

COLLEGE POLICIES AND PROHIBITED CONDUCT

Any student found to have violated any of the following College Policies and/or prohibited conduct is subject to the disciplinary sanctions outlined in the Code of Conduct.

ACADEMIC FREEDOM IN COURSES AND SCHOLARSHIP

The faculty member in the classroom, laboratory, and conference with students should encourage free discussion, inquiry, and expression. Students are free to take reasoned exception to the data or views offered in any course of study and to reserve judgment about matters of opinion, but students are also responsible for learning the content of any course of study for which they are enrolled.

Students should expect that performance in academic settings be evaluated on an academic and professional basis. Students should be informed in advance concerning attendance policies and grading procedures of faculty members in whose classes they are enrolled. Students should be given a syllabus or equivalent description of course proceedings and expectations for each class in which they are enrolled. If students believe a final grade in a course or an academic decision affecting continuance in a degree program deviates from established practices, students have the right of appeal. The grounds for such an appeal must be procedural. Appeals procedures are published in the College Catalog. Students are responsible for knowing and adhering to the principles of academic integrity as stated in the College Catalog and the Pathfinder.

ACADEMIC GOOD STANDING

To be eligible to participate in varsity athletics, maintain an elected student government position, or to formally represent the College in some forms of intercollegiate competition, a student must be in "academic good standing." This means that the student is not on academic probation. For further information see the College Catalog.

ACCESS TO HIGHER EDUCATION

Any person may apply for admission to Lewis & Clark. No applicant shall be barred from admission to Lewis & Clark on the basis of race, color, age, religion, sex, sexual orientation, national origin, disability, or marital status. Any student in good standing may be granted a leave of absence from the College, according to current and published policies. For further information see the College Catalog.

ACADEMIC INTEGRITY

Principles Of Conduct

The community of scholars at Lewis & Clark College is dedicated to personal and academic excellence. Joining this community obligates each member to observe the principles of mutual respect, academic integrity, civil discourse, and responsible decision making.

Academic Integrity Policy

Academic integrity finds its genesis in the fundamental values of honesty, tolerance, respect, rigor, fairness, and the pursuit of truth. Scholarship is at the heart of this academic community, and trust between faculty and students is essential to the achievement of quality scholarship. At times scholarship is collaborative, at times independent. All sources, both written and oral, should be properly cited. Acts of academic dishonesty are contrary to the mission of the College and constitute a serious breach of trust among community members.

Academic Integrity In Practice

Lewis & Clark College believes that each member of the community is responsible for the integrity of his or her individual academic performance. In addition, because each act of dishonesty harms the entire community, all individuals—students, faculty, and staff members alike—are responsible for encouraging the integrity of others, by their own example, by confronting individuals they observe committing dishonest acts, and/or by discussing such actions with a faculty member or academic dean, who will respect the confidentiality of such discussions. When any individual violates this community's standards, we are committed as a community to take appropriate steps to maintain standards of academic integrity.

Acts of academic dishonesty involve the use or attempted use of any method or technique enabling a student to misrepresent the quality or integrity of his or her academic work.

Academic dishonesty with respect to examinations includes but is not limited to copying from the work of another, allowing another student to copy from one's own work, using crib notes, arranging for another person to substitute in taking an examination, or giving or receiving unauthorized information prior to or during the examination.

Academic dishonesty with respect to written or other types of assignments includes but is not limited to: failure to acknowledge the ideas or words of another that have consciously been taken from a source, published or unpublished; placing one's name on papers, reports, or other documents that are the work of another individual, whether published or unpublished; flagrant misuse of the assistance provided by another in the process of completing academic work; submission of the same paper or project for separate courses without prior authorization by faculty members; fabrication or alteration of data; or knowingly facilitating the academic dishonesty of another.

Academic dishonesty with respect to intellectual property includes but is not limited to theft, alteration, or destruction of the academic work of other members of the community, or of the educational resources, materials, or official documents of the College.

AIDS POLICY

HIV (Human Immunodeficiency Virus) infection is potentially lethal, but to a greater extent preventable. In order to protect and inform individuals and the community as a whole, Lewis & Clark's primary response and goal is to provide AIDS-related education to all community members. Support for the AIDS-related

education process comes from the staffs of the Health Service, the Student Counseling Center, Student Success and Wellness, academic advisors, and residence hall staff, all of whom are available to discuss concerns about HIV and AIDS (Acquired Immunodeficiency Syndrome).

Lewis & Clark's AIDS policy is based on six fundamental points:

1. Even though they may not have symptoms, persons with HIV infection can transmit the virus to others through intimate sexual contact, exposure to blood, or birth.
2. Among people who choose to be sexually active, the consistent and conscientious use of condoms greatly reduces the chance of transmission of HIV through sexual intercourse.
3. The sharing of needles used in the injection of illicit drugs is an efficient way to transmit HIV. It is possible that needles used to inject steroids may transmit HIV as well.
4. Persons with documented HIV infection, and those with behavioral risk factors for HIV infection, should not donate blood, plasma, sperm, or other body organs or tissues.
5. People with HIV infection pose no risk of transmitting the virus to others through ordinary interpersonal contact.
6. It is possible that certain interventions and therapies may help limit the consequences of HIV infection among people already infected. People who know they have been infected may thus benefit from regular medical follow-up and immunologic evaluation.

Lewis & Clark will not consider the existence of any form of HIV infection when making decisions related to student admission or to hiring, advancement, promotion, or tenure, except as it affects the individual's ability to perform his or her role.

Individuals with any form of HIV infection, whether symptomatic or not, are allowed regular access to campus dining facilities, theaters, snack bars, gymnasiums, swimming pools, saunas, recreational facilities, and other common areas. Individuals are allowed classroom attendance in an unrestricted manner as long as they are physically and mentally able to attend class.

People with AIDS (and possibly those with other manifestations of the HIV infection) are considered to have handicapping conditions. Lewis & Clark respects all legal rights of handicapped persons.

Lewis & Clark will not routinely ask employees to respond to questions about the existence of HIV infection. It is appropriate, however, for employees with HIV infection to inform Health Services to enable the institution to provide proper medical care, support, counsel, and education. Lewis & Clark does provide HIV testing services and pre-test and post-test counseling. Results are discussed only with the person requesting the test, and are strictly confidential.

All information a person provides to Health Services is strictly confidential. No specific or detailed information concerning complaints or diagnosis will be provided to any outside party without the express written consent of the employee. The number of people at the College who are aware of the existence and /or identity of community members with HIV infection will be kept to an absolute minimum.

Lewis & Clark follows the safety guidelines proposed by the United States Public Health Service for the handling of blood and body fluids of all persons, not just those previously known to have HIV infection.

ALCOHOL AND OTHER DRUGS POLICY

Lewis & Clark College seeks to assure the health and well-being of the entire College community. Therefore, consistent with state and federal laws including the Drug-Free Schools and Communities Act, the College adopts the following policy designed to prevent the illicit use of drugs and the abuse of alcohol and provide opportunities for education and assistance to members of the College community.

The College policy on alcohol and other drug use is described in the brochure "Alcohol and Other Drugs Policy and Information", distributed annually to each member of the Lewis & Clark community, in accordance with Federal legislation as found in the Amendments to the Drug Free Schools and Communities Act, 1989.

- The College prohibits the unlawful use, abuse, sale, purchase, transfer, possession, manufacture, distribution, or dispensing of drugs or alcohol by students and employees on College property or as part of any College activity. In accordance with Oregon law, the service of alcohol to or consumption by any person who is under the age of 21 or is intoxicated is prohibited. Public intoxication at any age is a violation of this policy.
- Intoxication to the point of incapacitation at any age is a violation of this policy.
- Common source containers of alcohol, such as kegs, are prohibited on campus except with prior written permission as outlined in this policy.
- Drug related paraphernalia or any other item containing illegal residue are prohibited on campus property and will be confiscated and destroyed by Campus Safety officers.
- The College expects that those employed by the College in any capacity will carry out their duties free from the influence of alcohol or other drugs.
- Alcohol and other drugs may not be consumed in the course of any class, laboratory, or other activity at which attendance is required as part of a student's course or degree requirements.
- The College has established a drug and alcohol awareness program to inform members of the College community about: the dangers of alcohol or drug abuse; the College policy on drugs and alcohol use; available alcohol and drug counseling, rehabilitation, and employee assistance programs; and the penalties that may be imposed for violations of this policy.
- The College encourages students and employees who use illegal drugs or who abuse alcohol to seek appropriate assistance.
- All members of the Lewis & Clark community and guests, and the sponsors of any on-campus or College-sponsored activity or social event at which

alcoholic beverages are served, must abide by all applicable laws. Sponsors must obtain and follow applicable procedures.

1. Alcoholic beverages may be served or consumed under certain circumstances in designated public spaces only, with prior approval from the authorized official for the College of Arts of Sciences (Dean of Students), the Graduate School of Professional Studies (Assistant Dean), or Northwestern School of Law (Associate Dean), who will confer with the appropriate building manager or other person administratively responsible for the building in which the event will be held.
2. A “public space” is defined as all locations on campus other than student residential rooms. Public places include but are not limited to hallways, kitchens, lounges, bathrooms, and study rooms in residential facilities, campus grounds, athletic fields, and all other College buildings and vehicles.
3. A “private space” is defined as a student’s room in a residence hall, with the door closed. A residence hall room with an open door is defined as a public space. Private gatherings in individual rooms do not have to be registered, but occupants and participants are responsible for abiding by federal, state and local laws and College policy.

Noncompliance with this policy may result in penalties up to and including expulsion from the College and termination of employment. The nature and severity of the violation will determine the progression of corrective action. If the situation warrants, expulsion or termination of employment may occur on a first offense. As required by federal law, the College reserves the right to refer students or employees for prosecution depending on the severity of the violation.

In addition to any disciplinary action that may be taken against individuals, any College-sponsored or College-supported groups that condone or encourage violations of this policy may be subject to discipline and possible dissolution.

The College also reserves the right to remove any and all persons from College facilities or otherwise separate those persons from the institution whenever there may be a threat to the safety, health, or well-being of the College or a member of the College community, whether alcohol- or drug-related or otherwise.

The Drug-Free Workplace Act of 1988 requires that any employee of the College community who has been convicted of a violation of the statute involving illegal drugs shall notify the director of human resources within five days of the criminal conviction if the conduct giving rise to the conviction occurred on campus or while the member was in activities sponsored by or connected to the College. The College should then make any reports to government agencies that may be required by law.

FINDING HELP FOR YOURSELF OR OTHERS- COLLEGE AND COMMUNITY RESOURCES

The College recognizes alcohol and other drug dependence as an illness and a major health problem. Alcohol is the number one drug problem in this country and on campus. Drinking alcohol has acute effects on the body. It impairs speech, coordination, vision, and judgment, and often leads to dangerous risk-taking behavior. Nearly half of all accidental deaths, suicides, and homicides are alcohol

related. The misuse of alcohol is often involved in violent behavior, acquaintance rape, unintended pregnancy, and exposure to sexually transmitted diseases.

Long-term excessive drinking and other drug use can lead to a variety of health problems. Alcohol and other drugs can cause physical and psychological dependence. They can interfere with memory, sensation, and perception. Drugs impair the brain's ability to synthesize information. Regular users of drugs develop tolerance and physical dependence, often evidenced by withdrawal symptoms. A user is psychologically dependent when a drug is central to his or her life.

The College encourages all members of the community who use illegal drugs or abuse alcohol to seek appropriate assistance. The College provides alcohol and drug abuse information or referral services to help meet individual needs and to assist in times of crisis.

The Counseling Center and the Student Health Center are available to all members of the College community for confidential alcohol or drug-related consultation, whether or not those members are covered under the College health insurance program.

Members of the College community are urged to refer individuals troubled by illegal drug use or alcohol abuse to the Counseling Center, Student Health Center, director of human resources, or the appropriate dean or supervisor.

Lewis & Clark College Resources

Campus Safety	(503) 768-7855
Counseling Center	(503) 768-7160
Dean of Students, CAS	(503) 768-7145
Dean, Graduate School	(503) 768-7700
Dean, Law School.....	(503) 768-6601
Director of Human Resources.....	(503) 768-7835
Employee Assistance Program	(503) 228-3223
Student Health Center	(503) 768-7165

Community Resources

Alcohol and Drug Help Line*	(503) 244-1312
Al-Anon	(503) 292-1333
Alcoholics Anonymous	(503) 223-8569
Alcoholics Victorious.....	(503) 245-9629
Cocaine Anonymous.....	(503) 256-1666
Codependents Anonymous	(503) 285-8891
Serenity Lane	(503) 244-4500

* 24-hour Oregon hotline for drug and alcohol information and referral.

