



**Responsible Executive:** Title IX Coordinator

**Responsible Office:** Equal Opportunity and Access

**Effective:** September 15, 2017

**Last Revised:** August 14, 2020

University Policy 05-001

## Sexual Misconduct and Discrimination

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### 1. Policy Statement

- 1.1. Oregon State University (“university”) is committed to creating an equitable and inclusive campus free of all violence, harassment, and discrimination. The university embraces and respects differences in sex, gender, gender identity, gender expression, and sexual orientation among all individuals.
- 1.2. All individuals who are participating in university programs and activities have the right to do so fully, free from sexual discrimination, misconduct, and retaliation. The university prohibits sexual misconduct of any kind, including sexual harassment, intimate partner violence, sexual exploitation, and stalking. Such misconduct violates university policy and may also violate state or federal law. When such misconduct occurs, the university will take steps to stop, prevent recurrence, and remedy the impacts of such behavior.

### 2. Reason for Policy

- 2.1. This policy is established in compliance with Title IX of the Education Amendments of 1972, the Violence Against Women Act of 1994 (“VAWA”), the Campus Sexual Violence Elimination Act of 2013 (“Campus SaVE Act”), and Title VII of the Civil Rights Act of 1964, among other applicable state and federal laws.

### 3. Scope & Audience

- 3.1. This policy and associated resolution processes are applicable to all members of the university community, including, but not limited to, students, student organizations, faculty, staff, contractors, volunteers, and visitors. The university reserves the right to respond to incidents that occur on property owned, controlled, or used by the university, as well as conduct that occurs away from the university when the conduct could have the impact of limiting or denying any university community member’s

ability to participate in or benefit from an educational program or activity, or when it creates a hostile work or educational environment.

- 3.2. This policy applies to behaviors that take place on university property or in online, extended or distance learning environments, including in social media, applications, or other electronic communications, at university-associated events, and off campus.

## 4. Definitions

- 4.1. **Consent:** Knowing, voluntary, and clear permission by word or action, to engage in mutually agreed upon sexual activity.
- 4.2. **Employee:** All persons employed by the university, including, but not limited to, unclassified faculty (both academic and professional), unclassified academic wage, classified, temporary, student employees, and graduate employees.
- 4.3. **Perpetrator:** A person who engages in a prohibited activity under this policy.
- 4.4. **Reasonable Person:** A reasonable person under similar circumstances and with the same protected status(es) as the complainant.
- 4.5. **Complainant:** A person alleging a violation of this policy or who is allegedly the victim of a person who is alleged to have violated this policy.
- 4.6. **Respondent:** A person who is alleged to have violated this policy.
- 4.7. **Student:** An admitted person demonstrating acceptance of admission through participation in orientation programs or early start programs; a person who is enrolled or dually enrolled; a person enrolled online; a person between academic terms; a graduate awaiting a degree; a person on an approved educational leave; a person currently serving a suspension, including administrative suspension; a person who is not currently enrolled but can register without re-applying; a person who withdraws while a disciplinary matter, including an investigation, is pending; and, a person who is eligible to receive any of the rights and privileges afforded a person who is enrolled.

## 5. Responsibilities & Procedures

### 5.1. General

- 5.1.1. The university shall respond promptly and effectively to all complaints of sexual discrimination, sexual misconduct, and retaliation, and shall take appropriate action to prevent, correct, and sanction conduct that violates this policy.

