessarily prohibited or even discouraged. However, should such secondary activities in any way interfere with primary activities, they may be terminated immediately whether or not such activities are explicitly detailed in the information technology policy statements.
- Individual rights: Linfield respects and promotes individual rights to privacy, equitable and fair access to resources; intellectual, real property, and civil rights. Activities which threaten these rights are discouraged and/or prohibited and may be terminated immediately whether or not such activities are explicitly detailed in the information technology policy statements.

- Impediments to community use: Activities that are detrimental to community access to information technology are prohibited. Such activities may be terminated immediately whether or not such activities are explicitly detailed in the information technology policy statements.

Procedure:

If you suspect violations of this policy, contact the Chief Technology Officer, Virginia Tomlinson, at (503) 883-2575 or vtomlins@linfield.edu or any other member of the ITS Staff.

Violations of this policy will ordinarily result in an educational process and a warning. Serious or repeated violations may result in denial of access to College owned information technology, which normally means disabling user id access to campus servers and will be reported to the appropriate dean or vice president.

For the full set of ITS Policies please visit the McMinnville ITS web site: <http://www.linfield.edu/it/policies.html> or the Portland web site: <http://www.linfield.edu/portland/information-technology.html>.

## Meal Plan Requirements

All McMinnville Campus students in residence halls or fraternity housing (who are non-suburb eligible) are required to be on a meal plan. For the first semester that a student attends Linfield (including transfer students) and living in a residence hall, the student starts with the Unlimited meal plan. For the second semester and thereafter, a different option may be chosen. Meal Plan changes may only be made during the first two weeks of fall and spring semesters, and during the first two days of January Term.

For information about specific meal plans and dietary needs, visit the Dining Services web site at [www.linfielddining.com](http://www.linfielddining.com). There is no dining hall or meal plan on the Portland Campus.

## Medical Review and Involuntary Withdrawal

The Dean of Students (in collaboration with at least one of the following; Associate Dean of Students, the college health center, professional counselors, outside medical professionals or anyone else deemed necessary) may withdraw or temporarily suspend the student from the college when a student engages in any behavior that:

- Poses a risk to the well-being of others;
- Prevents effectively pursuing his or her academic work; or
- Is detrimental to others in the students living environment, or academic environment.

If involuntary withdrawal of the student is necessary, readmission to Linfield is dependent upon approval by the Dean of Students and the Director of the Counseling Center. The process of readmission may include a psychological evaluation, and review of the student's compliance with a recommended treatment plan.

## Missing Student Guidelines

If a person has reason to believe that an on-campus student is missing, efforts will be made to locate the student through the collaboration of the Office of the Vice President for Student Affairs and College Public Safety (CPS).

Should the College determine that the student is missing Linfield College will notify law enforcement. Linfield College will contact the student's emergency contact no later than 24 hours after the student is determined to be missing.

If the missing student is under the age of 18 and is not an emancipated individual, Linfield College will notify the student's parent or legal guardian no later than 24 hours after the student is determined to be missing.

The local police department with assistance and cooperation of the College will retain status as the primary investigative unit in missing student cases.

Linfield Students have the option to identify an individual to be contacted by Linfield College in the event the student is determined to be missing. Students who wish to identify a confidential contact can do so through the Linfield College Student Affairs Office.

If located, verification of the student's state of health and intention of returning to campus will be determined. When appropriate, a referral may be made to the Student Wellness and Counseling Center.

## Off Campus Housing Exemption

Linfield College's McMinnville Campus is a residential campus and requires all students to live in college housing, unless the student meets one of the following criteria to live off campus; 4th year college attendance (minimum), 21 years of age prior to the start of the academic year, living with parent(s) or guardian(s) in primary residence within 20 miles of the McMinnville campus, married or registered domestic partnership or a qualifying dependent(s) living with you in your home.

The Portland Campus does have limited campus housing, but living on campus is not required.

## Publicity Policy

Publicity materials can be posted only on designated bulletin boards and with approval of the supervising department. They may not be posted on walls, doors, windows, or mirrors unless specific permission has been given by the Facilities Services in McMinnville or Campus Operations in Portland. Improperly posted materials will be removed. All publicity materials must clearly identify the name of the sponsoring organization. Sponsoring organizations include ASLC clubs and organizations, College recognized organizations, and college departments.

Use of sidewalk chalk must be pre-approved by the College Activities Office in McMinnville and must also identify the sponsoring organization. Chalk must be removed by the organization within a 24-hour period. Failure to remove chalk will result in a fine of \$25 per day until it is removed. Each eligible group may sidewalk chalk only once per semester.

## Public Presentations

Public presentations are an integral part of college educational activity. The College is responsible for what is taught, displayed, or presented in the institution; not in the sense of content approval so much as with respect to educational value and public relations potential. The presentation of an event does not indicate College endorsement of program content or philosophy, even though the College bears costs and provides facilities.

Faculty members should confer with and have the approval of their departments or divisions with respect to the nature of presentations. ASLC-recognized student groups may sponsor presentations with ASLC approval.

All sponsors must take responsibility to complete prior arrangements for time and place and to respond to inquiries, complaints, and compliments. To the extent that controversy can be anticipated, faculty members and students are responsible for pointing out the controversial nature of the program in advance and including such considerations in their requests for Senate or departmental approval.

The College administration reserves the right to cancel or prevent certain public events with potential to arouse anti-social or irrational behavior; however, a careful adherence to policy guideline will minimize the probability of such action.

## Residence Halls and Suburbs

All residents are encouraged to participate in various activities and opportunities within Residence Life. Students will have the opportunity to plan programs, participate in annual events, and to join the Residence Hall Executive Council and the Peer Conduct Board on the McMinnville Campus.

All residents are responsible for the safety and security of themselves, their neighbors and the property. Residents will be issued keys to their room and their Student ID card will open the outside doors of the buildings. Students are encouraged to carry their key and Student ID at all time. Lost keys should be reported to the Resident Advisor immediately so that the lock can be changed.

Resident rights and responsibilities are spelled out in the Residence Life Policy Guides and the Residence Life Contracts on both campuses. All residents and visitors are responsible for knowing the policies of the College and for complying with them.

## Sales and Solicitations

Linfield prohibits on campus sales, in any form, of goods or services not contracted for by the College, ASLC, or their officially recognized clubs and organizations. All authorized sales must be approved by the Director of College Activities in McMinnville or Director of Student Life in Portland and registered in that office. The sponsoring organization may seek approval by filling out the appropriate form. Upon approval, the vendor must register by personally filling out a registration

form in the Director of College Activities Office. That office must approve the time and location of the sale. No sales or solicitations may be done door to door.