Legal Counsel

Criminal convictions may have serious effects on an individual's future career, in addition to carrying the penalties cited above. Resources for obtaining an attorney include:

Oregon State Bar Referral Service	(503) 684-3763
Oregon Legal Aid Service.....	(503) 224-4086
Oregon Attorney Assistance Program	(503) 226-3316

REGISTRATION, SCHEDULING, AND LICENSING OF EVENTS IN COLLEGE PUBLIC PLACES

General

1. Only currently registered students at least 21 years of age may register a student-sponsored event that includes alcohol. Proof of age may be required.
2. If facilities are rented to groups not formally affiliated with the College, group representatives are required to follow the policies and procedures as outlined in this document.
3. Registered events can only occur between regular hours of operation, unless other provisions are approved in writing.
4. No one may sell or distribute alcoholic beverages without a license from OLCC if money is to change hands in any way. Sale is broadly defined to include any charge or fee for service, membership, admission, cups, club dues, donations, etc.
5. If money is to change hands in any way, even indirectly, consult with the Dean of Students or Assistant Dean in the Graduate School, or the Associate Dean of the Law School in advance of the planned event.
6. Student fees at the College of Arts and Sciences may not be used to purchase alcoholic beverages.
7. Scheduling, licensing with OLCC, and other considerations determine how much time is necessary for planning. No proposal will be considered that is submitted less than two weeks prior to the planned event, as the licensing process with the State of Oregon and the City of Portland requires 10 days notice.
8. Special dispenser's permits for the service of beer and/or wine cost \$10 (each type of beverage) and require 10 working days lead time for OLCC to process the application.
9. If registration is denied, the reasons for the denial will be provided in writing upon request.
10. Advertising may not include a reference to the availability of alcoholic beverages, and alcohol may not be the focus of an activity.
11. Advertised events involving the distribution of alcoholic beverages must be approved before publicity is distributed.
12. Non-alcoholic drinks (excluding mixers) must be made available in quantity and prominence or accessibility at least equal to that of the alcoholic beverages to be served.
13. Food in sufficient quantity must be available for the number of guests anticipated whenever alcoholic beverages are to be served. Event planners must consult with the Dean of Students/designate or the Associate Dean of the Law School to determine whether the quantities of food under consideration will be sufficient.

Quantity of Beverages

One ounce of alcohol is the equivalent of three ounces of wine, or nine ounces of beer.

Guidelines for purchase and distribution: One ounce of alcohol per hour for each person.

Event Location

Consumption of alcohol will be confined to the designated public place that has

been reserved and approved for the function. If the space is outdoors, the area where alcohol is to be consumed must be clearly marked (by fence or rope), with monitored entrances/exits.

Any change in location requires filing an amended registration form.

Lewis & Clark College prohibits persons from carrying open containers outside of approved areas.

Checking Identification

The sponsor of the function must provide or pay for an OLCC "approved" person to dispense or tend drinks. Both the sponsor and server are responsible for checking proof of legal age for anyone who wishes to drink alcoholic beverages. When in doubt, do not serve.

All members of the Lewis & Clark community and their guests possessing alcoholic beverages must be prepared to show legal proof of age on request from event sponsors, OLCC servers, and College officials.

Event Monitoring and Other Sponsor Responsibilities

A copy of the approved registration form (and, if applicable, the OLCC special events permit) must be posted in a readily visible place (i.e., in close proximity to the place where alcohol is likely to be present) at all registered events for the duration of the event.

The sponsor is responsible for monitoring all exits and entrances during the function.

Registered events must have designated non-drinking individuals to assist party registrants in complying with the alcohol policy and these requirements.

The organizers/sponsors of any on-campus gathering where alcohol is to be distributed are responsible for assuring compliance with this policy. Campus Safety will render assistance if necessary.

Confiscation of Alcoholic Beverages

If alcohol is being consumed by, or is in the possession of event attendees who cannot provide proof of legal age, or when it is being distributed to those under legal age, representatives of the sponsoring organization must take appropriate action, which must include confiscation of alcoholic beverages or discontinuance of service.

Role of Campus Safety

Campus Safety officers may confiscate alcohol from (a) an individual who cannot provide proof of legal age, (b) any persons who are distributing alcohol to any persons who cannot provide proof of legal age, and (c) any persons who are intoxicated, or (d) any persons who are distributing alcohol to any intoxicated persons.

Campus Safety officers or other authorized College staff members may terminate the event if they determine that the event does not adhere to these regulations.

Event Clean-up/Damages

The area used for an activity at which alcohol is served or consumed must be

cleaned by users immediately following the activity unless an alternative written arrangement has been made. This includes removal of all alcohol from public areas. The sponsoring organization is responsible for damages and cleaning expenses.

Note: For further information on this policy and the procedures described, please consult with the Dean of Students at the College of Arts and Sciences, the Dean of the Graduate School, or the Dean of Northwestern College of Law.

ANIMAL CONTROL POLICY AND PETS ON CAMPUS

The College has established policies regarding animals for two reasons: to preserve the safety of animals and people on campus, and to protect the College from liability in animal control incidents.

Inhumane or cruel treatment of animals on College property is prohibited. Animals are not allowed in residence halls or Templeton Student Center, with exception of guide or service dogs or by special permission of the Dean of Students.

Pets may visit Lewis & Clark provided they are under the direct control of their owners at all times. Pets may not be tethered and unattended. Pets may not be brought into any of the buildings of Lewis & Clark College without prior written permission. Pets may not be left in closed vehicles on campus.

Resident students may not own or care for pets, other than fish in approved aquaria, in campus residence halls.

The College allows Multnomah County animal control officers access to all College property to enforce animal control laws. Campus Safety officers are familiar with animal control laws and will educate the College community regarding these laws. Members of the College community and visitors are expected to comply with Chapter 8.10 of the Multnomah County Code. These regulations include, but are not limited to, the animal owner's responsibility:

- To ensure a pet is not vicious or a threat to the safety of the College community.
- To be certain the animal does not bite any member of the College community or a visitor to the College.
- To prevent the animal from obstructing College activities including classes, scheduled events, or any other College function.
- To be certain the animal does not enter any facility in which food is prepared or served.
- To keep the animal on a leash and under control while on the campus grounds.

When members of the Lewis & Clark Community or visitors to the College are observed by Campus Safety officers to be in violation of this policy, the Campus Safety officer will write a report specifying the time and location of the behavior in violation.

ANIMALS, LABORATORY USE OF

When animals are used for research or instructional purposes, their acquisition, care, use, and disposal must comply with current federal, state, and local laws and regulations. A student must work with a faculty member, trained in research methods and experienced in the care of laboratory animals, who should supervise all procedures involving animals to ensure consideration of their comfort, health, and humane treatment.

Lewis & Clark policy conforms to the principles set forth in the Ethical Principles for Psychologists of the American Psychological Association and to those included in the Guide for the Care and Use of Laboratory Animals of the U.S. Department of Health and Human Services. Copies of these documents are available in the Departments of Biology and Psychology of the College of Arts and Sciences, and in the Office of the Dean of the College.

ARSON

Attempting, committing or aiding the intentional commission of an act which results in a fire being ignited which causes damage, or is intended to cause damage, to the property of the College, to the property of another student, or to personal property is prohibited.

ASSOCIATED STUDENTS OF LEWIS & CLARK (ASLC)

The students of Lewis & Clark College organize voluntarily and associate to achieve common purposes. Students are a vital and essential governance constituency of the College. The authority of student associations is subject to the following regulations:

1. Each full-time and part-time student shall have an equal vote in the selection of student body representatives.
2. All full-time and part-time students shall be eligible to be elected and serve as student association representatives unless there are specific bylaws to the contrary.
3. Elected student association representatives may serve for terms of one year according to the terms of office described in the student body bylaws. Representatives may serve for successive terms.
4. The bylaws of the student association shall be subject to the approval of at least a majority of the student body voting in an election.
5. The student association shall present consensus viewpoints of the student body to the faculty, the administration, and the Board of Trustees.
6. The student association may recommend to the President, through the designated College budget manager, annual modifications to student association fees.
7. The student association officially charters student organizations, making its own criteria for the granting of charters consistent with the general policies of the College.
8. The student association may allocate funds to those entities out of the funds allocated to the student association.
9. The student association shall establish and administer an annual budget

corresponding to the fiscal year of the College. The association shall balance expenditures with allocations.

10. The student association shall administer its financial affairs in accordance with the fiscal management standards established by the College and shall comply with the procurement rules of the College.
11. The student association shall conduct its activities in accordance with applicable nondiscrimination laws, policies, and regulations and other generally applicable laws and College policies, regulations, and procedures.
12. Although organizations may have restrictive membership criteria, these should have a basis in the functioning of the organization. Outside of these specific restrictive criteria, student organizations must be open to all students as specified in the College's nondiscrimination policy.
13. Student organizations must submit a statement of purpose, criteria for membership, rules of procedures, and a current list of officers to the student association.

BUSINESS OPERATIONS

Establishing or conducting a private business utilizing College owned facilities or resources, including computing resources, is prohibited (also see "Responsible Use of Technology Resources" policy in this section).

CLASSROOM DISRUPTION

Disruptive class behavior is unacceptable. Disruptive class behavior is behavior which, in the judgment of the instructor, impedes other students' opportunity to learn and which directly and significantly interferes with class objectives. Should such behavior occur, the instructor will request the student to leave class and will refer the matter to the director of Academic Advising. Permission to return to class will be granted only after the student meets with the director of Academic Advising and signs a contract agreeing to appropriate ameliorative action. If the disruptive behavior continues, the instructor may direct the Registrar to drop the student from the course. Students wishing to appeal an administrative drop for class disruption may do so by petition to the Petitions Committee. In such cases, students will continue to be barred from class until the committee renders its decision. Instructors are encouraged to refer to this policy in syllabi and to establish clear classroom behavior expectations. This policy may not be used to inhibit legitimate classroom dissent or discussion with the course instructor or other students.

Dos/7.07

CLOSURE, INSTITUTIONAL

Lewis & Clark College will remain open unless conditions are so severe as to require closure. This policy applies to day, evening, weekday and Saturday classes of the College of Arts and Sciences, the law school and the graduate school of education. Individuals are advised to take all necessary precautions and to avoid dangerous conditions traveling to, from, and around the campus.

School Closure

All classes are canceled and all support services, other than those essential for

resident students (i.e., dining hall, Watzek Library, etc.) are closed. Closure is the result of extended and/or potentially dangerous power outages or extremely hazardous on-campus and/or road conditions caused by heavy icing, downed trees and power lines, etc., or natural or human-caused disasters.

Late Opening

Lewis & Clark will open late if road or weather conditions are expected to improve in time for normal student and campus activities.

Afternoon

When conditions worsen during the course of a regular school day, the Provost or the designee will notify Campus Safety of the action to be taken. Campus Safety will then respond by contacting those people listed below.

When conditions improve considerably during the course of the day in which the College was closed at 6 A.M., scheduled events may take place in the evening. Decisions about evening shifts, classes and public events will be made no later than 4 P.M. by the Provost or the designee in conjunction with the Director of Campus Safety, Dean of the Law School, Dean of the Graduate School of Education, Director of Watzek Library and the Housekeeping Supervisor.

Authorization

The Provost or designee makes all decisions about school closure for Lewis & Clark College.

Announcement Policy

To avoid confusion and inconsistent and unauthorized messages, the senior communications officer for public relations or backup, whether in early morning hours or during the day, will distribute all closure, cancellation, or late opening announcements.

Closure or late opening information announcements will be distributed to the SNOW-line, (503) 768-SNOW, voice mail, the College's Web page, radio, television stations, and other media. Don't rely exclusively on electronic media because it is susceptible, in rare cases, to fraud. View the full policy at www.lclark.edu/dept/hrpolicy/closure.html.