- 5.1.2. Alleged violations of this policy will be investigated by the Office of Equal Opportunity and Access (“EOA”). The procedures used by EOA to investigate and resolve alleged violations of this policy can be found at: <https://eoa.oregonstate.edu/sexual-misconduct-and-discrimination>. As determined by the Title IX Coordinator, the university reserves the right to initiate an investigation without a formal complaint from or participation by the complainant.
- 5.1.3. Upon conclusion of EOA’s investigation and evidence gathering process, EOA will forward the final investigation report and all relevant evidence to Employee and Labor Relations (“ELR”) for matters involving employee respondents or to Student Conduct and Community Standards (“SCCS”) for matters involving student respondents. Decision-makers from ELR or SCCS, as applicable, following the relevant process (see 5.1.2), will determine if this policy was violated.
- 5.1.4. Employees and students who are found to have violated this policy shall be subject to discipline commensurate with the violation, up to and including termination of employment or expulsion.
- a. If employee discipline is warranted, it shall be administered in a manner consistent with applicable collective bargaining agreements, university policies, and legal requirements.
  - b. If student discipline is warranted, it shall be administered in accordance with the Code of Student Conduct (“Code”) and/or other applicable university policies. All sanctions listed in the Code are available as outcomes for student violations of this policy, including, but not limited to, warning, required educational activities, university/community service work hours, behavior expectations, restitution, restriction/exclusion, no contact order, academic sanction, removal from a class, residential disciplinary probation, university conduct probation, conduct suspension, expulsion, loss of recognition, and degree revocation.
- 5.1.5. The university may impose an administrative suspension on a student/student organization or may impose administrative leave or reassignment for an employee pending the completion of an investigation and resolution. Such administrative suspension, leave, or reassignment may be requested when EOA has reasonable belief that the ongoing presence of the respondent poses a safety concern to any member(s) of the campus community or interferes with the integrity of the investigation. The imposition of an administrative suspension, leave, or reassignment will be initiated in accordance with SCCS or ELR processes, and in compliance with applicable law.
- 5.1.6. The Title IX Coordinator is responsible for implementation of and compliance with this policy. The Title IX Coordinator is responsible for publishing this policy,

developing policies regarding training, conducting training, and establishing an administrative structure that facilitates the prevention and elimination of sexual misconduct and discrimination consistent with this policy.

- 5.1.7. Complainants and respondents are not restricted from discussing or sharing information with others who may support or assist them during the process, nor are they prohibited from seeking resolution in court or with an applicable state or federal agency. All parties are encouraged to exercise discretion in sharing information in order to safeguard the integrity of the process and to avoid retaliation or the appearance of retaliation. While discretion is encouraged, the Title IX Investigation Process should not be understood to limit the legal rights of the parties during or after resolution. The university may not, by federal law, prohibit either party from disclosing the final outcome after any appeal is concluded. All other conditions for disclosure are governed by the Faculty Records policy and/or the Family Educational Rights and Privacy Act (“FERPA”), as applicable, and any other applicable laws.
- 5.1.8. Almost all university employees are required to contact EOA if they are aware of a possible violation of this policy. However, the university makes several confidential offices available to those who have been affected by sexual misconduct or discrimination. The following offices do not report sexual assaults or other sexual misconduct or discrimination claims to other university offices, but can refer students and employees to resources and services both on campus and within the community:
  - a. Survivor Advocacy and Resource Center: <https://studenthealth.oregonstate.edu/sarc>
  - b. Counseling and Psychological Services: <http://counseling.oregonstate.edu/>
  - c. Student Health Services: <http://studenthealth.oregonstate.edu/>

## 5.2. Amnesty

- 5.2.1. The university encourages all community members to report behavior associated with sexual misconduct. To support such reporting, the university will not pursue student conduct proceedings against a student complainant, respondent, or witness for personal use of alcohol, marijuana or other drugs at or near the time of the incident provided their use did not place the health or safety of any other person at risk. The university may, however, initiate an educational discussion with any student regarding their personal use of alcohol, marijuana or other drugs.