Any Linfield organization may sponsor only one such sale per academic year. The vendor must post a sign at the point of sale indicating the sponsoring organization.

## Self-Care

Students are expected to be responsible for their own health and welfare and should demonstrate the ability to meet normal obligations as a member of a college community. This includes, but is not limited to, caring for their physical and emotional health, dealing appropriately with life challenges, making adequate academic progress, attending classes, and abiding by the student code of conduct, academic standards, and applicable laws. Resources are available on campus, and students should seek out and accept help as necessary.

The college reserves the right to ask students who have engaged in behavior that involves a threat to the safety of others to leave the campus. When appropriate, their parent(s) may be notified to assist in that transition. When possible, and necessary, the college will assist the student in making appropriate academic and other arrangements in the transition from the college and in evaluating circumstances under which the student could apply to return.

## Sexual Misconduct and Relationship Violence Policy and Procedures

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 engage in sexual misconduct or relationship violence 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 reporting party and pursue sanctions against the responding party. 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 misconduct and relationship violence. For the protection of the community, the College may take action against those who commit such misconduct. In taking action, the college will make every attempt to provide as much anonymity for the reporting party(s) and the responding party(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 reporting party. The Linfield College Sexual Misconduct and Relationship Violence Policy, while prohibiting offenses forbidden by Oregon law, also prohibits conduct that may not be a crime under Oregon law. As a result, Linfield requires a higher standard of conduct for members of the Linfield community than those applied to the public at large. Law enforcement agencies contacted about sexual misconduct or relationship violence at Linfield will follow Oregon law, not Linfield College's Sexual Misconduct Policy.

Linfield's Definition of Sexual Misconduct and Relationship Violence:

- a. Non-consensual sexual contact:
  - i. any intentional sexual touching,
  - ii. however slight,
  - iii. with any object or body part,
  - iv. by any person upon any other person,
  - v. without consent.
  
- b. Non-consensual sexual intercourse:
  - i. any sexual intercourse (anal, oral, or vaginal),
  - ii. however slight,
  - iii. with any object or body part,
  - iv. by any person upon any other person,
  - v. without consent.



c. Forced sexual intercourse:

- i. any unwilling or non-consensual sexual intercourse (anal, oral or vaginal),
- ii. however slight,
- iii. with any object or body part,
- iv. that is committed either by force, threat, intimidation, or through exploitation of another's mental or physical condition.

d. Sexual Exploitation:

Sexual exploitation occurs when a student takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct or relationship violence offenses. Examples of sexual exploitation include, but are not limited to:

- i. prostituting another student;
- ii. non-consensual video or audio-taping of sexual activity;
- iii. going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex);
- iv. engaging in Voyeurism;
- v. knowingly transmitting an STD or HIV to another.

e. Sexual Harassment:

Sexual harassment is unwanted sexual advances, requests for sexual favors, or visual, verbal, or physical conduct of a sexual nature when: (1) submission to such conduct is made a term or condition of employment or the educational relationship; (2) submission to or rejection of such conduct is used as a basis for employment or education decisions affecting the individual; or (3) such conduct has the effect of unreasonably interfering with a student's or employee's work performance or creating an intimidating, hostile, or offensive working, educational, or living environment. While sexual harassment encompasses a wide range of conduct, some examples of specifically prohibited conduct include:

- i. Promising, directly or indirectly, a student or employee a reward, if the student or employee complies with a sexually oriented request.
- ii. Threatening, directly or indirectly, retaliation against a student or an employee, if the student or employee refuses to comply with a sexually oriented request.
- iii. Denying, directly or indirectly, a student or employee an employment or education related opportunity, if the student or employee refuses to comply with a sexually oriented request. Engaging in sexually suggestive conversation or physical contact or touching another student or employee.
- iv. Displaying pornographic or sexually oriented materials.
- v. Engaging in indecent exposure.
- vi. Making sexual or romantic advances toward a student or employee and persisting despite the student or employee's rejection of the advances.
- vii. Physical conduct such as assault, touching, or blocking normal movement.
- viii. Retaliation for making harassment reports or threatening to report harassment.

Sexual harassment can involve any person being harassed by another person. Although sexual harassment sometimes involves a person in a greater position of authority as the harasser, individuals in positions of lesser or equal authority also

can be found responsible for engaging in prohibited harassment.

Sexual harassment can be physical and/or psychological in nature. An aggregation of a series of incidents can constitute sexual harassment even if one of the incidents considered separately would not rise to the level of harassment.

f. Domestic Violence

Domestic violence means a “felony or misdemeanor crime of violence committed by:

- i. a current or former spouse or intimate partner of the victim,
- ii. a person with whom the victim shares a child in common,
- iii. a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner,
- iv. a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies [under VAWA], or
- v. any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.”

g. Dating Violence

Dating violence means “violence committed by a person

- i. who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- ii. where the existence of such a relationship shall be determined based on a consideration of the following factors:
  - the length of the relationship;
  - the type of relationship; and
  - the frequency of interaction between the persons
  - involved in the relationship.”

h. Stalking

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

- i. fear for their safety or the safety of others; or
- ii. suffer substantial emotional distress.”

Definition of Terms

• Explicit Consent

Explicit consent is the basis of the analysis applied to unwelcome sexual contact. Lack of consent is the critical factor in any incident of Sexual Misconduct or Relationship Violence.

- a. Explicit consent is informed, freely and actively given and requires clear communication between all persons involved in the sexual encounter
- b. Consent is active, not passive. Consent can be communicated verbally or by actions. But in whatever way consent is communicated, it must be mutually understandable. Silence, in and of itself, cannot be interpreted as consent.
- c. It is the responsibility of the initiator of sexual contact to make sure they understand fully what the person with whom they are involved wants and does not want sexually.
- d. Consent to one form of sexual activity does not imply consent to other forms of sexual activity.
- e. Previous relationships or consent does not imply consent to future sexual acts.
- f. Consent cannot be procured by use of physical force, compelling threats, intimidating behavior, or coercion. Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another.
- g. Effective consent cannot be given by minors, mentally disabled individuals or person’s incapacitated as a result

of drugs or alcohol.