Internet

Oregon Live: www.OregonLive.com

Newspapers

The Oregonian: Inside line (503) 225-5555

The Columbian: Information line (360) 699-6000

Radio Stations

All local news radio stations including:

KEX 1190 AM, KOPB 91.5 FM, KPAM 860 AM, and KXL 750 AM

Television Stations

Television Station KATU—Channel 2

Television Station KOIN —Channel 6

Television Station KGW—Channel 8

Television Station KPTV —Channel 12

The announcement will say "Lewis & Clark College" only and will apply uniformly

to the law school, the graduate school and the College of Arts and Sciences. In the event of delayed opening, the College as appropriate will announce "opening delayed until 9:30 A.M." or "morning classes canceled until 11:30 A.M." or "evening classes will be held/canceled until 5 P.M." Regularly scheduled classes that begin at or after these times will meet.

CONFIDENTIALITY OF RECORDS

Students should expect the College to maintain and protect the confidential status of all personal and academic records except as directed by appropriate legal authority. Certain information is shared within the College for academic and administrative purposes. Such information remains confidential and is shared only as necessary.

The Family Education Rights and Privacy Act of 1974 (FERPA or the Buckley Amendment)

This legislation details students' rights to access to educational records and restricts Lewis & Clark in the release and disclosure of those records to third parties.

Those individuals defined as students have a right to access their educational records. The Family Education Rights and Privacy Act covers two groups of Lewis & Clark students: those currently enrolled at Lewis & Clark College on either a full-time or part-time basis, and former Lewis & Clark students. Educational records include files, documents, records, and other materials regularly maintained by the College (or a party acting for the College), which contain information directly related to a student.

Some information is not considered part of an "educational record" and is, thus, not open for review by the student. Confidential records in the Student Health Center, the Counseling Center, and the Chaplain's Office are examples of this category. Other information which is not considered educational records (and thus is not open to student review) includes, but is not limited to, the following:

- Records that are maintained personally by faculty or administrators and kept in their sole possession.
- Records containing parental financial information (unless released by prior written approval of the parents).
- Records maintained by College legal counsel.

The College should not permit access to, or release of, educational records or any personally identifiable information in them to third parties without the prior written consent of the student, except under specific conditions that include, but are not limited to, the following:

1. Information may be released to officials of the College who have a legitimate educational interest in obtaining access to the records. Such access should be granted to persons in the College who are determined by the records custodian to have purposes directly related to the educational program of the College or the student.
2. Records may also be released to officials of another institution where the individual seeks or intends to enroll.
3. Access may be granted to persons who require it in connection with the

- student's application for, or receipt of, financial aid.
4. Legal authorities may be allowed access to educational records in order to comply with a judicial order (an attempt to notify the student is required by law before the College can honor such an order or subpoena) pursuant to any lawfully issued subpoena.
 5. Access may be granted to appropriate persons in connection with an emergency, if knowledge of such information is necessary to protect the health or safety of the student or other persons.
 7. Authorized representatives of the following may be allowed access to educational records for audit and evaluation of programs supported by federal or state governments:
 - a) Comptroller General of the United States.
 - b) The Secretary of the United States Department of Education.
 - c) The United States Commissioner of Education, Director of National Institute of Education, or Assistant Secretary of Education.
 - d) State educational authorities.
 8. The law states that, if a student is a dependent, the College may release educational records information (not privileged information) to parents. The College will evaluate individual circumstances before doing so, and will require a copy of the first page of the parent's federal income tax return to establish the student's status as a dependent. If educational information is properly released to a custodial parent of whom the student is a dependent, a duplicate of the released information may also be released to a natural, non-custodial parent of whom the student is not a dependent.

With the written consent of the student, the College may release information from educational records to third parties. If such a transfer of information is made, it should be a condition of release by the College that those to whom the information is released will not permit additional access to the records without written consent of the student.

Directory Information

This information may be released for any purpose at the discretion of the College. Students may withhold the disclosure of directory information by notifying the Office of the Registrar of their wish to do so. Forms requesting the withholding of directory information are available in the Office of the Registrar.

Directory information includes: name, address, telephone number, email address, photograph, dates of attendance, class, previous college(s) attended, major field of study, awards, honors, degree(s) conferred, past and present participation in officially recognized sports and activities, height and weight of members of athletic teams, and date and place of birth.

You may obtain access to most of your own educational records by making a request to the Office of the Registrar. For detailed information regarding FERPA, see the Office of the Registrar.

CONTRACTING

Entering into a formal contract on behalf of the College without proper authorization by the College is prohibited.

COPYRIGHTED MATERIAL, USE OF

Printed Materials

Copyright laws prevent unauthorized copying, modification, distribution, display, and performance of copyrighted materials. Copyrighted materials include computer programs and data, videotapes, and printed materials.

Penalties have been established for infringement of a copyright owner's rights, including impounding of illegal copies, awards or actual damages, statutory damages up to \$100,000, awards of costs and attorney's fees, and criminal penalties for willful infringement. Violation of these laws is a serious matter.

Computer Software

Computer software used by the Lewis & Clark academic community is protected by copyright. This protection is essential for developers to undertake the very expensive task of producing high quality computer software. Purchasers of the software are allowed to make another copy of that software provided:

1. A new copy or adaptation is created as an essential step when using the computer program in conjunction with a machine and that it is used in no other manner.
2. A new copy or adaptation is for archival purposes only and that all archival copies are destroyed in the event that continued possession of the computer program should cease to be rightful.

Essentially, a purchaser of software has the right to adapt or copy a computer program so that it will function properly on his or her computer, and to make one copy for storage in case something happens to the working copy of the program. Archival copies of software should be destroyed when the piece of software is sold, given away, or leaves the possession of the purchaser. Without special permission from the copyright owners, these are the only authorized instances for copying computer software by a purchaser. Persons who acquire software under a license agreement are bound by the terms of the license agreement.

Videotapes

Under copyright law, any legally obtained videocassette may be used for instructional purposes in the classroom of a nonprofit institution such as Lewis & Clark as part of face to face instruction. In order to qualify for this exemption the following requirements must be met:

1. The showing must be from a legitimate, legal copy. (Videocassettes marked for home use only are entitled to exemption from educators if all the rest of the requirements are met.)
2. Attendance must be limited to the faculty member and regular, enrolled students.
3. The showing must be part of a systematic course of instruction (e.g. teaching activities) and not for entertainment, recreation, or cultural value.
4. The showing must take place in a classroom or place devoted to instruction.

Written Materials

Photocopying must follow guidelines of fair use under the copyright law. Fair use includes copying, adaptation, display, or performance, and other forms of duplication for study, scholarship, research, and teaching. Factors considered in determining “fair use” are the purpose and character of the use—including whether use is for nonprofit educational purposes, the nature of the copyrighted work, the relative portion of a copyrighted work which is copied, and the effect of such use on the potential market for, or value of, the copyrighted work.

Students can determine which works are appropriate for photocopying. The College does not condone photocopying instead of purchase where such copying would constitute an infringement under the copyright law, but it encourages students to exercise good judgment in the reproduction of academic materials. The user must secure permission to copy whenever it is legally necessary.

DEATH OF A FAMILY MEMBER

The death of a student’s family member or close friend should be reported to the Dean of Students and Dean of the Chapel. The Dean of the Chapel is available at ext. 7082 to assist and support the student and to help with any special arrangements that need to be made.

DIRECTIVES

Failure to comply with requests or directions of College officials (faculty, administrative and Campus Living staff, community standards officers), Campus Safety officers (i.e. personal property search), or law enforcement officers acting in performance of their duties is prohibited. Includes failure to identify oneself properly to these persons when requested to do so and reasonable requests for students to meet appointments in administrative or faculty offices and at disciplinary investigations and hearings.

DISABILITY POLICY, STUDENTS

To promote maximum access to the educational experience at Lewis & Clark, community members are asked to be sensitive to the needs of students with physical, psychological or learning disabilities in the scheduling of rooms, the conduct of examinations and course evaluations, etc. The College provides accommodation to students with disabilities under Public Law 9312, known as the Rehabilitation Act of 1973 (Section 504), and ORS 659.150. Assistance and advice about any problems should be sought from the Office of Student Support Services.

I. POLICY

Lewis & Clark College is committed to serving the needs of students with disabilities. The College provides a full-time Coordinator of Student Support Services who is available to ensure that students with documented disabilities receive appropriate accommodations and services and a formal Student Disability Grievance Procedure which provides prompt and equitable resolution of any complaints arising out of the College’s responsibilities under the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, and other

pertinent federal, state and local disability antidiscrimination laws.

Lewis & Clark recognizes disabilities that include mobility, sensory, health, psychological, and learning disabilities, and provides reasonable accommodations once the disability is adequately documented. While Lewis & Clark's legal obligations only extend to disabilities of a substantial and long term nature, it is also the College's practice to honor reasonable requests for accommodations for temporary disabilities such as a physical injury, illness or pregnancy.

It is the responsibility of the student to make his or her disability and needs known in a timely fashion and to provide appropriate documentation and evaluations to support the accommodations the student requests. A student with a disability who requires accommodations must notify the Coordinator of Student Support Services (in the case of undergraduate and graduate students) or the Associate Dean for Academic Affairs (in the case of Law School students) of his or her desire for accommodations as soon after admission as possible. Students must not assume that this information is known to either of these offices because the student's application indicated the presence of a disability. Once the College has been notified and specific accommodations are requested and appropriately documented, the College works with the student to obtain the appropriate accommodations to ensure the student has the best possible opportunity to succeed.

The procedures for obtaining accommodations differ among the Law School, the College of Arts and Sciences and the Graduate School of Education and Counseling. However, the services offered are similar and the procedures are all intended to effectively provide for the appropriate needs of the disabled student within the structure and policies of each school.

Undergraduate Students and Graduate Students

Requests for accommodations should be routed through the Student Support Services office, located in the Albany Quadrangle building on the undergraduate campus.

Law Students

All arrangements for accommodations for law students must be routed through the Associate Dean of Academic Affairs for the Law School. In some cases, the adjustments will be made in consultation with faculty but individual faculty members will not make accommodations directly with students. In a like manner, all exam modification requests from law students are also to be directed to the Associate Dean for Academic Affairs of the Law School. Because of the time required to make arrangements to accommodate these requests, Law School students with long term or permanent disabilities must make such requests no later than one month before the last day of classes. Exam accommodation requests must be renewed each semester.

Documentation of Disabilities

Lewis & Clark will honor requests for reasonable accommodations only for adequately documented disabilities except as provided below. The assessment documentation must provide data that supports the requests for any academic adjustments and must be submitted to the Coordinator of Student Support Services. In the event that a student requests an academic adjustment or accommodation that is not supported by the assessment documentation, or if

the initial diagnosis is incomplete or inadequate to determine the extent of the disability, Lewis & Clark will provide accommodations on an interim basis for a reasonable amount of time while more detailed or timely documentation is being sought. For learning disability or ADHD testing, Student Support Services can make arrangements with independent test specialists to come to campus for testing; Lewis & Clark's health insurance provider will cover most of the cost of the testing if the student has purchased such coverage. Otherwise, the cost of obtaining professional assessment and documentation is borne by the student. Proper documentation includes the following:

A. Physical Disabilities

The documentation must reflect the student's present level of functioning in regard to his/her disability and its impact on the need for accommodations.

B. Learning Disabilities

The student is responsible for providing professional testing and evaluation results which reflect the individual's present level of processing information and present achievement level. Documentation verifying the learning disability must:

1. be prepared by a professional qualified to diagnose a learning disability, including but not limited to a licensed physician, learning disability specialist, or psychologist;
2. include the testing procedures followed, the instruments used to assess the disability, the test results, and a written interpretation of the test results by the professional;
3. reflect the individual's present level of functioning in the achievement areas of: reading comprehension, reading rate, written expression, writing mechanics and vocabulary, writing, grammar, mathematical/nonverbal reasoning and spelling;
4. reflect the individual's present level of functioning in the areas of intelligence and processing skills.

C. Psychological Disabilities

If a student has a psychological disability which affects academic performance or takes medication which causes a similar effect, documentation from a psychologist or medical doctor is required which details the effects of the disability and/or the medication on the student's academic performance.

Reasonable Accommodations*

Reasonable accommodations may include but are not limited to course load modifications, exam accommodations, readers, interpreters, note takers, taped textbooks, and additional time to complete assignments. Students may request specific accommodations and professional health care providers who verify the disability may recommend specific accommodations. However, Lewis & Clark will have the responsibility for making the final decision on accommodations. This decision will be made on the basis of the documentation provided and the requirements of the particular academic program. Accommodations will not be considered reasonable if they fundamentally alter the purpose or goals of the program.