### 5.3. Prohibited Conduct – OSU Sexual Misconduct and Discrimination<sup>1</sup>

- 5.3.1. **Sexual/Gender-Based Discrimination.** No person shall be excluded from participation in or be denied the benefits of any university program or activity because of sexual discrimination, including discrimination based on sex, gender, gender identity (including transgender), gender expression, or sexual orientation.
- 5.3.2. **Sexual/Gender-Based Misconduct.** Sexual harassment, non-consensual sexual contact, non-consensual sexual intercourse, non-consensual sexual activity, intimate partner violence, stalking and sexual exploitation are considered sexual misconduct and are prohibited.
- a. **Sexual/Gender-Based Harassment.** Any unwelcome sexual advance, request for sexual favor, or other verbal or physical conduct of a sexual nature when:
- i. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education;
  - ii. Submission to or rejection of such conduct by an individual is used as the basis for employment or education-related decisions affecting such an individual; or
  - iii. Such conduct is sufficiently severe or pervasive that it has the effect, intended or unintended, of unreasonably interfering with an individual's work or academic performance because it has created an intimidating, hostile, or offensive environment and would have such an effect on a reasonable person of that individual's status.
  - iv. A single isolated incident of sexual harassment may create a hostile environment if the incident is sufficiently severe. The more severe the conduct, the less need there is to show a repetitive series of incidents to establish the existence of a hostile environment, particularly if the harassment is physical. Conduct that is pervasive or persistent, even if not severe, may also create a hostile environment.
  - v. Employee conduct directed towards a student, whether unwelcome or welcome, may constitute sexual harassment, and may also violate the Consensual Relationships Policy (<http://eo.oregonstate.edu/consensual-relationships-policy>).

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<sup>1</sup> These prohibited conduct definitions are used for university sexual misconduct and discrimination allegations that do not fall within the Title IX prohibited conduct as defined in section 5.4.2.

- vi. The university may consider the effects of off-campus conduct when evaluating hostile environment sexual harassment on campus.
- b. **Non-Consensual Sexual Contact.** Any intentional sexual touching, however slight, with any object, by a person upon another person that is without consent and/or by force. Sexual contact includes: intentional contact with the breasts, buttocks, groin or genitals, or touching others with any of these body parts, or making others touch another or themselves with or on any of these body parts, or any other intentional bodily contact made in a sexual manner.
- c. **Non-Consensual Sexual Intercourse.** Any sexual intercourse, with any object, by a person upon another person that is without consent, and/or by force. Intercourse includes: vaginal or anal penetration by a penis, object, tongue, or finger and mouth-to-genital contact, no matter how slight the penetration or contact.
- d. **Non-Consensual Sexual Activity.** Any sexual activity, including, but not limited to: kissing, touching intimate body parts, and fondling without first obtaining consent to the specific activity. Such activity constitutes sexual misconduct under this policy whether or not the conduct violates any civil or criminal law.
- e. **Intimate Partner Violence.** Intimate Partner Violence (“IPV”), includes dating violence, domestic violence, and other types of relationship violence. IPV is violence or a threatened act of violence against a person who is, or has been involved in, a sexual, dating, or other intimate relationship with the alleged perpetrator.
  - i. If there is a question about whether a relationship exists, EOA will make a determination based on the complainant’s description of the relationship, respondent’s description of the relationship, frequency of interaction between the parties, and consideration of the length and type of the relationship.
  - ii. IPV can encompass a broad range of behavior, including all prohibited behavior in this policy. It may involve one act or an ongoing pattern of behavior. IPV may take the form of threats, assault, property damage, violence, or threat of violence to one’s self, one’s sexual or romantic partner, or to family members or friends of the sexual or romantic partner.
- f. **Stalking.** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their or others’ safety or to suffer substantial emotional distress. For purposes of this definition:
  - i. Course of conduct means two or more acts, including but not limited to, acts in which the alleged perpetrator directly, indirectly, or through third parties,

- by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property;
- ii. Reasonable person means a reasonable person under similar circumstances and with the same protected status(es) as the complainant;
  - iii. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling;
  - iv. Stalking includes cyber-stalking, a particular form of stalking in which the alleged perpetrator uses electronic media such as the internet, social media, blogs, cell phones, texts or other electronic devices or platforms to engage in the activity.
- g. **Sexual Exploitation.** Non-consensual or abusive sexual advantage of another for one's 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 offenses. Examples of sexual exploitation include, but are not limited to:
- i. Without consent, purposefully observing another individual's nudity or listening to or observing the sexual activity of individuals, or purposefully allowing another to observe or listen to consensual sexual activity, which is conducted in a private space, without the knowledge and consent of all parties involved;
  - ii. Viewing or possessing, or enabling or facilitating the viewing, creation, or trafficking of child pornography;
  - iii. Non-consensual photographing, recording, sharing, or streaming of images, photography, video, or audio recording of sexual activity or nudity conducted in a private space, or distribution of such without the knowledge and consent of all parties involved;
  - iv. Exposing one's genitals or inducing another to expose their own genitals in non-consensual circumstances;
  - v. Knowingly exposing another individual to a sexually transmitted infection, or disease, without their knowledge;
  - vi. Inducing incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity; or,

vii. Prostituting another person.