- h. If you have sexual activity with someone you know to be—or should know to be—mentally or physically incapacitated (by alcohol or other drug use, unconsciousness or blackout), you are in violation of this policy.
  - i. Incapacitation is a state where one cannot make a rational, reasonable decision because they lack the ability to understand the who, what, when, where, why or how of their sexual interaction.
  - j. This policy also covers someone whose incapacity results from mental disability, sleep, involuntary physical restraint, or from the taking of a so-called “date-rape” drug. Possession, use and/or distribution of any of these substances, including Rohypnol, Ketamine, GHB, Burundanga, etc. is prohibited, and administering one of these drugs to another student for the purpose of inducing incapacity is a violation of this policy.
  - k. Use of alcohol or other drugs will never function to excuse behavior that violates 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 is any touching of the sexual or intimate parts of the body.
  - 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. All individuals need to answer the questions who, what, when, why and how.
  - 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 in this handbook whether you choose to involve the police or not. The counselors in the Linfield College Counseling Center, the College Chaplain or staff in the Student Health Center will keep your report confidential. These staff members will file an anonymous report with the Director of College Public Safety for statistical reporting.
- If the alleged respondent is a student of the College, you may choose to report this incident to one of the individuals listed below 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 investigated as long as the respondent continues to be a student at the College.
- 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.
- The College’s complaint procedure provides for immediate, thorough, and objective investigation of all claims of sexual misconduct or relationship violence. If sexual misconduct or relationship violence has occurred, the College will take appropriate remedial action that is commensurate with the severity of the offense.
- The College strictly prohibits retaliation against any person for using this reporting procedure, or for filing, testifying, assisting or

participating in any manner in any investigation or proceeding involving allegations of discrimination or harassment. Any person who violates this policy will be subject to discipline, up to and including termination if they are an employee, and/or dismissal if they are a student.

Retaliation Defined:

Retaliation is any action by any person that is perceived as: intimidating, hostile, harassing, retribution, or violent that occurred in connection to the making and follow-up of the report.

### Title IX

Title IX of the Education Amendments of 1972 prohibits discrimination based on gender in educational programs which receive federal financial assistance. Title IX can apply in areas such as athletics, student recruitment and admissions, financial aid, scholarships, course offerings and access, employment, and housing and residential services. Title IX also protects students and employees, both male and female, from unlawful sexual harassment in school programs and activities, as well as sexual assault, which are forms of unlawful discrimination under Title IX.

Linfield has established a committee, consisting of a Title IX Coordinator and Deputy Coordinators, each of whom have specific knowledge to respond to concerns in the areas described above. Inquiries related to this policy can be directed to the following:

Title IX Coordinator:

Susan Hopp, Vice President of Student Affairs and Athletics/Dean of Students

Title IX Deputies:

Brenda De Vore Marshall, Professor Theatre & Communication Arts

Mary Ann Rodriguez, Vice President for Finance and Administration/CFO

Amy Dames Smith, Assistant Athletic Director/Senior Woman Administrator (SWA)

Jeff Mackay, Associate Dean of Students/Director of Residence Life

### **ADDITIONAL INFORMATION**

If you are the victim of sexual misconduct or relationship violence or know someone who has been subjected to sexual misconduct or relationship violence, 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 conduct review process.

### **WHAT TO DO IF YOU HAVE BEEN ACCUSED OF SEXUAL MISCONDUCT OR RELATIONSHIP VIOLENCE**

Do not attempt to contact the reporting party(s)! The Dean of Students or the Associate Dean of Students will contact you and inform you about Linfield's 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 MISCONDUCT AND RELATIONSHIP VIOLENCE REVIEW PROCEDURES**

#### General Information

- Any member of the College community may initiate a case by filing a complaint with one of the following people:
  - Susan Hopp, Title IX Coordinator/Dean of Students, Melrose 110, (503-883-2278)
  - Jeff Mackay, Deputy Title IX Coordinator/Assoc. Dean/Director of Residence Life, Melrose 110, (503-883-2436)
  - Brenda DeVore Marshall, Deputy Title IX Coordinator, Ford Hall 105 (503-883-2290)

- Mary Ann Rodriguez, Deputy Title IX Coordinator, Melrose 105A, 503-883-2458
- Amy Dames Smith, Deputy Title IX Coordinator, HHPA Complex 205E (503-883-2372)
- Dennis Marks, Director of College Public Safety, Cozine, (503-883-2602)
- You may choose to have a friend, advisor, professor or administrator assist you in filing a complaint. Advisors 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 in this policy guide.
- If you wish, the College will attempt, where it is reasonably possible, to change the living and/or academic situation of the reporting party or the reporting party to avoid a continuation of contact between the individuals.
- Sexual Misconduct and Relationship Violence Review Procedures are the same as noted in the policy guide, which apply to other alleged infractions of the Student Code of Conduct.

- Standard for Determining Responsibility

The standard used to determine accountability will be by a preponderance of the evidence: whether it is more likely than not that the alleged perpetrator has violated the Sexual Misconduct and Relationship Violence Policy. All members of the College community found to have violated this policy will be disciplined up to dismissal from the College. Sanctions will not be lessened because the offense was committed with an acquaintance or while on a date.

- The General Rights of The Reporting Party and The Responding Party

The Reporting Party's Rights:

- a. An explanation of available options for redress,
- b. Freedom from harassment by the responding party (or the supporters),
- c. Use of all available internal and external support services in dealing with the aftermath of the offense,
- d. Ability to speak on their own behalf during the conduct proceedings, including making a "survivor impact" statement to a College Conduct Board,
- e. The presence of one advisor from the College community and/or a support person during the hearing, or the presence of one non-campus advisor who can observe and support the complainant but cannot speak for the reporting party and may not question the board, witnesses or other participants,
- f. The opportunity to present witnesses who can speak about the charges, character witnesses excluded,
- g. Attend the entire conduct hearing except for the deliberation phase,
- h. Testify on their own behalf,
- i. Freedom from having irrelevant sexual history discussed during the conduct hearing,

- j. Information about the outcome of the conduct hearing, and
- k. Opportunity to appeal the outcome of the hearing.

The Responding Party's Rights:

- a. An explanation of the charge(s),
- b. Freedom from harassment by the reporting party (or supporters),
- c. An explanation of the College conduct system,
- d. The presence of one advisor from the College community, or the presence of one non-campus advisor who can observe and support the responding party but cannot speak for the responding party and may not question the board, witnesses or other participants,
- e. Testify on their own behalf,
- f. Present witnesses who can speak about the charges, character witnesses excluded,
- g. Attend the entire conduct hearing except for the deliberation phase,
- h. Freedom from having irrelevant sexual history discussed during the conduct hearing,
- i. Information about the outcome of the conduct hearing, and
- j. Opportunity to Appeal the outcome of the hearing.