* Accommodations are also sometimes referred to as "auxiliary aids."

Arranging for Approved Accommodations

The Coordinator of Student Support Services must approve accommodations for a disability. Each semester, at the student's request, an official Notice of Disability form or letter explaining the disability and appropriate accommodations will be sent to the specified instructors. Professors are not permitted to grant accommodations that have not been approved in advance in writing by the Coordinator of Student Support Services. The Student Support Services office will implement accommodations as soon as possible. However, students are strongly encouraged to make accommodation requests as early in the semester as possible to allow the instructor the opportunity to plan for their needs when notified. In particular, exam modification requests should be made, if possible, to the Student Support Services office at least one week in advance (two weeks in the case of final exams) to allow time to work out appropriate arrangements. If a faculty or staff member is hesitant to comply with the requested accommodations because of concerns regarding alteration of the academic program or standards, the Coordinator of Student Support Services will work out arrangements which will best meet the needs of the instructor, the student and the College. If agreement between the Coordinator and the faculty member cannot be reached, the matter will be appealed by the Coordinator of Student Support Services to the appropriate department chair or dean.

II. DISABILITY GRIEVANCE PROCEDURE

Complaints Against Faculty, Staff or Other Employees of Lewis & Clark College

In the event a student believes that the above procedures have not been followed properly or feels that any action has been directed against him or her because of a disability or perception of a disability by a College faculty or staff member, the student may attempt to resolve the matter informally or immediately file a formal grievance.

To resolve the matter informally, the student should first meet with the Coordinator of Student Support Services or the Associate Dean of Academic Affairs for the Law School, as appropriate. If the student has concerns about meeting with either of these people, he/she can meet with the appropriate department head or dean. If the student chooses to file a formal grievance, the following steps should be taken:

1. The student shall file a formal grievance within 180 calendar days after the complainant becomes aware of the alleged violation. The student shall file the complaint in writing to the Dean of the Graduate School, the Dean of the College of Arts and Sciences, or to the Dean of the Law School, as appropriate. The complaint shall contain the name and address of the person filing it and a brief description of the alleged violation of the American with Disabilities Act or of Section 504 of the Rehabilitation Act of 1973 or other appropriate law.
2. The official to whom the complaint is submitted shall convene a committee within two weeks of receiving the complaint unless prohibited by unusual circumstances. The committee shall be made up of two faculty members who have not had the student in class, the appropriate Dean and the Director of the Health Center or the Director

- of Student Counseling, or another uninvolved professional familiar with the type of disability involved.
3. The committee shall hear testimony or receive written testimony from the student, the Coordinator of Student Support Services of the Student Development Center or Associate Dean of Academic Affairs for the Law School, as appropriate, the relevant faculty or staff member(s), and other knowledgeable people. The student has the right to ask for testimony from any faculty, staff, students or others whom he or she deems relevant to the case.
 4. After hearing testimony and/or reviewing pertinent documents, the committee shall report its conclusions in writing to the complainant and all other relevant parties within five working days. The committee's decision is final.

Complaints Against Students

If a student feels that he/she is a victim of discrimination or harassment by another student because of a disability, he/she may initiate a grievance procedure by contacting one of the following College representatives as appropriate: the Coordinator of Student Support Services, the Dean of Students, the Dean of the Graduate School, or the Associate Dean of Academic Affairs in the Law School.

DISCRIMINATION AND HARASSMENT

Policy Statement

Lewis & Clark College is committed to providing a learning environment free from all forms of harassment and discrimination. The College opposes conduct which has the purpose or effect of creating an intimidating, hostile or offensive working, campus living, or academic experience due to a race, color, sex, religion, age, marital status, national origin, the presence of any physical or sensory disability, veteran status, sexual orientation or any other basis protected by applicable local, state or federal law. Also refer to "Hate and Bias Motivated Incidents."

Retaliation against any employee or student for making a complaint is prohibited. The College maintains a separate Sexual Harassment Policy.

DISCRIMINATION AND HARASSMENT COMPLAINT PROCEDURE

COMPLAINTS AGAINST FACULTY OR STAFF

Preliminary Counseling and Guidance

Lewis & Clark College is determined to provide an environment free of discrimination and harassment. The general term "harassment" here includes sexual harassment under the general term of harassment. This process is to be used for complaints against faculty or staff to resolve charges of discrimination and harassment based on race, color, sex, religion, age, marital status, national origin, physical or mental disability, veteran status, sexual orientation or any other basis protected by applicable local, state or federal law. In the case of a student complaint of disability discrimination, please refer to the "Disability Grievance Procedure."

Any member of the College community who feels that he or she has been subject to discrimination or harassment is encouraged but not required to notify the offender firmly and promptly that his or her behavior is unwelcome and

inappropriate. It is recognized that power and status disparities may make such a discussion difficult. The College also encourages the person who feels she/he has been discriminated against or harassed by a faculty or staff member to confer promptly with any of the Discrimination and Harassment Complaint Contact Persons, the appropriate Dean or the Director of Human Resources.

Contact Persons have been selected from representative units in the institution.

Name, Title and Department	Email	Phone	MSC
Associate Professor of Chemistry (Chemistry)			
Barbara Balko.....	balko.....	768-7534.....	55
Dean of Students (Office of Dean of Students)			
W. Houston Dougharty.....	whd.....	768-7110.....	102
Associate Dean (History/Gender Studies)			
Jane Hunter.....	hunter.....	768-7446.....	41
Employment Manager (Human Resources)			
Maurine Cromwell.....	maurine.....	768-7838.....	72
Administrative Specialist (Math and Natural Sciences/Physics)			
Barb Roberts.....	broberts.....	768-7365.....	61
Associate Dean of Graduate School			
Nancy Nagel.....	nagel.....	768-6003.....	14
Associate Dean for Academic Affairs (Academic Affairs)			
Martha Spence.....	spence.....	768-6634.....	51

You May Also Contact

Dean of the College (Office of the Dean)			
Julio de Paula.....	casdean.....	768-7199.....	47
Dean of the Law School (Dean of the Law School)			
Robert Klonoff.....	klonoff.....	768-6601.....	51
Dean of the Graduate School			
Peter Cookson.....	cookson.....	768-6002.....	93
Vice President and Provost (Office of the Provost)			
Jane Atkinson.....	atkinson.....	768-7200.....	37
Vice President for Business and Finance/Treasurer (Business and Finance)			
Carl Vance.....	cvance.....	768-7801.....	27
Secretary of the College/General Counsel			
David Ellis.....	dgellis.....	768-7691.....	33

Contact Persons are conversant with the Discrimination and Harassment Policy, the Sexual Harassment Policy and these complaint procedures. They will serve as intake persons for complaints and provide relevant information to any member of the Lewis & Clark College community. They can also offer guidance on the various options and resources available to address the situation. The Contact Persons are not authorized to conduct investigations of complaints they receive.

Once apprised of a complaint, the Contact Person should notify the appropriate Dean, Vice President or the Director of Human Resources that a complaint has been made. A complaint involving a Contact Person should be made directly to the appropriate Dean or the Director of Human Resources. A complaint against the Director of Human Resources should be made directly to the President.

If you report a complaint to your supervisor or Dean, you may be advised to submit your complaint to a Contact Person and/or the Director of Human Resources.

Complaint Procedure

The College is obligated to investigate allegations of a violation of the Discrimination and Harassment Policy and the Sexual Harassment Policy. For this reason, the College may be obligated to move forward with an investigation, even when a person with a complaint simply wants to be heard, but does not want a formal investigation. The allegations may have to be pursued to protect the well being of the parties or others in the community and fulfill compliance obligations. Every effort will be made to keep the parties apprised of the progress of the process.

The College may investigate suspected instances of discrimination and harassment even when individual complaints are not made. If a supervisor or other managerial employee has reason to believe that an environment of harassment exists or may arise, or that any other provision of this policy is being violated, appropriate action may be taken.

Mediated Resolution

In many cases, the parties concerned may desire an informal resolution of allegations of discrimination, harassment or sexual harassment. An informal resolution is one in which a satisfactory solution to the issue is agreed upon, generally with no formal investigation, findings or unilateral disciplinary action. Problems are sometimes easier to resolve when an informal atmosphere encourages people to identify the difficulty, talk it out, and agree on how to deal with it.

The appropriate person receiving the complaint may explore whether the parties wish to seek an informal resolution or whether they wish to proceed directly to the investigation and subsequent finding as to the complaint.

An informal resolution typically includes the appropriate Dean or Vice President or his/her designee meeting separately with the complainant and the accused, discussing the problem, possible violation(s) of policy and possible solutions, mediating to establish satisfactory conditions for further College-related interactions, and coordinating on-going steps to assure a successful resolution.

An attempt at a mediated resolution is recommended but not required prior to an investigation of the complaint.

After receiving the complaint, the appropriate Dean or Vice President or his/her designee may appoint an investigator. The investigator should notify the accused that he or she has been named in a complaint and should describe the nature of the complaint.

Confidentiality

Discrimination and harassment are particularly sensitive issues, which may affect any member of the College community. The investigator has the discretion to make inquiries of people other than the complainant and the accused to obtain a full understanding of the facts.

All individuals who are involved in the complaint reporting, mediation and/or investigation process are expected to maintain strict confidentiality. They are also expected to be cooperative, honest and forthcoming if interviewed as part of a complaint investigation. A breach of these expectations by students may result in a disciplinary action for interference or other violations of the Student Code of Conduct for undergraduate students or the Honor Code for Law students. A breach of these expectations by faculty or staff may result in disciplinary action up to and including termination. Possible disciplinary actions for faculty members will be considered with reference to the College's policy on termination and nonrenewal of faculty appointments.

Efforts will be made to ensure the confidentiality of information received as part of the College's complaint procedure. It may be possible in some situations to attempt a confidential mediation or resolution of the complaint, to address the situation in some other manner, or take corrective action as appropriate for the situation without revealing the complainant's identity. If, due to circumstances of the alleged discrimination, harassment or sexual harassment, it is not possible to conduct a review or resolve the complaint and yet maintain confidentiality, the investigator should discuss this issue with the complainant. Details of the investigation should be limited to those determined to have a need to know.

Investigation

The purpose of an investigation is to establish whether there is sufficient evidence to conclude that the alleged policy violation has indeed occurred. In conducting the investigation, the investigator may interview and/or obtain written statements from the complainant, the accused, and other persons believed to have pertinent factual knowledge. The investigation must afford the accused the opportunity to respond to the allegations.

Not all inappropriate conduct constitutes discrimination or harassment. When investigations identify inappropriate behaviors or actions that may not violate the Discrimination and Harassment Policy or the Sexual Harassment Policy, but violate other College policies or expectations of faculty, staff and students, these behaviors and actions may result in disciplinary action. A separate investigation may be conducted if possible College policy violations outside the scope of a discrimination or harassment complaint investigation are uncovered.

Upon the timely completion of the investigation, the investigator should make a written recommendation to the appropriate Executive Officer.

Possible outcomes of the investigation are (a) a determination that the allegations are not warranted or cannot be substantiated; (b) a negotiated resolution of the complaint; (c) a determination that a violation of the policy has not occurred but inappropriate actions/behaviors have occurred which may merit a disciplinary action; or (d) a determination that a violation of the policy occurred.

When a violation of this policy is established, the action to be taken should be immediate and appropriate to prevent any recurrence, and should be reasonably related to the gravity and/or frequency of the violation or violations. The College should take whatever disciplinary action it considers appropriate under the circumstances, including but not limited to counseling, reprimand, suspension, transfer, expulsion or termination.

Possible disciplinary actions for faculty members will be considered with reference to the College's policy on termination and nonrenewal of faculty appointments.

The appropriate Executive Officer should make the ultimate determination of the action to be taken in response to any finding of a violation of this policy. The resolution of an alleged violation of this policy should be made as expeditiously as possible, consistent with the facts and the process. A determination should be communicated in writing to the person alleged to have violated this policy and to the complainant. The Office of Human Resources should retain in a secure place a record of any investigation and determination as to an alleged violation of this policy.

Appeals

If either party does not agree with the determination, that party may file a grievance. Different grievance procedures apply depending on the employment status of the individual at Lewis & Clark College.

Staff members, and faculty members not otherwise covered by the Faculty Grievance Procedure listed in the Faculty Handbook, may proceed directly to step 3 of the Grievance Procedure listed in the Staff Handbook. This procedure may also be used by students who make the complaint when the student does not agree with the determination.