5.3.3. **Retaliation.** Retaliation against a complainant, respondent, or any individual or group of individuals for any manner of participation with the university under this policy is prohibited.

- a. Retaliation includes purposefully interfering with, threatening, or damaging the academic and/or professional career of another individual before, during, or after the investigation and resolution of a report of prohibited conduct under this policy.
- b. Retaliatory actions include, but are not limited to, threats or actual violence against such person or that person's property, adverse educational and/or employment consequences, ridicule, intimidation, pressuring, or continued abuse, including in electronic and online communications.
- c. The university will impose sanctions on any individual subject to this policy who is found to have engaged in retaliation, or individuals who encourage third parties to retaliate on their behalf or are found to have engaged in conduct that would discourage a reasonable person from participating in an investigation or resolution.

#### 5.4. **Prohibited Conduct – Title IX Sexual Misconduct<sup>2</sup>**

5.4.1. **Title IX Allegations.** Title IX Discriminatory Sexual Misconduct definitions, and the associated Title IX Investigation and Resolution Process, apply only when all of the following are met:

- a. The allegation meets the definition of sexual harassment as outlined in 5.4.2;
- b. The matter alleges conduct in a university program or activity over which the university exercised substantial control over both the respondent and the context in which the alleged sexual harassment occurred;
- c. The incident occurred against a person in the United States who, at the time of filing the complaint, was participating in or attempting to participate in a university education program or activity; and
- d. A written, signed formal complaint describing the allegations is submitted to EOA or signed by the Title IX Coordinator.

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<sup>2</sup> Title IX Discriminatory Sexual Misconduct definitions are only for allegations falling within the definitions of Title IX prohibited conduct, as defined in section 5.4.2.



- 5.4.2. **Title IX Sexual Harassment.** Any conduct on the basis of sex that satisfies one or more of the following:
- a. A university employee conditioning the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct;
  - b. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to a university educational program or activity;
  - c. **Title IX Sexual Assault.** An offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation;
    - i. **Sex Offenses, Forcible.** Any sexual act directed against another person, without the consent of the complainant including instances where the complainant is incapable of giving consent.
      1. **Forcible Rape.** Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the complainant.
      2. **Forcible Sodomy.** Oral or anal sexual intercourse with another person, forcibly and/or against that person's will (non-consensually) or not forcibly or against the person's will in instances where the complainant is incapable of giving consent because of age or because of their temporary or permanent mental or physical incapacity.
      3. **Sexual Assault with an Object.** To use an object or instrument to penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will (non-consensually) or not forcibly or against the person's will in instances where the complainant is incapable of giving consent because of age or because of their temporary or permanent mental or physical incapacity.
      4. **Forcible Fondling.** The touching of the private body parts of another person (buttocks, groin, breasts) for the purpose of sexual gratification, forcibly and/or against that person's will (non-consensually) or not forcibly or against the person's will in instances where the complainant is incapable of giving consent because of age or because of their temporary or permanent mental or physical incapacity.
    - ii. **Sex Offenses, Nonforcible.** Nonforcible sexual intercourse.