The Office of the Dean of Students is responsible for:

- a. Ensuring that both the reporting party and the responding party accused of misconduct, harassment, or retaliation are aware of the seriousness of the complaint.
- b. Explaining the College's sexual misconduct and relationship violence policy and investigation procedures.
- c. Making referrals to the Counseling Center for counseling and referral services, if appropriate.
- d. Discussing with the reporting party the option of notifying the police if criminal activities are alleged.
- e. Conducting or arranging for an investigation of the alleged prohibited conduct.
- f. Preparing or overseeing any reports, recommendations, or remedial action(s) that are needed or warranted to resolve any prohibited conduct.
- g. Assuring that each complaint will be assessed and resolved individually.

The Hearing Process

If a complaint is filed with the Dean of Students Office, the process for adjudication is as follows. This procedure applies to reporting parties of sexual misconduct or relationship violence as well as responding parties of sexual misconduct or relationship violence.

- 1. The responding party(s) shall be notified by an appropriate official of the College that they are accused of violating the sexual misconduct and relationship violence policy.
- 2. The student(s) shall be notified that they may elect one of three courses of action:
  - a. The student(s) may admit the alleged violation and request 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 Conduct Board.
  - c. The student may deny the alleged violation, in which case a hearing will be held by the College Conduct Board.
3. During the hearing, the reporting party(s) and the responding party(s) may be separated physically. Typically, a physical barrier may be used to eliminate any visual contact if requested by any party. Video conferencing may also be used as a way to attend the hearing electronically.
  4. Both reporting party and responding party shall be entitled to an expeditious hearing of the case.
  5. 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.
  6. Following notification prior to the hearing both the reporting party and the responding party 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 respondent(s) to prepare a defense,
    - c. a copy of the procedures as outlined here.
  7. Both the reporting party(s) and the responding party(s) shall be entitled to appear in person, to present their view of what took place to the College Conduct Board, and may call witnesses in his/her/their behalf. Either of these persons may also elect not to appear before the College Conduct Board. Should she/he elect not to appear, the hearing shall be held in their absence.
  8. Both the reporting party(s) and the responding party(s) shall be entitled to assistance from one member of the College community (faculty, staff, or student) or one off-campus advisor who may observe and support but cannot speak for the responding party or the reporting party and may not question the board, witnesses or other participants.
  9. Both the reporting party(s) and the responding party(s) or their on-campus advisor shall be entitled to ask questions of the conduct review body or any witness.
  10. Both the complainant(s) and the respondent(s) shall be entitled to refuse to answer questions.
  11. An audio record of the hearing shall be made and provided to the Dean of Students, for the purpose of hearing appeals and will be destroyed following all appeals
  12. Both parties and all other non-members of the conduct review body shall be excused when the Board deliberates on its decision. That decision will be presented in writing to the Dean of Students, who will in turn notify both parties in writing of the conduct review 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.

### Sexual Misconduct Appeals

Any student having been accused of sexual misconduct or relationship violence and having had a hearing before the College Conduct Board may appeal the decision. The reporting party may also appeal the decision. Any student wishing to appeal 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. The written appeal should present specific information as to the reason for the appeal. Appeals may be submitted under two conditions.

1. The conduct procedures outlined in the Student Handbook were not followed during the student's original hearing, or
2. New and significant evidence is available which was unknown and could not have been known at the time of the hearing.

The severity of sanction is not considered a legitimate ground for an appeal. Only one appeal is allowed per student involved. The Dean of Students will review the written appeal and other pertinent information and will notify the student in writing of the Dean's decision.

### Guidelines for the Sexual Misconduct and Relationship Violence Hearings

In order to provide equity and efficiency in the administration of conduct review procedures, the following guidelines have been created. These guidelines should be interpreted in light of the philosophy and procedures stated above. If there is more than one reporting party or more than one responding party for a specific incident, the cases may be considered separately.

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

1. The chairperson shall inform all parties involved of the procedure to be followed at the hearing.
2. The chairperson shall then read the charges against the respondent and shall ask that individual if they understand the charges and whether or not they concur with them. If the responding party concurs, the College Conduct Board shall then consider the charges as accurate and hear any information that the respondent may present in mitigation or explanation.
3. If the responding party does not concur, the College Conduct Board shall then hear the evidence in support of the charges. The reporting party may present these or may ask a Advisor to do so in their behalf. After presentation of the evidence in support of the charges the responding party 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 reporting party (or their proxy) and the responding party may ask questions of the College Conduct Board members. Members may ask questions of the student charged as well as of any witness testifying at the hearing. Off-campus advisors may not enter into discussion, ask questions or make comments during the hearing.
5. The students and all other non-members of the College Conduct Board will be excused, except the Dean of Students or designee who is to be consulted concerning penalty.
6. The College Conduct 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 preponderance of the evidence. After hearing a case, the College Conduct 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 Board 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 the student;
  - d. recommendation for suspension: separation from the College for a definite or indefinite period of time;
  - e. recommendation for dismissal: permanent separation from the College; and/or
  - 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 Conduct Board or the Dean of Students' designee has the following responsibilities:

1. To notify both the reporting party and the responding party of charges brought and to provide each party with a copy of the College's Sexual Misconduct and Relationship Violence 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 assistant 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 Conduct Board, and to deliver them to the Dean of Students within 72 hours of the hearing.

### Post Hearings

The findings and recommendations of the College Conduct Board will be presented in writing to the Dean of Students within 72 hours.

### Confidentiality

- Both the content and the outcome of a hearing shall be considered confidential and no member of the College Conduct

Board shall discuss a student's role in an incident except with other members of the College Conduct Board.

- The right of the College community to have knowledge of the work of the Board 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 conduct review proceedings.

#### Presidential Prerogative

As the final administrative authority for the College, the President has and must have the authority to act without consultation with any other person or conduct board and to suspend or expel 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.

The Office of Student Affairs shall provide for the adequate, reliable, and impartial investigation of all complaints.

# WHAT TO DO IF YOU HAVE EXPERIENCED SEXUAL MISCONDUCT OR RELATIONSHIP VIOLENCE

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

Medical Clemency: If alcohol or any other drugs are involved with a sexual misconduct incident, the safety and well-being of students comes first and policy violations will not be issued.

## WHO CAN HELP

The following people will assist and support you.