Faculty who are covered by the Faculty Handbook may use the Faculty Grievance Procedure in the Faculty Handbook.

COMPLAINTS AGAINST STUDENTS

College of Arts and Sciences

Policies and procedures related to accusations of discrimination and harassment made against an undergraduate student are included in the broader "Sexual Conduct Policy" and the "Community Standards." The sexual harassment policy is similar to that for faculty and staff; however, given the residential context of many student to student interactions, "on-campus living" situations are also included as a category where the effect of sexual harassment may create a hostile campus living environment in the residence halls. These student policies outline both informal and formal resolution mechanisms. Questions or concerns may be directed to the Dean of Students.

Law School

Complaints of discrimination and harassment made against a Law School student should be discussed with the Dean or his/her designee. Complaint procedures are outlined in the Law School Student Handbook "What's What."

Graduate School

Complaints of discrimination and harassment made against a Graduate School student should be discussed with the Assistant Dean of the Graduate School.

Time Period for Filing a Complaint

Prompt reporting of a complaint is strongly encouraged, as it allows for rapid response to and resolution of objectionable behavior. In the interest of early resolution and in the interests of fairness to the parties involved, any complaint

must be made within two years of the last instance of the conduct alleged to have violated this policy.

Protection of Parties and Witnesses

All reasonable action should be taken to assure that any party, those who are witnesses in an investigation or supporting any party in other ways, suffer no retaliation as a result of their participation in this process. Any attempt by a student, member of the faculty, staff or administration to penalize or retaliate in any way against a person bringing a complaint, or against those who are witnesses in an investigation, is prohibited and should be treated as a separate incident subject to investigation. A determination of retaliation by students may lead to a disciplinary action outlined in the Student Code of Conduct for undergraduate students or the Honor Code for Law students. A determination of retaliation by faculty or staff may result in disciplinary action up to and including termination. Either the complainant or the accused, if covered under a collective bargaining agreement, may request a union steward as appropriate during the process.

Complaints Filed with Outside Agencies

Except where criminal activity is involved, Lewis & Clark College's intention is that all complaints will be resolved internally through these procedures. However, an aggrieved individual may also file a complaint with any appropriate local, federal or state agency.

DISORDERLY CONDUCT

Loud, aggressive, or other behavior which disrupts or obstructs the orderly functioning of the College or disturbs the peace and/or comfort of person(s) on campus, on College owned or controlled property, or at College sponsored or supervised functions is prohibited.

DRUGS

Use, possession, cultivation, manufacture, promotion, sale, and/or distribution of narcotics or other controlled substances, including sharing with friends, except as expressly permitted by law, is prohibited. Drug related paraphernalia or any other items containing illegal residue are prohibited on campus and will be confiscated and destroyed. Use and/or possession of prescription drugs prescribed to another is also a violation of this policy (also see Alcohol and Other Drugs Policy).

ELECTION TAMPERING

Tampering with the election of any College-recognized student organization is prohibited.

EMERGENCY EQUIPMENT AND PROCEDURES

Tampering with, damage of, or intentional misuse of emergency devices or blocking of fire exits or other means of impeding traffic is prohibited. Use of fire escapes, ground level fire doors, fire hoses and extinguishers, and alarm equipment in non-emergency situations is prohibited. Failure to comply with fire drill procedures or emergency building evacuation is prohibited.

FALSE INFORMATION

Furnishing false information to any College official, faculty member, administrative office, or conduct body is prohibited.

FALSE REPORTS

Intentionally initiating or causing to be initiated any false report, warning or threat of fire, explosion or other emergency on College premises or at College sponsored activities is prohibited.

FALSIFICATION OF RECORDS

Falsification of College records, including but not limited to admission, registration, financial aid, student disciplinary, academic, health records, parking tickets, and student employment records is prohibited.

FIREWORKS

Fireworks are illegal and their possession or use is prohibited on campus.

FORGERY

Forgery, alteration, or misuse of any document, record, or instrument of identification is prohibited.

FRAUD

Any act to defraud the College or member of the College community is prohibited.

FREEDOM OF INQUIRY IN STUDENT AFFAIRS AND CAMPUS ACTIVITIES

Expression of Individuals and Student Organizations

You are free to examine and to discuss all questions of interest to you and to express opinions publicly and privately. You should make clear to the academic and the larger community that in your public expressions or demonstrations, you speak for yourself and not necessarily for the College.

Issues of Anonymous Expression

Should you choose to express yourself anonymously, acceptance and publication of your anonymous submission(s) by recognized campus media are at the discretion of the editor/director of each respective medium following the dictates of internal editorial policies and the Canons of Responsible Journalism.

Sponsoring Public Events

Public performances and presentations should be sponsored by recognized campus groups. These groups must follow College procedures for the scheduling of speakers and other programs and assume the responsibility that the event and its conduct are appropriate to the academic community. Sponsorship of an event does not imply approval or endorsement of the views expressed by the

sponsoring group or the College.

Student Demonstrations

Individual expression must always take place in an orderly fashion, without force or the threat of force, and in a manner which does not deliberately obstruct the orderly processes of the College. Freedom to dissent is exercised in the context of the law and of responsibility for your actions.

Student Media

Student communications media shall be free of censorship and advance approval of copy. They shall have sufficient editorial freedom and financial autonomy to maintain their integrity of purpose as vehicles for free inquiry and expression. This freedom entails adherence to the Canons of Responsible Journalism, such as the avoidance of libel, indecency, undocumented allegations, attacks on personal integrity, and the avoidance of the techniques of harassment and innuendo.

Acceptance and publication of anonymous submissions by recognized campus media are at the discretion of the editor/director of each respective medium following the dictates of internal editorial policies and the Canons of Responsible Journalism.

Student communications media shall explicitly state that they do not speak officially for the College and that opinions expressed do not necessarily represent those of the College or the student body.

Editors and managers of student publications are protected from arbitrary removal because of disapproval of editorial policy or content. The Student Communication Board is responsible for the appointment, evaluation, and removal of media heads in accordance with Student Communication Board bylaws. This Board, consisting of media heads, advisors, and a chair, serves as a representative governing body for campus communications media.

GOVERNANCE, PARTICIPATION IN

Students, faculty, staff, and administrators of the College play an essential role in campus governance. It is recognized that the legal authority of the College resides in the Board of Trustees. Participation by the community in institutional governance may include the following:

- The freedom of all constituents in the College community to express their views on institutional policy.
- Fair and direct participation, through appropriate committees, in interests affecting the community.

GRAFFITI

Intentionally defacing public and/or private property is prohibited and is defined as a crime (criminal mischief) under Oregon statute. The College will minimize damage to buildings and grounds by adhering to a procedure which provides for the timely removal of graffiti on interior and exterior surfaces by Facilities Services personnel. LC community members are encouraged to immediately report locations of observed graffiti to College officials.

HATE AND BIAS MOTIVATED INCIDENTS

The College appreciates the complexity of defining language and actions that are not acceptable in a community which values freedom of expression. All members of the Lewis & Clark community must be free to hold views that others may find distressing or offensive. However, freedom of expression does not include the right to intentionally and maliciously aggravate, intimidate, ridicule, or humiliate another person.

The College has a comprehensive discrimination and harassment policy (see p. 224) which articulates our commitment to combat racism, sexism, homophobia, and other forms of bias. To further clarify the types of language and behavior that are unacceptable, the U.S. Department of Justice's definitions and examples are offered:

"A hate crime can be generally defined as a crime which in whole or part is motivated by the offender's bias toward the victim's status. A hate incident is an action in which a person is made aware that her/his status is offensive to another, but does not rise to the level of a crime.

"Hate crimes are intended to hurt and intimidate individuals because they are perceived to be different with respect to their race, color, religion, national origin, sexual orientation, gender, or disability. The purveyors of hate use physical violence, verbal threats of violence, vandalism, and in some cases weapons to instill fear in their victims, leaving them vulnerable to subsequent attacks and feeling alienated, helpless, suspicious, and fearful. These acts of hatred can leave lasting emotional impressions upon their victims as well as entire communities.

"Federal and state reporting requirements vary in the definitions and victim categories for hate crimes. The FBI Uniform Crime Reporting Program (28 USC §534), Campus Security Act (20 USC §1092), state, and local hate crimes legislation list specific crimes which are identifiable as a hate crime, including murder, manslaughter, robbery, aggravated assault, burglary, motor vehicle theft, arson, forcible and non-forcible sex offenses, intimidation, destruction, damage or vandalism of property in which the victim is intentionally selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability of the victim.

"When they do not fall into one of the listed criminal categories, hate offenses are referred to as bias-motivated incidents. These incidents may include cases of minor harassment, verbal slurs, etc."

Hate- and bias-related incidents are demeaning to all members of the campus community and subvert the mission of the College. Any hate- or bias-motivated act is unacceptable and will not be tolerated.

HAZING

Any act which endangers the mental or physical health or safety of a student, or which destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization is prohibited.

HOSPITALIZATION

Hospitalization of a student will be reported to the Dean of Students and the Dean of the Chapel, who are available to assist and support the student and to help with any special arrangements that need to be made.

HUMAN RESEARCH SUBJECTS

The Lewis & Clark College Human Subjects Research Committee (Institutional Review Board for federal purposes) must review and approve all research projects involving human participants, including those conducted by students, whether or not the projects are subject to federal regulation or FDA approval. No such research may be undertaken at Lewis & Clark until the Human Subjects Research Committee has granted written approval. Contact the Human Subjects Research Committee through the Dean of the College.

Three kinds of research involving human subjects are specifically regulated by federal or state law:

1. Research which involves human subjects and is funded by the Department of Health and Human Services, including by indirect means such as fellowships.
2. Research supporting an application for FDA approval of products it regulates.
3. Research involving administration of any experimental drug (which may include established drugs used for new purposes) to a human subject.

IDENTIFICATION CARDS

All members of the Lewis & Clark Community must possess a Lewis & Clark Identification Card on their person while they are on Lewis & Clark Campus. This policy applies equally to staff, faculty and students. An identification card with current validation entitles the student to free or reduced admission to certain campus events, use of Pamplin Sports Center facilities, and use of the libraries. Current validation is also required to register at the beginning of each term.

Undergraduate students receive photo identification cards at the beginning of their first term on campus. The student updates his or her identification card every term by placing a validation sticker issued by the Cashier's Office on the back of the card which indicates student status and payment.

Photos are taken in the Office of Campus Safety. Contact Campus Safety at x7855 for photo-taking hours.

All members of the Lewis & Clark Community must present their ID upon request to College officials. When ID Cards are lost or stolen, they must be reported to the Campus Safety Office. A \$5 fee is charged to replace a lost card.

Making, possessing, or using any forged, altered, or falsified instrument of identification on College premises, or at College sponsored activities is prohibited. Making, possessing, or using any forged, altered, or falsified College document, on or off-campus is also prohibited.

INTERFERENCE

Intentionally interfering with the freedom of expression of others on College premises or at College sponsored activities is prohibited.

INTERFERENCE WITH COLLEGE INVESTIGATIONS

Interfering with administrative procedures, or disciplinary proceedings, such as those conducted by the Office of Campus Safety, Office of Campus Living (Campus Living Coordinators or Campus Living Advisors) and the Assistant Dean of Students or designate is prohibited.

INTERFERENCE WITH COMMUNITY STANDARDS

Verbal or physical threats and/or intimidation of a member of a conduct body and/or a witness in a disciplinary proceeding prior to, during, and/or after a conduct proceeding is prohibited. Influencing or attempting to influence another person to commit an abuse of community standards is prohibited. Attempting to influence the impartiality of a member of a conduct body prior to, and/or during the course of, the conduct proceeding is prohibited. Failure to comply with the sanction(s) imposed under the Code is prohibited.

KEYS

Unauthorized possession, duplication, or use of keys to any College premises is prohibited.

LITTERING

Throwing, discarding, placing, or depositing litter in College buildings or on College grounds, except in receptacles provided for such purposes, is prohibited.

NOISE

Activities inconsistent with posted quiet hours in residence halls and academic buildings or which violate City of Portland noise ordinances is prohibited.

OBSTRUCTION

Obstruction of the free flow of pedestrian or vehicular traffic on College premises or at College-sponsored or supervised functions is prohibited.