1. Incest. Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  2. Statutory Rape. Nonforcible sexual intercourse with a person who is under the statutory age of consent.
- d. **Title IX Dating Violence.** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant.
- i. The existence of such a relationship shall be determined based on the complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition:
    1. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
    2. Dating violence does not include acts covered under the definition of Title IX domestic violence.
- e. **Title IX Domestic Violence.** An act of violence committed by:
- i. A current or former spouse or intimate partner of the complainant;
  - ii. A person with whom the complainant shares a child in common;
  - iii. A person who is cohabitating with or has cohabitated with the complainant as a spouse or intimate partner;
  - iv. A person similarly situated to a spouse of the complainant under applicable law; or,
  - v. Any other person against a complainant who is protected from that person's acts under applicable domestic or family violence laws.
- f. **Title IX Stalking.** 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.
  - iii. For the purposes of this definition:

1. Course of conduct means two or more acts, including, but not limited to, acts in which the individual directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
2. Reasonable person means a reasonable person under similar circumstances and with similar identities to the complainant.
3. Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

5.4.3. **Title IX Retaliation.** Intimidating, threatening, coercing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the university's Title IX Investigation and Resolution process.

#### 5.5. Evaluation of Consent

- 5.5.1. All sexual activity between members of the university community must be based on consent. Obtaining the consent of all sexual partners is crucial to prevent sexual misconduct and is required by this policy.
- 5.5.2. When determining whether consent was present, the university will consider whether a sober, reasonable person in the same position should have known whether the other party could or could not consent to the sexual activity.
- 5.5.3. To be effective, consent must be all of the following:
  - a. Informed and reciprocal. All parties must demonstrate a clear and mutual understanding of the nature and scope of the act to which they are consenting and a willingness to do the same thing, at the same time, in the same way. Consent cannot be informed when one is unaware that the act is being committed.
  - b. Freely and actively given. An individual cannot consent who is incapacitated by any drug or intoxicant; or who has been compelled by force, threat of force, or deception; or whose ability to consent is compromised because of a mental or physical condition; or who is coerced by grading, supervisory, or disciplinary authority.

- c. Mutually understandable. Communication regarding consent consists of mutually understandable words and/or actions that indicate an unambiguous willingness to engage in sexual activity. In the absence of clear communication or outward demonstration, there is no consent. Consent may not be inferred from silence, passivity, lack of resistance, or lack of active response. An individual who does not physically resist or verbally refuse sexual activity is not necessarily giving consent. Relying solely upon non-verbal communication can lead to a false conclusion as to whether consent was sought or given.
  - d. Present and ongoing. Recognizing the dynamic nature of sexual activity, individuals choosing to engage in sexual activity must evaluate consent in an ongoing manner and communicate clearly throughout all stages of sexual activity. Withdrawal of consent can be expressed orally or can be based on an outward demonstration that conveys that an individual is hesitant, confused, uncertain, or is no longer a mutual participant. Once consent is withdrawn, the sexual activity must cease immediately and all parties must obtain mutually expressed or clearly stated consent before continuing further sexual activity.
- 5.5.4. The existence of prior sexual activity or relationship does not, in and of itself, constitute consent. Consent to some sexual acts does not constitute consent to others, nor does past consent to a given act constitute present or future consent.
- 5.5.5. A person is unable to give consent when there is sufficient evidence of force, coercion, or incapacitation. For the purposes of determining consent:
- a. “Force” is the use or threat of physical violence or intimidation to overcome an individual’s freedom of will to choose whether or not to participate in sexual activity. For the use of force to be demonstrated, there is no requirement that a complainant resists the sexual advance or request; however, resistance by the complainant will be viewed as a clear demonstration of non-consent.
  - b. “Coercion” is the improper use of pressure to compel another individual to initiate or continue sexual activity against their will. Coercion can include a wide range of behaviors, including intimidation, manipulation, threats, and blackmail. A person’s words or conduct are sufficient to constitute coercion if they wrongfully impair another individual’s freedom of will and ability to choose whether or not to engage in sexual activity. Coercion includes, but is not limited to: threatening to “out” someone based on sexual orientation, gender identity or gender expression; and threatening to harm oneself if the other party does not engage in the sexual activity.
  - c. “Incapacitation” is a state where an individual cannot make an informed and rational decision to consent to sexual activity. Incapacitation can be caused by:

- i. Age (generally under the age of 18 in Oregon);
- ii. Disability that impairs the individual's ability to give consent; or,
- iii. Physical condition, such as when an individual is asleep, unconscious, or otherwise unaware that sexual activity is occurring.