• If you are in immediate danger, need immediate assistance and help making additional contacts,  
**Crisis Response (24 hours):**

- Linfield Area Director on Duty: 503-883-LIFE (5433)
- Linfield College Public Safety (CPS): 503-883-SAFE (7233)
- Yamhill County Crime Victim Services: 503-434-7510
- Medical Emergency/Police: 911

• If you choose to **Report with Total Confidentiality On Campus:**

- Linfield Counseling Center, Walker 103: 503-883-2535 (8AM-5PM, Mon-Fri)
- Linfield Student Health Center, Walker 103: 503-883-2535 (8AM-5PM, Mon-Fri)
- Linfield Chaplain, Melrose 110: 503-883-2259 (8AM-5PM, Mon-Fri)

• If you choose to **Report with Total Confidentiality Off Campus:**

- Northwest Human Services Crisis Line (Anonymous): 1-800-560-5535
- Henderson House Crisis Line (Anonymous): 503-472-1503

• If you choose to **File a Police Report\*:**

- Linfield College Public Safety (CPS): 503-883-SAFE (7233) for assistance contacting police

**OR**

- McMinnville Police – 911 Emergency or 503-434-6500

**OR**

- Yamhill County Victim Assistance Program 503-434-7510 (M-F 8AM-5PM) or 503-434-6500 (Evenings/Weekend)

**\*Note:** If you choose to have evidence collected for the police report, you must go to the hospital for a FREE forensic medical exam from a trained Sexual Assault Nurse Examiner (SANE Nurse), if the rape or sexual misconduct occurred within the past 84 hours. If it has been longer than 84 hours, 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! You have options!

It's important that you find someone you trust to talk with for support, understanding, and to connect with resources. You may be feeling stunned and confused. Even after you've received medical attention and reported the misconduct (if you choose to do so), it's still important for your healing process to have someone to talk with.

Medical Clemency: If alcohol or any other drugs are involved with a sexual misconduct incident, the safety and well-being of students comes first and policy violations will not be issued.

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

### McMINNVILLE RESOURCES

• **On Campus Area Directors** (All Area Directors are trained as Sexual Misconduct Advisors):

- Kathleen Jensen: 503-883-5388, Mahaffey 127
- Kristen Andersen: 503-883-5356, Mahaffey 127
- Mackenzie Larson: 503-883-5297, Mahaffey 127
- Adrian Hammond: 503-883-5390, Mahaffey 127
- For immediate response call the AD Cell Phone 503-883-5433 (LIFE)

• **Misconduct Report Form**

- Copies available at: Cozine Hall,  
Melrose 110, Riley CIC, Walker 124 and Withnell Commons

• **On Campus Sexual Misconduct Advisors**

- Stephen Bricher: 503-883-2260, Taylor 208  
- Brenda DeVore Marshall: 503-883-2290, Ford T105  
- Dawn Graff-Haight: 503-883-2641, HHPA 214  
- Kristi Mackay: 503-883-2606, Melrose Hall Student Central

**PORTLAND RESOURCES**

• **Legacy Security** 503-413-7911

• **24 Hour, Off Campus Reporting Options**

- Non Emergency Police/Fire: 503-823-3333  
- Portland Police Sexual Assault Detail: 503-823-0434  
- Portland Women's Crisis Line: 1-888-235-5333  
- Sexual Assault Resource Crisis Line: 503-640-5311

• **Sexual Misconduct Advisors**

- Mindy Cowan: 503-413-7832, Loveridge Hall, 1st floor

• **Free & Confidential Counseling Sessions** (8 per student)

- Counseling Center: 503-413-7873, Peterson Hall 319  
- Off Campus: 503-352-2400

• **Misconduct Report Form**

- Print: <http://www.linfield.edu/campussafety/safety-forms.html>  
- Copies available at: Student Life in Loveridge Hall, Campus Operations

**ONLINE AND CONTINUING EDUCATION RESOURCES**

• **Northwest Human Services Crisis Line (anonymous)**

1-800-560-5535

• **Dean of Students Office**

503-883-2278

• **Local Police Department**

• **County Victim Services Department**

**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 McMinnville 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).

**REPORTING TO THE McMinnville Police**

McMinnville Police Department has implemented the "You Have Options Program" as a more effective tool for dealing with sexual assault victims. We have chosen this program and believe it is another step forward in ensuring that victims are cared for and supported rather than being re-traumatized by the criminal justice process.

The **You Have Options** program was developed by Detective Carrie Hull of Ashland Police Department. She presented the information at the Oregon Chief's Conference in the Spring of 2014. The primary premise of the program is that if we do the following action points, we can enhance our service to victims, improve our sexual assault investigations, and focus on dealing more effectively with the small number of serial sexual perpetrators that commit the majority of these crimes and often do so with impunity.

1. We enhance our services to victims by giving them options in how they report and how much they report. We intentionally give victims the chance to take control and make choices since one of the greatest injuries in sexual assaults is the loss

of control by the victim. By giving the victim the opportunity to exercise control over the level of participation they provide (anonymous report, partial investigation, and a complete investigation) the victim is allowed to determine the pace at which the investigation is conducted, they are allowed to remain anonymous and to protect their confidential information. This allows them to build a more trusting relationship with police officers and investigators, take a break if needed as traumatic memories or fears are dealt with and overcome, and gives them back control, confidence and strength.

1. In order to protect the rights of potential suspects and maintain objectivity in our investigations, we do not list alleged assailants as suspects until the victim allows a complete investigation or we develop probable cause evidence from some other source.
2. The most common goal of victims in reporting their assault (according to Ashland PD's research) was that they be believed and not blamed for the assault they were a victim of, not always seeking prosecution of their assailant. Note – this is partly a law enforcement issue in general and a societal issue as a whole.
2. We improve our sexual assault investigations by utilizing the Forensic Experiential Traumatic Interview (FETI) techniques developed and taught by the US Army. These recognize the cognitive issues created by a traumatic incident such as a sexual assault, shooting, or other critical events. It encourages investigators to interview with more open ended questions, at a slower pace if needed, and with much more listening and much less questioning. There are some specific types of question that are avoided as they put victims on the defensive and there are some more sensory response or experience questions that help obtain information and understanding without passing judgment.
3. We will improve our identification and prosecution of serial sexual offenders by obtaining better information from victims, checking the history of named offenders in other communities (we already found a local case that immediately connected with a previous sexual assault case we had received, but were unable to prosecute), and hopefully by getting more victims willing to report or partially report as this program increases the trust between law enforcement and victims, advocates, and institutions within our community. McMinnville Police Department has generally had positive interactions with victims and advocates and this program is intended to enhance our service level to victims and our community, not to address a problem or failure at the police department. We anticipate that this program is likely to increase the number of sexual assault reports. Based on Ashland's observations, while they have doubled their reporting, the number of active cases has not increased beyond the resources of their investigators because a portion of that increase are cases that are waiting for victim input before they proceed further. We anticipate that this will be an increase in our investigative responsibilities, but not that we will need immediate assistance to maintain this program. Most importantly, we are adopting this program because it requires us to treat all victims the way we would want one of our friends or relatives treated if they had a sexual assault to report. Despite the potential for greater work, it is the right thing to do and a critical improvement in how we deal with victims of sexual assaults.