PARENTAL & GUARDIAN NOTIFICATION

A fundamental goal of the College is to support students' independence and maturity, in part by encouraging them to assume responsibility for their own educational and personal matters. The College also encourages students and parents or guardians to communicate directly, regularly, and openly with each other about issues of mutual concern.

Under laws and policies that govern the privacy rights of students, Lewis & Clark College has the authority and reserves the right to contact parents or guardians of dependent students about a variety of serious matters and the parents or

guardians of all students in emergencies regarding serious injury or life or death situations.

The Dean of Students or designee uses professional judgment when determining whether notifying parents or guardians is essential and benefits student welfare. Whenever possible, College staff will talk with the student before contacting a parent or guardian, in order to discuss the possible benefits and challenges of notification.

PROPERTY DAMAGE/DESTRUCTION

Intentionally destroying or damaging or intending to destroy or damage the property of others on College premises or at College sponsored activities is prohibited. This includes the projection or dropping of any object or material which could cause injury or damage to persons or property.

PUBLIC LAWS

Violation of federal, state, or local law on College premises or at College sponsored or supervised activities is prohibited.

RELIGIOUS HOLIDAY OBSERVANCE AND STUDENT ABSENCE

Lewis & Clark students of all faiths are encouraged to observe important religious holidays within their own tradition. However, the college recognizes that on some occasions schedule conflicts can arise which may result in a student missing classes, exams, registration or other required academic activities.

The following guidelines are provided to all students who wish to miss a required academic activity in order to observe a religious holiday:

- A. Class or exam absences are primarily a matter between the individual instructor and student. While LC faculty members are encouraged to show flexibility when dealing with students who are committed to observing religious holidays, it is entirely up to the student to communicate this need to the instructor and to make appropriate arrangements.

The student is responsible for notifying the instructor ahead of time that she/he will be absent because of the religious holiday. At that time the instructor may suggest any make-up work the student may need to do as a result of the absence.

- B. When scheduling conflicts arise between registration and a religious holiday, the student should notify the registrar directly of her/his inability to attend the arena registration and the registrar will make alternative arrangements with the student. It is the student's responsibility to give the registrar adequate notification (no less than one week) in order to make alternative arrangements.
- C. The Dean of the Chapel will make available to faculty, staff and students a list of significant religious holidays at the beginning of each year. Students are encouraged to contact the Dean of the Chapel if they have any questions about religious holiday observance and these guidelines.

RESIDENCE HALL CONTRACT AND PROCEDURES

The residence hall contract each resident student signs is a legal document. Students should read it carefully so that they enter into the agreement in good faith and full understanding. Students signing the residence halls contract agree to abide by it and the policies incorporated in it by its reference to policies now existing or properly established during its term.

Violation of the terms of a signed residence hall contract is also a violation of the Code of Conduct.

Deposit

New students are required to make a \$200 non-refundable deposit which reserves a place in a residence hall.

Continuing students are required to make a \$100 room reservation fee with a completed, signed contract. A continuing student's \$100 deposit may be refunded only if written notice of contract termination is given to the Office of Campus Living on or before July 1 for a contract beginning fall term, or 60 days prior to the term specified as the first term of occupancy.

Food Service

Students may eat meals in Fields Dining Room or the Trail Room, which are managed by Bon Appétit, a contracted food service. Fields Dining Room offers cafeteria style dining to meal plan students. Efforts are made to meet the needs of all students, and vegetarian and vegan selections are available. Please visit <http://www.cafebonappetit.com/lewisandclark/> for up to date hours and info.

All resident students are required to select a meal plan. Very few exemptions are granted. Students with special, medically prescribed dietary needs should contact the food service manager. If the student's needs can be met, no exemption will be granted. Resident students whose needs cannot be met with an on-campus meal plan must submit a physician's explanation to be excused from the plan. Forms are available in the Office of Campus Living.

There are five meal plans: the 19-meal plan (breakfast, lunch, and dinner Monday through Friday, plus brunch and dinner on Saturday and Sunday) and the 14-meal plan (a choice of any 14 meals per week). Three "flex" plans, a 14-meal flex, a 10-meal flex, and a 7-meal flex allow students to use "cash" points in two dining areas and two retail locations. Students pay for meal plans each term in advance and refunds are prorated, minus a service fee, in the case of withdrawal from the College. Students who wish to change meal plans at the beginning of a new semester must notify the Office of Campus Living during the first week of the term.

Residency

The College considers the residential experience educationally important and requires it for all first and second year students (4 consecutive semesters) who do not live at home with parents, legal guardian, or spouse. Residence hall living enables students to develop interpersonal skills and intercultural understanding in an atmosphere of mutual support for curricular and co-curricular activities.

The contractual obligation with the College will only be waived in cases of exceptional need, hardship, or extenuating circumstances. Students who wish to petition for release from contract must do so in writing. A committee will determine whether to grant a release, and what, if any, penalties should be imposed. For additional details, contact the Office of Campus Living.

Room Assignments

Upper-class students have the first opportunity to indicate a preference of residence hall. First-year and transfer students will be placed in halls with roommates, and special requests will be granted whenever possible. (Special requests must be indicated in the Room Placement Questionnaire.) The College cannot guarantee accommodation of all preferences. Assignment of students to halls is based on a class ratio formula determined by students and the housing needs of the student body.

Room Rent

Room rent charges are payable in advance for each term of occupancy. Priority is given to those students who indicate they will live on campus for the entire academic year (both semesters). If a student does not indicate one semester on the residence hall contract, the College will assume the student will live in the residence halls for the full academic year and will hold the student to that contract.

A student may not sell or transfer any of the residence hall contract rights to anyone else, including another student.

Refunds are given on a pro rated basis if a student withdraws from Lewis & Clark. See the Office of Campus Living for information on obtaining a room rent refund.

Room Entry

College staff may enter a residence hall room, after knocking, in the performance of their administrative duties. If there is no response to the knock, if admission is denied or if entry is not granted within a reasonable time, the staff member may use whatever means are deemed necessary to gain entry. Such entries include, but are not limited to, those made to perform an occupancy check, verify residency, inspect for damages, clear a room for fire alarm, search when reasonable suspicion of a Code of Conduct violation exists, or to perform routine maintenance. In the event of routine entry for repairs, etc., the college employee will leave a note indicating the entry purpose.

Room Search

In the event that College personnel have reason to believe that campus policies/procedures or public laws are being violated, the staff may enter the student room. Reasonable belief might be pursuant to evidence of violation of public law or of College policies and procedures. Student behavior observed in plain and open view either through a window or an open door, reports from community members of a violation occurring, or suspicious odor or noise emanating from a room may invite the attention of College personnel.

If a College staff member enters a room and has reason to believe that contraband items have been concealed therein, the staff member will contact Campus Safety, using the room's telephone if necessary. In addition, the staff member may remain in the room until the officer who will conduct the search

arrives, and to take whatever steps are deemed necessary to prevent the destruction or removal of contraband from the room.

Upon arrival, the Campus Safety officer will knock, announce themselves, allow a reasonable time period for response, and then enter the room accompanied by another college staff member, such as a CLA or CLC. A search may include opening and examining drawers, closets, personal containers (such as backpacks and purses), desks, beds, and refrigerators. Items searched will be handled with respect and minimal disruption whenever possible.

Any contraband items (i.e. items in a residence hall room which constitute a violation of College policy/procedure) will be confiscated, and may be used as evidence in a disciplinary proceeding. A descriptive receipt will be provided by the Campus Safety officer. Arrangements will be made for contraband (except alcohol) to be returned in cases where possession of these items is not a violation of public law. Confiscated property, the possession of which is a violation of public law, will be submitted to the appropriate civil authorities.

If unauthorized persons are present in a residence hall room (i.e. persons not assigned to that room and whose immediate presence constitutes a violation of a College policy or procedure) they will be asked to leave. Any information as to such presence or violation may be used as evidence in a disciplinary hearing.

Other residence hall policies and procedures are found in the residence hall contract and in the Residence Hall handbook, Settling In, which is distributed annually to each resident.

SEARCH AND SEIZURE POLICY

As is the case in the residence halls, if Campus Safety officers have reason to believe that campus policies/procedures or public laws are being violated by a campus community member on campus, and that evidence of those violations is on the person, inside personal containers (including, but not limited to, backpacks and purses) or vehicle/s, Campus Safety officers have the right to search individuals and may require the possessor to display the contents of those containers or vehicle/s. Campus Safety officers may take whatever reasonable steps are deemed necessary to prevent the destruction or removal of such evidence from the area.

SEXUAL CONDUCT POLICY

I. POLICY

Introduction

Lewis & Clark College is committed to providing a learning environment free of all forms of abuse, assault, harassment, and coercive conduct, including sexual misconduct. This sexual conduct policy includes definitions of terms, prevention information, procedures, and resources available in the event of sexual harassment, sexual assault, or rape. Students, faculty, staff, and consultants continually evaluate the College's practices and procedures regarding inappropriate sexual conduct.

Lewis & Clark College does not tolerate sexual misconduct in any form. Sexually

abusive behavior within the college community is harmful to both the learning environment and the sense of community the college is trying to foster among students, faculty, staff, and administrators. All members of the College community have an obligation to act responsibly in the realm of sexuality. This includes accepting personal responsibility for choices made about alcohol and drug consumption which might lead to behavior which violates another person. Additionally, all members of the College community have the responsibility to recognize and challenge any sexual misconduct.

College students, often away from home for the first time, may be unsure of how to handle situations such as rapidly expanding social circles and a lack of parental restrictions. Non-stranger (date/acquaintance) rape happens most frequently at or after parties. Unfortunately, college age students traditionally take the fewest precautions to prevent rape. The information that follows is designed to provide a clear understanding of expectations and outcomes regarding sexual conduct on this campus.

Violations

At Lewis & Clark College, rape is any sexual intercourse (anal, oral or vaginal), however slight, with any object, by a man or a woman, without effective consent.

At Lewis & Clark College, sexual assault is any sexual touching, however slight, with any object, by a man or a woman, without effective consent.

At Lewis & Clark College, sexual harassment is unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when (please also refer to the "Discrimination and Harassment" and the "Sexual Harassment" policies):

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic advancement.
2. Submission to or rejection of such conduct by an individual is used as a basis for employment or academic decisions affecting such individual, and/or,
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive working, campus living, or academic experience.

At Lewis & Clark College, sexual exploitation occurs when a student takes non-consensual, unjust, 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 non-consensual sexual contact (sexual assault), non-consensual sexual intercourse (rape) or sexual harassment.

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

- Prostitution
- Videotaping or digital imagery of sexually explicit materials without knowledge and consent of all parties
- Going beyond the boundaries of consent in any form
- Invasion of privacy, stalking, or voyeurism

- Intentional transmission of HIV or STIs
- Dissemination of sexually explicit images without the consent of all parties
- Inducing incapacitation with the intent to rape or sexually assault—This type of sexual exploitation occurs regardless of whether sexual activity actually takes place.

At Lewis & Clark College, effective consent is informed; freely and actively given; mutually understandable words or actions; which indicate a willingness to do the same thing, at the same time, in the same way, with each other.

Lewis & Clark strongly encourages its students who choose to engage in sexual behavior to talk about their actions, and to communicate as clearly and verbally as possible with each other.

In the absence of mutually understandable words or actions (a meeting of the minds on what is to be done, where, with whom, and in what way), it is the responsibility of the initiator, or the person who wants to engage in the specific sexual activity to make sure that he or she has consent from their partner(s). Consent to some form of sexual activity does not necessarily imply consent to other forms of sexual activity. Mutually understandable consent must be obtained by the initiator at every stage of sexual interaction.

Mutually understandable consent is almost always an objective standard. Consent is mutually understandable when a reasonable person would consider the words or actions of the parties to have manifested a mutually understandable agreement between them to do the same thing, in the same way, at the same time, with one another. The only context in which mutually understandable consent may be considered in its subjective sense is in the context of long-term relationships where couples have established patterns of communicating consent that alter/replace the definition elaborated here.