**5.5.6. Evaluation of incapacity.**

- a. The use of alcohol or other drugs does not, in and of itself, negate a person's ability to give consent, but a level of intoxication can be reached short of losing consciousness, in which a person's judgment is so impaired that they become incapacitated and thus are not capable of giving consent. The impact of alcohol and drugs varies from person to person, and evaluating incapacitation requires an assessment of how the consumption of alcohol and/or drugs impact an individual's:
  - i. Decision-making ability;
  - ii. Awareness of consequences;
  - iii. Ability to make informed judgments; and,
  - iv. Capacity to appreciate the nature of the act.
- b. Because the use of alcohol and other drugs can have a cumulative effect over time, a person who may not have been incapacitated at the beginning of sexual activity may become incapacitated and therefore unable to give effective consent as the sexual activity continues.
- c. Evaluating incapacitation also requires an assessment of whether the respondent, or a sober, reasonable person in the respondent's position, knew or should have known, that the complainant was incapacitated. If the person who wants to engage in sexual activity is too intoxicated to judge another's communications about consent, that person has an obligation to cease the activity.

- 5.5.7. A person's responsibility for obtaining consent is not diminished by their use of alcohol or other drugs. Being intoxicated or impaired by drugs or alcohol is never an excuse for sexual harassment, sexual misconduct, stalking, or dating and domestic violence and does not diminish one's responsibility to obtain consent.

## 6. Reporting and Resources

Call 911 in an emergency or if you have an immediate safety concern.

### 6.1. University Reporting

- 6.1.1. To notify the university and initiate the EOA investigation and resolution process regarding any prohibited conduct as defined by this policy, contact:

Dr. Kim Kirkland  
**Title IX Coordinator and Executive Director**  
Equal Opportunity and Access  
330 Snell Hall  
Corvallis, OR 97331  
541-737-3556

Email reports to: [equal.opportunity@oregonstate.edu](mailto:equal.opportunity@oregonstate.edu)

- 6.1.2. A full list of reporting options can be found at <http://eoa.oregonstate.edu/sexual-misconduct-resources-and-information>
- 6.1.3. In the event an incident involves alleged sexual misconduct or discrimination by the Title IX Coordinator, reports should be made directly to OSU President F. King Alexander or designee: Rebecca Gose, General Counsel, Office of the General Counsel, [Rebecca.Gose@oregonstate.edu](mailto:Rebecca.Gose@oregonstate.edu).
- 6.1.4. Even if a complainant chooses not to report formally and/or chooses not to participate in an investigation process (through EOA or law enforcement), the complainant can contact EOA for information and assistance accessing on or off campus support resources and for information on available assistance.

### 6.2 Other Reporting Options

- 6.2.1. Anyone experiencing sexual misconduct or discrimination also has the right to file a formal grievance with government authorities, but should be aware that deadlines may apply:
- a. **Office for Civil Rights, Seattle Office.** U.S. Department of Education  
915 Second Avenue, Room 3310, Seattle, WA 98174-1099  
Telephone: 206-607-1600  
Facsimile: 206-607-1601  
Email: [OCR.Seattle@ed.gov](mailto:OCR.Seattle@ed.gov)

**b. U.S. Department of Justice, Civil Rights Division.**

950 Pennsylvania Avenue, NW, Educational Opportunities Section, PHB,  
Washington, D.C. 20530

Telephone: 202-514-4092 or 1-877-292-3804 (toll-free)

Email: [education@usdoj.gov](mailto:education@usdoj.gov)

**6.3 Confidential Resources**

If a complainant is not sure if they want to initiate a report to the university or to law enforcement, they can still receive advice and assistance and support by contacting the confidential resources below.