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## Smoking

In compliance with the Oregon Indoor Clean Air Act and for life safety reasons, smoking (including e-cigarettes) and vaping is prohibited in all indoor areas of Linfield College, including but not limited to classrooms, hallways, lounges, laboratories, offices, dining areas, residence hall rooms, apartments, and all housing managed by Linfield.

For public health reasons, smoking and vaping is similarly prohibited at all indoor and outdoor public gatherings held on campus, regardless of the sponsor. Smoking and vaping is also prohibited in all college vehicles. Smoking and vaping is not permitted within 30 feet of building entrances or open windows on the McMinnville Campus. The Portland Campus is 100% tobacco free.

As of January 1, 2018, Oregon State Law states that a person under 21 years of age may not purchase, attempt to purchase or possess tobacco products or any inhalant delivery system. See the full law in Section 18 - <https://olis.leg.state.or.us/liz/2017R1/Downloads/MeasureDocument/HB2024>

## Student Behavior

Every faculty member and student has the right to conditions favorable to teaching and learning both in and out of the classroom. To foster and maintain such conditions, students have the responsibility to conduct themselves individually and in groups, in a manner which promotes an atmosphere conducive to teaching, studying, and learning. Students are expected to uphold academic and personal integrity, to respect the rights of others, to refrain from disruptive, threatening, intimidating, or harassing behavior, or behavior which is harmful to themselves, other persons, or property. Faculty have the right and responsibility to foster an environment conducive to teaching and learning, and should this be threatened by student behavior, faculty are authorized and encouraged to take steps to deal with the issue.

## Student Fundraising Policy

### **Fundraising on behalf of Linfield College programs and activities**

A fundraising activity in this category generates revenues to support Linfield College activities and programs. All plans to solicit funds, once approved, must clearly state where the money is going and what organization is performing the fundraiser.

For the purpose of this policy, the college recognizes two distinct types of fundraising activities.

A) Quid Pro Quo Fundraising: Those activities for which donors receive something in exchange for their funds (examples include raffles, auctions, spaghetti dinners, sales, rent-a-Wildcat). Donors participating in these activities will not receive an official acknowledgement letter or a receipt for their fees or contributions. If such activities take place on campus, they must receive prior approval from the Dean of Students, via the Director of College Activities in McMinnville or the Director of Student Life in Portland. Off-campus activities must be approved by the Office of Institutional Advancement.

B) Solicitation Fundraising: Those activities for which the donor receives no goods or services in exchange for a charitable donation (examples include solicitation letters, phone solicitations, pledge drives, grant proposals). This policy pertains to requests for cash, as well as requests for gifts in kind (such as food, store coupons, complimentary tickets, or other tangible items). Activities such as these require prior approval by the Office of Institutional Advancement. To be approved, activities must be sponsored by college or ASLC recognized groups that are seeking funds for a college approved priority.

In McMinnville, the process to review proposals for off-campus activities (A) or solicitation fundraising (B) is as follows:

1. Two weeks before the fundraising activity, complete the request form at [www.linfield.edu/activities/plan-form.html](http://www.linfield.edu/activities/plan-form.html).
2. An Institutional Advancement staff member will contact you within a week to arrange a meeting. Be prepared to present materials, a fundraising timeline, and plans to deliver gifts securely to Institutional Advancement for processing after the fundraiser. All proceeds from approved events must be delivered to Institutional Advancement, along with complete donor information (names and addresses) by the next business day after the activity, (8:00-5:00, Monday-Friday).

### **Fundraising by Linfield groups on behalf of outside organizations**

Many Linfield groups conduct fundraising activities for outside organizations (e.g. cancer foundations, local food banks, etc.). These activities must be approved by the Director of College Activities in McMinnville or the Director of Student Life in Portland, but Linfield groups should also work with the outside organization to deliver gifts securely and provide appropriate receipts. These fundraising activities do not need to be approved by the Office of Institutional Advancement.

## Student ID Cards

All students will be issued a student body card free of charge at the beginning of the school year that is expected to last throughout the student's entire enrollment. These cards serve as official identification of Linfield students, and must be carried at all times. They must be shown to College staff upon request.

In McMinnville, Students will need the card to do the following: get into the campus dining facility (Dillin), gain residence hall access, attend athletic events, use the bookstore, library, computer lab, HHPA and Recreation Complex and attend ASLC events. Pictures for new cards are taken in Cozine 101, from 8 am to 5 pm, except during the noon hour. If a student body card is lost a new card can be obtained at the CPS office. The first replacement card is free, subsequent replacements cards will cost \$25.

In Portland, Students will need the card to do the following: get into campus buildings, including the library and computer labs. If a student body card is lost a new card can be obtained from Campus Operations on the 3<sup>rd</sup> floor of Peterson Hall. The first replacement card is free, subsequent replacements cards will cost \$20.

## Traffic Regulations for the McMinnville Campus

Linfield College enforces all motor vehicle laws as defined in the Oregon Revised Statutes, as applicable to campus. Law enforcement agencies also patrol campus streets and may assess violations of Oregon law as they see fit.

- Any motor vehicle driven on Linfield property shall be operated by a legally licensed and insured driver. The driver will have the license in their possession at all times when operating their vehicle.
- Anyone operating a motor vehicle on campus shall observe speed limits, barricades, stop signs, and all other parking and traffic regulations, and shall drive in a safe and prudent manner.
- Drivers will comply with all directions given by Linfield College CPS and/or law enforcement.
- The speed limit on all campus streets is **15 MPH**, unless otherwise posted.
- Parking in **RED FIRE LANES** is prohibited.
- Parking in **DISABLED** stalls without current and valid disabled permits is prohibited for any length of time. Be aware that parking in a striped disabled loading zone adjacent to disabled parking space counts as a disabled parking violation.
- Vehicles parked or standing for any length time in areas marked by red curbs, fire lanes, loading zones, crosswalks, landscaped areas, sidewalks, areas needed for truck access to trash dumpsters, or areas marked by "No Parking" signs are considered illegally parked.
- Parking in "Reserved" parking spaces is prohibited at all times.
- Linfield community members may not park in visitor parking areas at any time.
- Responsibility for locating a legal parking space rests with the operator of the motor vehicle.
- The College may change access and parking regulations based upon major events of the College.

College Public Safety personnel will issue College citations for violations of these regulations. Vehicles may also be towed at owner's risk and expense.