Consent which is obtained through the use of fraud or force (actual or implied) whether that force be physical force, threats, intimidation, or coercion, is ineffective consent:

- Physical force exists, for example, when someone acts upon you physically, such as hitting, kicking, restraining or otherwise exerting their physical control over you through violence.
- Threats exists where a reasonable person would have been compelled by the words or actions of another to give permission to sexual contact they would not otherwise have given, absent the threat. For example, threats to kill you, themselves, or to harm someone you care for are sufficient to constitute threats.
- Intimidation exists where someone uses their physical presence to menace you, though no physical contact occurs, or where your knowledge of prior violent behavior by an assailant, coupled with menacing behavior, places you in fear as an implied threat.
- Coercion exists when a sexual initiator engages in sexually pressuring and/or oppressive behavior that violates norms of respect in the community, such that the application of such pressure or oppression causes the object of the behavior to engage in unwanted sexual behavior. Coercion may be differentiated from seduction by the

repetition of the coercive activity beyond what is reasonable, the degree of pressure applied, and the initiator's knowledge that the pressure is unwanted.

Consent may never be given by a minor to an adult.

Mentally disabled persons cannot give consent to sexual activity if they cannot appreciate the fact, nature, or extent of the sexual situation in which they find themselves. The mental disability of the party must be known or reasonably knowable to the non-disabled sexual partner, in order to hold them responsible for the violation. Therefore, when mentally disabled parties engage in sexual activity with each other, such knowledge may not be possible.

Physically incapacitated persons cannot give consent. One who is physically incapacitated as a result of alcohol or other drug consumption (voluntary and involuntarily), or who is unconscious, unaware, or otherwise physically helpless, is incapable of giving consent. One may not engage in sexual activity with another who one knows or should reasonably know to be physically incapacitated. Physically incapacitated persons are considered incapable of giving effective consent when they lack the ability to appreciate the fact that the situation is sexual, and/or cannot rationally and reasonably appreciate the nature and extent of that situation.

A person who is the object of sexual aggression is not required to physically or otherwise resist a sexual aggressor.

Silence, previous sexual relationships, and/or current relationship with the respondent (or anyone else) may not, in themselves, be taken to imply consent. Consent cannot be implied by attire, or inferred from the buying of dinner or the spending of money on a date.

Intentional use of alcohol/drugs by the respondent is not an excuse for violation of the sexual conduct policy.

Consent to sexual activity may be withdrawn at any time, as long as the withdrawal is communicated clearly (because you cannot be expected to read the mind of your sexual partner(s)), and all sexual activity must cease.

Consent has an expiration date. Consent lasts for a reasonable time, depending on the circumstances.

Attempts to commit sexual assault or rape are also prohibited under this policy, as is aiding the commission of sexual misconduct as an accomplice.

II. PREVENTION

It can be difficult to discuss sexual expectations with someone—especially when it is early on in a relationship. However, both men and women must take responsibility to prevent rape.

Listed below are prevention tips for men and women. Although no single method will make you immune from rape or assault, there are steps you can take to avoid potentially damaging situations.

Responsibilities for Both Men and Women

1. Get to know your partner and discussing sexual expectations before you find yourself in an intimate situation—don't let sex "just happen."
2. Clearly communicate your desires and limits. Don't make assumptions.
3. Avoid excessive use of alcohol and illicit drug use.
4. Be assertive. If you say "no," say it clearly.
5. Listen—and hearing. Being told "no" is not a rejection of you as a person. You can also say "no."
6. Pay attention to your non-verbal actions.
7. Accept your partner's decision. Don't try to coerce or manipulate.
8. Understand and accept that you are responsible for your behavior and choices.
9. Trust your instincts. If you think something is wrong, you are probably right. Get out of the situation immediately.

Incapacitated Sex

If you choose to drink, the likelihood you will remember to consider the above responsibilities is greatly reduced. Thus, you run the risk of impaired thinking and communication. Some individuals get themselves and their partners drunk enough to let sex "just happen."

Being drunk is never an excuse for raping or assaulting someone.

Alcohol is not the only drug that can facilitate unwanted sex. There are drugs, increasingly found at parties, that have come to be known as "date rape drugs" because of their ability to incapacitate. These drugs are often added to drinks without the victim's knowledge. These drugs include:

MDMA (also known as Ecstasy, X, E,, Rolls). It can cause visions and other distortions of reality, teethgrinding and spasms, death from heat stroke-like event. Long term it can cause dental-related issues and brain damage. It may be a powder, but mostly pressed pills with a wide range of logos.

GHB (also known as "G," Liquid Ecstasy, Blue Verve, Grievous Bodily Harm, or Georgia Home Boy). It can cause nausea, vomiting, delusions, amnesia, seizures, and loss of muscle control. It can leave you conscious but unable to move, unconscious, in a coma, or it can kill you. It usually has a bluish color, is odorless, and tasteless.

Ketamine (also know as Special K, Ket, Bump). It can cause an out of body experience, brief "Gumby Doll" period, and flashbacks. It is a type of animal tranquilizer and often stolen from veterinary clinics.

Rohypnol (also known as Roofies, Roche, or Forget-me Pill). It can cause drowsiness, dizziness, confusion, and amnesia. It can contain dangerous impurities.

Be careful. Do not accept drinks that you are not completely sure of the contents. Do not leave drinks unattended. Keep an eye on yourself and your friends, for any suspicious activity, and for signs of the symptoms listed above.

Risks of Alcohol

- At least 70% of all sexual assaults involve alcohol.

- The use of alcohol can be a factor for the survivor, the aggressor, or both.
- Alcohol lowers inhibitions and impairs judgment, which can lead to a dangerous situation.
- Alcohol and sex can be as dangerous as drinking and driving.

III. PROCEDURES FOR SURVIVORS OF SEXUAL ASSAULT OR RAPE

Sexual assault is never the survivor's fault.

Sexual assault can happen to anyone. There is no typical survivor. Statistics indicate that anywhere from 85–90% of all sexual assaults occur between people who know each other.

If you have been assaulted or raped, you have control of the choices you can make. If an employee of the College is involved, we have an obligation to

investigate. The following are recommendations to assist you in dealing with this crime:

1. Do not blame yourself. Sexual assault is never the survivor's fault.
2. Go to a safe location.
3. If you are injured, seek medical attention immediately.
4. Do not shower, bathe, or douche. The only way medical evidence can be collected is if it is left intact.
5. Contact one or more of the following resources.

If a friend has been assaulted or raped:

1. Listen and be supportive.
2. Let your friend make her or his own choices.
3. Encourage your friend to immediately contact the Sexual Assault Response Advocate, (503) 202-3119, or one of the other Sexual Assault Network Contacts listed below.
4. Stay with your friend during interviews and examinations if she or he wants you to do so.
5. Take care of yourself. You may need to talk with someone about how this has affected you. The resources listed in this section are for you as well.

IV. SEXUAL ASSAULT RESPONSE NETWORK

Sexual Assault Response Advocatepager: (503) 202-3119
 Campus Safety Office (503) 768-7777
 Counseling Service(503) 768-7160
 Dean of Students..... (503) 768-7110
 Health Promotion & Wellness(503) 768-7112
 Office of Campus Living (503) 768-7123
 Student Health Service(503) 768-7165
 Student Support Services(503) 768-7156
 Your Campus Living Advisor or Campus Living Coordinator

Sexual Assault Response Advocatepager: (503) 202-3119
 (Enter your phone number after the prompt, then press #) The Advocate responding to your page is on call 24 hours a day, 7 days a week.

The Advocate will offer overall assistance and follow-up to the survivor. (See below for detailed information about anonymity and confidentiality.)

The Advocate will explain the network of contact points available in terms of boundaries of confidentiality, services offered by each contact point, and options and choices available to the survivor. Each of the contact points in the network is trained to assist survivors in accordance with the Sexual Assault Network Protocol and Procedures.

Contact points included in this Sexual Assault Response Network include Campus Living staff (CLCs and CLAs), Counseling Staff, Student Health staff, Campus Safety officers, and the Dean of Students or designee.

These contact points provide counseling assistance, medical treatment, aid in seeking legal advice, family crisis management, help with rearranging class or exam schedules, transferring residence halls, and other service or facilitation as necessary.

The survivor's use of the Sexual Assault Response Advocate, network contact points and any and all services provided by associated departments is completely voluntary.

Once involved with survivor, the Advocate will notify the Dean of Students or designee that the Sexual Assault Network protocol is "active." With the exceptions noted below, the advocate will not disclose confidential information to the Dean of Students without prior consent of the survivor.

The Sexual Assault Response Advocate will monitor each contact point to ensure consistent implementation of protocol. Every effort will be made to coordinate support among the different contact points so that the survivor is not recounting his or her experience for each new contact.

Advocacy services are also available for the alleged perpetrator, including counseling and medical resources.

Anonymity and Confidentiality

A survivor can call the Advocate, receive support and information, and never give her/his name. This ensures anonymity while providing necessary assistance. The survivor may choose to use services outlined by the Advocate, or the survivor may choose to do nothing at this time.

If the survivor chooses to give his/her name to the Advocate, the survivor's name will be maintained in confidence. There are exceptions to this rule of confidentiality, but these exceptions arise very infrequently. They include:

- In cases where a perpetrator poses a significant risk to the general safety of the campus community, the Advocate will contact the Dean of Students. The name of the survivor will only be disclosed if that disclosure is absolutely necessary to protect the campus community from harm.
- If the Advocate believes the survivor is at significant risk of suicide or harming others, the advocate will take action to protect the survivor or others from harm. This could involve a limited disclosure of information to health care providers, Campus Safety, or a similar entity.

- Advocates may consult with other advocates in an effort to improve the quality of services. All such consultations are strictly confidential.

Student Health employees, Counseling staff, and the Dean of Students, are not obligated to disclose the name of the survivor publicly, but must file an anonymous Sexual Assault Incident Report form.

Campus Living Advisors, Campus Living Coordinators, Campus Safety personnel, and other administrative staff are required to inform their immediate supervisor if they learn of an alleged rape or sexual assault, and they are expected to file a Sexual Assault Incident Report form (which is anonymous). Beyond this notification of supervisor, these individuals will keep information in confidence.

No campus agency will release the names of survivors to the media or public. Some campus agencies may need to be notified about the incident regarding safety concerns for others, but names will not be released.

Sexual Assault Incident Report Form

The Sexual Assault Response Advocate, as well as all network contact points, will file an anonymous Sexual Assault Incident Report Form to be kept on file with the Sexual Assault Response Coordinator.

This report does not carry the survivor's name or other specific identifying information, unless specifically authorized by the survivor. Forms will be available from Campus Safety, Campus Living, Counseling, Student Health, Health Promotion and Wellness, and the Dean of Students. The form may be submitted to the Advocate by survivors at MSC 183.

The report is kept on file by the Sexual Assault Response Coordinator. Under federal law the incident will be reported to the Campus Safety Office and published as a statistic in the annual Campus Security Act crime report. The name of the survivor remains confidential with the Advocate.

V. MEDICAL ATTENTION

Survivors are strongly encouraged to seek immediate medical assistance. Physical evidence of a sexual penetration dissipates after 84 hours, at a maximum, and it is best to have a SAFE (Sexual Assault Forensics Exam) administered by a medical clinician within 48 hours of the assault. This procedure is available in Portland at OHSU.

Preserving physical evidence is essential to any later criminal prosecution, and it is extremely helpful in campus adjudications. Convictions without physical evidence are all but impossible. SAFE results are sealed by the doctor and safeguarded by the police. By Oregon law, survivors may choose to have a SAFE kit collected without filing a formal report with the police. In this instance, the SAFE kit will be administered at the medical facility, and later collected by the police for storage for up to 6 months, should the survivor wish to pursue criminal prosecution at a later date. The survivor remains anonymous unless she/he decides to press charges. SAFE kit evidence collected in this manner is destroyed after 6 months. Although the SAFE is only done at OHSU, emergency contraception and testing

for STIs and pregnancy are available at the Student Health Service.

In Oregon the administration of the SAFE is covered by the Sexual Assault Victims' Emergency Medical Response Fund (SAVE funds). However, it may be of concern to the survivor that hospitals will charge for pregnancy and STI tests if a SAFE kit is not collected. If pregnancy is a serious concern, the survivor should be aware that it is in the state of Oregon, emergency contraception (the "morning after pill") is available over-the-counter at pharmacies. It is also available in the Student Health Service.

Unless it is still being worn, clothing worn at the time of the assault should be placed in clean, unused paper bags and taken to the hospital (or other medical facility). Receiving medical attention is also important if it is possible that the survivor has suffered internal injuries, or fears pregnancy or sexually transmitted infections.

The Sexual Assault Forensic Exam Checklist used by OHSU emergency unit is available from the Sexual Assault Response Advocate or the Dean of Students.