**6.3.1. Corvallis Campus and Area****a. OSU Survivor Advocacy and Resource Center (SARC)**

Contact: 541-737-2030 or [survivoradvocacy@oregonstate.edu](mailto:survivoradvocacy@oregonstate.edu)

Website: <http://studenthealth.oregonstate.edu/sarc>

Location: 311 Plageman Building

Available from 9:00 am to 6:00 pm and hotline support after hours. SARC serves as a first point of contact for survivors and their allies, in order to provide needed information about their choices and their rights, and can assist with referral to desired services.

**b. Center Against Rape and Domestic Violence (CARDV)**

Contact: 541-754-0110 (local), 800-927-0197

Website: <http://cardv.org/>

A community resource that provides 24/7 confidential crisis response. CARDV can assist in the process of obtaining a restraining/stalking protection order or Sexual Abuse Protection Order (SAPO), accessing emergency shelter, providing support as a personal representative during medical examinations or reporting procedures, and more.

**c. Sarah's Place (Samaritan Health Services)**

Contact: 541-812-4420

Website: <https://www.samhealth.org/find-a-location/s/sarahs-place>

Location: 1046 Sixth Ave SW Albany, OR 97321

Sarah's Place is a regional sexual assault nurse examiner (SANE) center created to provide a safe place for victims to receive resources and care. Sarah's Place is open

to patients twenty-four hours a day, seven days a week. Most services are free. Staffed by nurses with specialized training, the SANE center provides immediate medical treatment to patients who have experienced sexual assault. Additional counseling and patient support is also available. Non-emergency transportation resources for patients from the coast can be arranged as needed.

d. **OSU Student Health Services (SHS)**

Contact: 541-737-9355

Website: <http://studenthealth.oregonstate.edu/>

Location: Plageman Building

Available during business hours. SHS offers a fully integrated Sexual Assault Nurse Examiner (SANE) program to support any student, regardless of gender identity, who is a survivor of sexual assault. By offering exams at the campus health center, sexual assault survivors can be in familiar surroundings with caring clinicians and do not have to be concerned about arranging transportation to the hospital. Survivors can continue seeing a Student Health clinician for any other health exams as well, which allows for a continuum of care for the survivor that includes sensitivity to their experience.

e. **OSU Counseling and Psychological Services (CAPS)**

Contact: 541-737-2131

Website: <http://counseling.oregonstate.edu/>

Location: 500 Snell Hall

Available to meet during business hours and available over the phone for counseling after hours, 24-hours a day. Provides support and counseling for students who have experienced unwanted sexual contact or relationship violence.

6.3.2. Bend Campus and Area

a. **Saving Grace**

Contact: 541-389-7021 (local), 866-504-8992

Website: <https://www.saving-grace.org/>

A community resource that provides 24/7 confidential crisis response. Saving Grace can assist with court advocacy, emergency shelter, emergency transportation, therapy, and more.

b. **OSU-Cascades Counseling Services**

Contact: 541-322-3162



Location: Tykeson Hall, 210G

Website: <http://osucascades.edu/student-wellness>

Available to meet during business hours for counseling. Provides support and counseling for students who have experienced unwanted sexual contact or relationship violence.

c. **St. Charles Emergency Department**

Contact: 541-382-4321

Location: 2500 NE Neff Rd, Bend

Emergency is open 24-hours a day, 7 days a week, and staffs Sexual Assault Nurse Examiners (SANE) who provide forensic evidence collection (SAFE exam). It is recommended that a person going for exam call ahead to lessen wait times as the SANE staff is on-call during off hours.

6.3.3. Hatfield Marine Science Center and Newport Area

a. **My Sister's Place**

Contact: 541-994-5959, 1-800-841-8325 (toll free)

Email: [contact@mysistersplace.us](mailto:contact@mysistersplace.us)

Location: 410 SW 9th Street, Newport

A community resource that provides 24/7 confidential crisis response. My Sister's Place can assist in the process of obtaining a restraining/stalking protection order or Sexual Abuse Protection Order (SAPO), accessing emergency shelter, reporting, and more.

6.4 **Law Enforcement**

Complainants are not required, but have the right, to file a criminal complaint with law enforcement and the university/EOA simultaneously. EOA can assist an individual in reporting to law enforcement for complainants alleging misconduct that is also a criminal offense.