# STUDENT CONDUCT PROCESS

## Philosophy

The entire concept of discipline in an educational institution is meaningful only when it is relevant to the generic purposes and functions of that institution. As an institution of higher learning, Linfield engages in conduct actions and processes which are vital to its basic concerns and for what it is designed.

In the broadest sense, Linfield exists to create a special environment for learning and pursuits of knowledge. It is an instrument for the development of the intellectual resources of its constituents. The College may be both a quiet sanctuary for contemplation and research and a forum for free discussion of contemporary issues. It is a place where the human spirit may be propelled toward a new discovery and deeper knowledge. Students, faculty members, administrators, staff, trustees, and alumni all share in the obligation to protect the integrity and promote the continuous growth of the College. All who benefit from it are indebted to it; differences lie only in the frequency and intimacy of contact with it.

The relationship of the College with the student, therefore, is in the essential nature of a contract involving a set of rights and obligations, reflecting both the purposes of the College and those of the students in attendance. Such a contract commits the College to insure maximum availability to each student of its specific educational and environmental resources. It does not imply that the College provide services or exercise authority regarding matters unrelated to college functions. Such a contract also commits the student to full and meaningful participation in the endeavors in education and has a basic obligation not to commit or tolerate any impingement on the rights of others.

The College, therefore, exercises its authority over students in terms of the mutual interests of both parties and in terms of their contract with each other.

## Student Code of Conduct

Students are expected to conduct themselves in accordance with the rules and regulations of the College.

Students, like all members of the College – trustees, faculty, administration, and staff members – assume the responsibility to conduct themselves in compliance with the objectives and standards of conduct established by the College. **These standards apply both on and off campus.**

By enrolling in the College, students accept the responsibility to become fully acquainted with the College's policies and student code of conduct and to comply with the College's authority. The College expects students to maintain standards of personal integrity that are in harmony with the educational goals of the institution; to respect the rights, privileges, and property of others; and to observe national, state, and local laws and College policies.

The term "student" includes all persons taking courses at Linfield, either full-time, part-time or online. Persons who withdraw after allegedly violating the Student Conduct Code, who are not officially enrolled for a particular term but who have a continuing relationship with Linfield or who have been notified of their acceptance for admission are considered "students" as are persons who are living in Linfield College Housing, although not enrolled in Linfield.

Examples of misconduct which renders a member of the College liable for discipline, up to and including separation, may fall into the following categories:

1. Dishonesty, including cheating, plagiarism, fabrication, and facilitating academic dishonesty (see Academic Integrity).
2. Forgery or the alteration and/or unauthorized use of College documents, records, or forms. Knowingly providing false information to College officials or officers of instruction or administration.
3. Unauthorized possession, use, or duplication of College keys or identification cards. Facilitating such use.
4. Intentional disruption, obstruction, or interference with the process of instruction, research, administration, student discipline, or any other service or activity provided or sponsored by the College.
5. Damage, destruction, theft or unauthorized use of personal property located on the College campus or property owned or controlled by the College.
6. Unauthorized entry into or use of College property, including facilities, residence halls, equipment, or resources (including, for example, library materials).
7. Unauthorized entry into College-related living units that disrupts sleep or study or that damages the physical facilities in those units.
8. Attempted or actual theft of and/or damage to property of the college or property of a member of the College community or other personal or public property



9. Uncivil, disrespectful, or intolerant behavior based on race, color, age, religion, sex, sexual orientation, gender, national origin, or physical handicap or other disabling condition.
10. Physical abuse, verbal abuse or other conduct which threatens or endangers the health or safety of any person.
11. Threats, intimidation, harassment, stalking, bullying, coercion or other conduct which threatens or endangers the health, safety, personal property or academic success of any person.
12. Disorderly conduct (including that resulting from drunkenness), unreasonable noise or behavior that results in unreasonable annoyance.
13. Lewd or indecent behaviors include, but are not limited to the following: profanity, indecent exposure, lewd or obscene expressions, disrespectful statements toward College personnel, public urination, etc.
14. Violation of the college's Sexual Misconduct and Relationship Violence Policy.
15. Hazing or initiation rites including any act or behavior that subjects another person to unreasonable discomfort, ridicule, degradation, abuse, intimidation, harassment, or endangerment of mental or physical health or safety as a condition of joining or participating in a group, implied or explicit, regardless of whether or not the person willingly participates. All acts of hazing by any individual student or student group, club, organization, or team and any of its members or alumni are prohibited. The express or implied consent of the victim will not be a defense against a charge of hazing. Apathy or acquiescence in the presence of hazing is not a neutral act – it is a violation of the hazing policy. Retaliation for reporting hazing is prohibited and individuals as well as groups, clubs, organizations and teams will be subject to disciplinary action for any hazing and/or retaliation.
16. Illegal activities involving controlled substances.
17. Violation of the College policy on alcohol and other drugs (see section on alcohol and drugs in this handbook).
18. Possession, use or threatened use of firearms, ammunition, explosives (including fireworks), dangerous chemicals, or any other objects used as weapons on College property or at College-sponsored or supervised activities.
19. Tampering with fire-fighting equipment or alarms, turning in a false alarm or engaging in other behavior that constitutes a significant fire hazard.
20. Failure to comply with the direction of College or public officials acting in the performance of their duties.
21. Conduct which adversely affects the member's suitability as a member of the College community or which interferes with the rights and privileges of another member of the College community.
22. Failure to comply with rules, regulations, or standards or conduct approved by the College, provided they have been published, distributed, or posted in such a manner as to furnish adequate notice to students.
23. The commission of any act which is a crime under the laws of the state of Oregon or of the United States which results in a criminal charge and conviction in any competent jurisdiction.
24. Failure to comply with the terms of any disciplinary sanction imposed in accordance with the code of student conduct.
25. Contempt of adjudicative proceedings, including impairing or interrupting the due course of proceedings of college conduct bodies.

## Initiating a Case

Any member of the College community may refer a case to the Office of Student Conduct and Community Standards. Such referral must be made in writing, and identify if possible the person or persons involved in the incident, and witnesses, if any.

Cases sent to the Peer Conduct Board may be adjudicated there or be sent by the Peer Conduct Board to the College Conduct Board. The College Conduct Board may refuse to hear a case referred to it if it deems that case to be the proper business of the Peer Conduct Board, and may refer that case to the Peer Conduct Board.

## Procedures

Any student accused of violating a regulation shall appear before one or more duly constituted conduct persons (the Dean of Students, Associate Dean of Students or a college conduct officer) or boards. However, the College reserves the right to respond immediately in situations in which the College or its representatives believe that because of a student's behavior, there exists a threat of imminent danger to the student or others, significant disruption of the ability of other students to study or sleep, or significant damage to College property. Such response may include a temporary removal of the student

from their living situation on campus or from the campus as a whole. Return to campus will be based on a decision by the Dean of Students that the student is able to function safely as a member of the academic community.