Please note that it is important to preserve evidence that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protective order. Regardless of whether or not a complainant wishes to report an incident, it is important to preserve any evidence of the sexual assault or other misconduct so that if a complainant decides to report the incident in the future, that evidence is still available. Examples of evidence to preserve include, but are not limited to: the clothing the individual was

wearing, bedding, relevant text messages, photographs, screenshots, emails, social media correspondence/posts, videos, and/or names of witnesses and contact information.

Regardless of whether an individual chooses to make a report to law enforcement, a medical exam can be done to preserve evidence. The Sex Assault Nurse Examiners (SANE) available at Student Health Services and area hospitals can conduct exams, ideally within five days of the sexual assault. It is best if the person does not bathe, shower, eat, drink, douche, or change clothing. However, evidence can still be collected even if you have done any or all of these things.

#### 6.4.1. Corvallis Campus and Area

**a. Campus Emergency – Oregon State Police or OSU Department of Public Safety**

Contact: 541-737-7000

Website: <http://fa.oregonstate.edu/publicsafety/>

Location: Cascades Hall, 2nd Floor Oregon State Police

**b. Corvallis Police Department**

Contact: 911 or 541-766-6924

Website: <http://www.corvallisoregon.gov/index.aspx?page=58>

Location: 180 NW 5th St, Corvallis

#### 6.4.2. Bend Campus and Area

**a. Campus Emergency – Bend Police Department or OSU-Cascades Department of Public Safety**

Contact: 541-322-3110

Website: <https://osucascades.edu/campus-safety>

Location: 1500 SW Chandler Avenue, Bend, Oregon 97702

**b. Bend Police Department**

Contact: 911 or 541-693-6911

Website: <https://www.bendoregon.gov/government/departments/police>

Location: 555 NE 15th St., Bend

#### 6.4.3. Hatfield Marine Science Center and Newport Area

**a. Newport Police Department**

Contact: 911 or 541-265-4231

Website: <http://newportoregon.gov/dept/npd/>

Location: 169 SW Coast Hwy, Newport

## 7. Frequently Asked Questions

7.1. None.

## 8. Related Information

8.1. Office of Equal Opportunity and Access Sexual Discrimination and Misconduct Investigation and Resolution Process <http://eoa.oregonstate.edu/policies-and-investigation-procedures#InvestigationProcedures>

8.2. Code of Student Conduct: [https://studentlife.oregonstate.edu/sites/studentlife.oregonstate.edu/files/edited\\_code\\_of\\_student\\_conduct.pdf](https://studentlife.oregonstate.edu/sites/studentlife.oregonstate.edu/files/edited_code_of_student_conduct.pdf)

8.3. Consensual Relationships Policy: <http://eoa.oregonstate.edu/consensual-relationships-policy>

## 9. History

9.1. Adopted: September 2017.

9.2. Amendment: Housekeeping, February 2019.

9.3. Amendment: Housekeeping, August 2020.

9.4. Next scheduled review date: August 2023.

## 10. Website

10.1 University Policy 05-001 *Sexual Misconduct and Discrimination*: [http://policy.oregonstate.edu/UPSM/05-001\\_sexual\\_misconduct\\_discrimination](http://policy.oregonstate.edu/UPSM/05-001_sexual_misconduct_discrimination)

## 11. Contacts

Department	Phone Number	Website
Equal Opportunity and Access	541-737-3556	<a href="http://eoa.oregonstate.edu/">http://eoa.oregonstate.edu/</a>
<b>Report Sexual Misconduct and Discrimination to:</b>		

**Kim Kirkland**

Executive Director and Title IX Coordinator  
Equal Opportunity and Access  
330 Snell Hall  
Corvallis, OR 97331

**Contact EOA at:** [equal.opportunity@oregonstate.edu](mailto:equal.opportunity@oregonstate.edu)

**Report Sexual Misconduct or Discrimination at:** <https://eoa.oregonstate.edu/>