Otherwise, hearings shall adhere to the basic fundamentals of fairness as stated below:

1. The student shall be notified in person or via campus e-mail by an appropriate official of the College that the student is accused of violating a regulation.
2. The student shall be notified that they may elect one of three courses of action:
  - a. The student may admit the alleged violation and request that the Dean of Students or other appropriate college official take whatever action seems appropriate.
  - b. The student may admit the alleged violation, and request a hearing before the appropriate conduct board.
  - c. The student may deny the alleged violation, in which case a hearing will be held by the appropriate conduct board.
3. The student shall be entitled to an expeditious hearing of the case.
4. 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.
5. Following due notification of the hearing the student shall be entitled to the following:
  - a. Notification of the time and place of the hearing.
  - b. Statement of the charges of sufficient specificity to enable the student to prepare their defense.
  - c. A copy of the procedures as outlined here.
6. The student shall be entitled to appear in person and to present their defense to the conduct board, and may call witnesses in their behalf. The student may also elect not to appear before the conduct board if they have notified the appropriate board. Should the student elect not to appear, the hearing shall be held in his/her absence.
7. The student 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 they believe is pertinent, but they may not enter into the proceeding of the conduct board or attend the hearing.
8. The student shall be entitled to ask questions of the conduct board or any witness, subject to any other policies.
9. The student shall be entitled to refuse to answer questions.
10. A record of the College Conduct Board hearings shall be made; a summary of Peer Conduct Board hearing shall be made.
11. The student and all other non-members of the conduct board 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 the student of the conduct decision. Decisions made by the Peer Conduct Board will be sent to students via e-mail.

## Appeals

### **Peer Conduct Board**

Any student having had a hearing before the Peer Conduct Board may appeal the decision to the Student Conduct and Community Standards Office at [conduct@linfield.edu](mailto:conduct@linfield.edu). Such an appeal must be lodged within seven days of notification of the original decision. The written appeal should present specific information as to the reason for the appeal. Appeals may be submitted under two conditions.

1. The conduct procedures outlined in the Student Handbook were not followed during the student's original hearing, or
2. New and significant evidence is available which was unknown and could not have been known at the time of the hearing.

The severity of sanction is not considered a legitimate ground for an appeal. Only one appeal is allowed per student involved.

The Student Conduct and Community Standards Office will review the written appeal and other pertinent information and will notify the student in writing of the office's decision.

### **College Conduct Board**

Any student having had a hearing before the College Conduct Board may appeal the decision to the Dean of Students. Such an appeal must be lodged within seven days of notification of the original decision. The written appeal should present specific information as to the reason for the appeal. Appeals may be submitted under two conditions.

1. The conduct procedures outlined in the Student Handbook were not followed during the student's original hearing, or
2. New and significant evidence is available which was unknown and could not have been known at the time of the hearing.

The severity of sanction is not considered a legitimate ground for an appeal. Only one appeal is allowed per student involved.

The Dean of Students will review the written appeal and other pertinent information and will notify the student in writing of the Dean's decision.

### **Conduct Officer**

Any student having had a hearing before a college conduct officer may appeal the decision to the Dean of Students. Such an appeal must be lodged within seven days of notification of the original decision. The written appeal should present specific information as to the reason for the appeal. Appeals may be submitted under two conditions.

1. The conduct procedures outlined in the Student Handbook were not followed during the student's original hearing, or
2. New and significant evidence is available which was unknown and could not have been known at the time of the hearing.

The severity of sanction is not considered a legitimate ground for an appeal. Only one appeal is allowed per student involved.

The Dean of Students will review the written appeal and other pertinent information and will notify the student in writing of the Dean's decision.

## Conduct of the College Conduct Board Hearing

In order to provide equity and efficiency in the administration of conduct procedures, the following guidelines for the operation of the Council have been created. These guidelines should be interpreted in the light of the philosophy and procedures stated above.

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

1. The chair of the College Conduct Board shall inform the student of the procedure to be followed at the hearing.
2. The chair shall then read the charges against the student

and shall ask the student if they understand the charges and whether or not they concur with them. If the student concurs, the Council shall then consider the charges as accurate and hear any information which the student may present in mitigation or explanation.

3. If the student does not concur, the Board shall then hear the evidence in support of the charges. After presentation of the evidence in support of the charges the student 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. The student may ask questions of the Conduct Board members. Members may ask questions of the student charged as well as of any witness testifying at the hearing.
5. The student and all other non-members of the council will be excused, except the Dean of Students who is to be consulted concerning penalty.
6. The Board will deliberate and formulate its findings and recommendations based on a preponderance of the evidence standard.

### Post Hearing

The findings and recommendations of the Board will be presented in writing to the Dean of Students within 72 hours. Students are obligated to pick up results of the hearing from the Dean of Students office, Melrose 110, within 72 hours of hearing. If the student does not meet this obligation, the results will be e-mailed to the student.

### Findings and Recommendations

After hearing a case, the 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 student and placed in the student's file.
  - b. probation: a condition which stipulates that any further violations of regulations may result in a suspension. Length of probation will be specified.
  - c. probation with terms: a condition which adds to regular probation stipulations that may deny the student certain privileges or requires certain action of the student.
  - d. restitution or reimbursement: for damages or misappropriation of property.
  - e. fines: monetary penalties billed to the student's account or otherwise specified.
  - f. assigned work: educational exercises or physical labor.
  - g. recommendation for suspension: separation from the College for a definite or indefinite period of time.
  - h. recommendation for expulsion: permanent separation from the College.
  - i. other action that may seem appropriate for any given case.

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

## Responsibilities of the Chair

The chairperson of the College Conduct Board has the following responsibilities:

1. To decide all procedural matters during the hearing in accordance with established written guidelines and normal due process.
2. 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.
3. To prepare or cause to be prepared in writing the findings and recommendations of the Board, and to deliver them to the Dean of Students within 72 hours of the hearing.

## Confidentiality

Except as specifically authorized under applicable law, both the content and the outcome of a hearing shall be considered confidential and no member of the Board shall discuss a student's role in an incident except with other members of the Board.

The right of the College community to knowledge of the work of the Board shall be met through the releases of summary outcomes of cases which 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 responsibility may bring attention to a case, but this does not alter the confidentiality of the conduct proceedings.

## Presidential Prerogative

As the final administrative authority for the College, the President has and must have the authority to act without consultation with any other person or conduct board. The President has the authority to suspend or expel 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.