Note: While this policy neither promotes nor discourages the practice of abortion, it holds as paramount the right of survivors to know options and be empowered to make their own decisions.

Rape Trauma Syndrome (RTS)

An acute stress reaction to the threat of being killed or of being seriously injured, resulting from either a completed or attempted sexual assault. Not all the reactions encompassed by RTS are experienced by each survivor, rather, RTS represents a range of possible reactions. RTS reactions vary from person to person.

RTS has two major phases: the immediate or acute phase, in which the survivor's lifestyle is completely disrupted, and the long-term phase, in which the survivor must reorganize this disrupted lifestyle. Characteristics of the first phase include shock, disbelief, sleeping and eating pattern disturbances, difficulty in concentrating, fear, shame, guilt, mood swings, lack of self-esteem, and flashbacks to the incident. The reintegration phase will be aided by support from friends, relatives, and others in the survivor's environment.

VI. FILING A REPORT WITH THE PORTLAND POLICE BUREAU

Campus Safety officers are on duty 24 hours a day, seven days a week and will initiate an investigation, if the survivor wishes.

At the discretion of the survivor, Campus Safety will assist in filing a report with the Portland Police Bureau. Campus Safety officers are trained in working with survivors of sexual assault and rape by members of the Portland Police Bureau's Sexual Assault Unit. The Portland Police Bureau is required by law to maintain the confidentiality of all survivors of sexual assault and rape.

The survivor may request that the Portland Police Bureau investigate the crime and gather evidence at the time of the incident. The longer the survivor waits, the smaller the amount of evidence the police will be able to obtain. However, it is important that there at least be a fresh incident report on file and/or an anonymous SAFE kit collected within 84 hours of the incident if the survivor

decides later that he or she would like to take further action.

The survivor may request that the Police Bureau not investigate the crime itself but rather maintain the information of the crime and its particulars in its regular reservoir of crime data.

VII. ACADEMIC OR RESIDENCE HALL CHANGES

Initiating any academic or housing changes at the Dean of Students (or designees) office is fully confidential and voluntary on the survivor's part, as is seeking disciplinary action by the College.

VIII. SIGNIFICANT THREAT TO COMMUNITY

In cases where a perpetrator poses a significant risk to the general safety of the campus community, the Advocate will contact the Dean of Students. The name of the survivor will only be disclosed if that disclosure is absolutely necessary to protect the campus community from harm. If the Dean concludes that a significant threat exists, the Dean will take necessary action to protect the community while preserving the reporting survivor's anonymity.

IX. PERTINENT FEDERAL LEGISLATION

The Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act includes protections which are intended to help the survivor of sexual assault by requiring colleges to report accurate statistics regarding sexual assaults and rapes.

Additionally, if the assault or rape is reported, the survivor can choose to pursue disciplinary action on campus without needing to file charges with the police. The campus disciplinary procedures, outlined below, are designed to support the survivor by expediting a hearing and appropriate sanctions.

X. DISCIPLINARY PROCESS

The College's disciplinary procedures should be viewed as a resource to the survivor of sexual assault, rape, and sexual harassment. Sexual assault and rape are criminal violations and violations of College policy. A student charged with sexual misconduct can be prosecuted under the Oregon Criminal Code if the survivor chooses, and separately disciplined by the College. Even if the criminal justice authorities choose not to prosecute, a student charged with any type of sexual misconduct will be subject to the College disciplinary process. If the College's Sexual Misconduct Review Board finds that the alleged misconduct occurred, disciplinary action includes the strong possibility of suspension or dismissal from the College. Hearing procedures and disciplinary sanctions are outlined below.

Initial Steps

As described in this policy's section three, "Procedures for Survivors of Sexual Assault or Rape," it is possible for a survivor to make a first report to a number of different contact points throughout the college community (Sexual Assault Response Advocate, Student Health, Counseling, Dean of Students, Campus Safety). If, after meeting with any of these contact points, the survivor determines that he or she would like to pursue a college disciplinary hearing, the contact point will direct the student to meet with the Dean of Students or designee.

Once a meeting is arranged, the Dean or designee will outline the options available, including mediation, how a formal conduct hearing will work, and possible outcomes of options. If the survivor decides to make a charge, the Dean or designee will take a written (or tape-recorded) statement of the survivor's account of the incident (or, the survivor may give such a statement directly to Campus Safety). The accused student will also be given the opportunity to provide the Dean with a written statement after the charge has been made by the survivor. It should be noted that if Campus Safety has already taken a written statement from the survivor and/or the accused, the Dean may use these statements in lieu of the statements mentioned above.

The Dean will then present the accused student with a written statement of the survivor's charges against him or her. The Dean will notify the accused student that the hearing board members are being chosen and provide him or her with the date of the hearing. The hearing will be held within 5 working days of the survivor's initiation of charges. If this condition cannot be met, both the survivor and the accused will be notified regarding the status of the case. Both the survivor and the accused will be informed in writing of the hearing format and specific charges.

If the Dean determines that it is in the best interest of either student for safety or other reasons, the accused and/or the survivor will be provided different accommodations. Both students will be instructed to avoid all contact with the other. If these instructions are not heeded, disciplinary action will be taken, including the possibility of immediate suspension from the College and trespass from campus. Additionally, assistance is available for changing academic and living situations after a report of sexual misconduct is filed, if so requested by the survivor and if such changes are reasonably available.

Note: In the context of the College conduct process, the survivor is initiating formal allegations of misconduct. The charges of misconduct remain allegations until a decision is reached by the Sexual Misconduct Review Board.

Composition of the Sexual Misconduct Review Board

The Sexual Misconduct Review Board is composed solely of administrators and staff members, because these two groups are likely to have the least future interaction with the students involved. Board members are appointed by the Dean of Students.

When selected, all members of the board receive comprehensive training. Topics covered include: sensitivity to survivor reactions; characteristics of Rape Trauma Syndrome; myths and facts about sexual assault; sensitivity to both race and sexual orientation of individuals; and appropriate standards of proof.

The board will be composed of a pool of administrators and staff, three of whom will be selected to hear any given case. Both men and women will comprise the pool and each convened board. The Dean will chair the board during the hearing and provide administrative support and clarifications as needed.

The students involved may challenge the composition of the board. The accused and survivor will be notified of the names of those who will serve on the board at the time the hearing is scheduled. If either objects to any member or members of the board, he or she must commit the reasons for the objection to writing. The

Dean will review the objection and decide whether the hearing board member(s) should or should not be replaced. Removal from the hearing board will occur only if the Dean is convinced that absence of impartiality or other extenuating circumstances would result from allowing the hearing board member to adjudicate the incident. Any member who personally knows either the accused or the survivor will be excused from the case.

Elements of the Hearing

The hearing will be convened in a private room where there will be no disturbances from other members of the campus community. The hearing will not be open to the public. A record of the hearing (audio tape recording and/or written) will be maintained and made available to the accused and survivor if requested. There will be separate waiting rooms for the accused's witnesses and for the survivor's witnesses. A list of witnesses for each side must be submitted to the Dean of Students at least 48 hours prior to the hearing.

The survivor and the accused do not need to be present in the hearing room at the same time. Both the survivor and the accused may be present throughout the hearing. Both may present evidence on their own behalf through the presentation of witnesses. Both may choose a person to accompany them during the judicial proceedings. Both may have advisory participation from counsel. However, such counsel may not serve in an advocacy role in the hearing.

The survivor will present his or her case first, and be able to call witnesses. There are some situations in which the survivor cannot or will not present his or her own case. In these situations, the Dean may appoint an administrator to present the case for the survivor in the survivor's stead. If the survivor elects to let the College present the case, the survivor still may be present throughout the entire proceeding.

Next, the accused student may present his or her case. Then, the accused can call witnesses. The hearing board may recall any witnesses at any point to clarify or challenge statements made during the hearing. The hearing board members are allowed to ask questions at any point throughout the hearing. Neither the accused nor the survivor may directly question each other during the hearing. Questions and clarifications must be directed to the board.

Prior sexual behavior/sexual history of the survivor is not relevant and will not be allowed to be presented during the hearing. Hearing board members are obligated to prevent such information from being admitted.

The Decision Making Process

Once the hearing is concluded, the board members will, after meeting in closed session, render a decision within 48 hours. However, if they cannot reach a decision in that time, witnesses may be recalled for further questioning. The members of the hearing board have to decide if the accused student's actions meet the College's definition of sexual misconduct.

To establish responsibility, the hearing board must decide that the accused's behavior satisfies the definition of the misconduct to the extent required by the standard of proof in sexual misconduct cases—"more likely than not." Once a decision is made, the Dean of Students will inform the accused student first, then

the survivor, in the form of a letter which will include an explanation of the Board's deliberations. They will be informed separately and at different times so that they do not encounter each other.

Disciplinary Sanctions

<http://www.lclark.edu/dept/pathfind/sanctions.html>

Appeal Process

The decision of the hearing board may be appealed by both the survivor and the accused. The Provost or designate is the appellate for decisions reached by the Sexual Misconduct Review Board. Either party is entitled to an appeal if he or she can show that the adjudication was in any way biased or unfair, or that the process and/or sanctions was violative of college policy. Appeals must be submitted in writing to the Provost or designate within five days of the decision of the board.

XI. PORTLAND AREA RESOURCES

Crisis Services/Counseling/Advocacy

<http://www.lclark.edu/dept/healthed/resources.html>.

XII. LEGAL OPTIONS FOR SURVIVORS OF SEXUAL ASSAULT

Portland Area Legal Assistance

<http://www.lclark.edu/dept/healthed/resources.html>

Legal Process for Sexual Assault/Rape Survivor

<http://www.lclark.edu/dept/healthed/cjprocedure.html>

Note: Copies of pertinent Oregon Statutes are found in ORS 163.305–163.525 and may be obtained from the Campus Safety Office.

SEXUAL HARASSMENT

Policy Statement

A supportive, congenial and professional environment is essential to Lewis & Clark College's academic mission. For this reason, the college strives to sustain an atmosphere in which individual dignity is respected. Sexual harassment at Lewis & Clark College will not be tolerated.

What Constitutes Sexual Harassment:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when:

1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic advancement;
2. submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual; or
3. such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive work or academic environment. In evaluating conduct of the sort described above, the interference and/or the environment will be viewed through the eyes of a reasonable

person in the position of the victim of the alleged harassment.

This definition is not intended to limit the free exchange of opinions or the vigorous debate of ideas. All members of the college community 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 sexual harassment under (3) above 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.

Sexual harassment as a concept encompasses a broad range of conduct, from the display of sexually suggestive objects or pictures to coerced sexual relations. Whether or not particular conduct constitutes sexual harassment will depend on the context in which the conduct arises, the relationship of the parties, and the severity and frequency of the conduct.

Not all sexual conduct is sexual harassment. Sexual conduct, to be a violation of this policy, must be unwelcome and must be sufficiently severe or pervasive that it meets the definition in this policy. Sexual harassment is not limited to heterosexual harassment. Retaliation for complaining about any violation or perceived violation of this policy may lead to dismissal.

Where one party is in a position to extend academic or employment benefits to another, even a completely welcome, consensual romantic or sexual relationship raises at least the appearance of impropriety and can create an unwelcome appearance of favoritism and bias. Such a relationship can lead to sexual harassment allegations if it later becomes unwelcome. Sexual harassment is not limited to situations where there is an unequal power relationship between the parties, but such a relationship may make sexual harassment more likely.

Conduct occurring off campus can lead to a violation of this policy if it unreasonably interferes with a person's academic or work environment.

SKATEBOARDING AND OTHER RECREATION ACTIVITIES

Certain recreational activities, including skateboarding, longboarding, cycling, and slacklining are permitted on the Lewis & Clark campus in specific locations by Lewis & Clark students only, with the understanding that these activities may be restricted to hours which do not conflict with the normal class schedule.

Students using skateboards for the purpose of performing tricks or other artistic expression will primarily use the cement area in front of Pamplin Sports Center and will limit skateboarding activities to late afternoon hours (after 4 p.m.) and on weekends. Skateboarders will not use this area during scheduled athletic events. Skateboarding is not permitted in/on locations that could cause damage to college property.

Those using longboards and skateboards as transportation are not restricted as to time and place. They are, however, cautioned against boarding at high rates of speed in areas frequented by pedestrians and motor vehicles. Boarding on city

streets, particularly while also engaged in activities like listening to iPods, etc., is a violation of the Oregon Vehicle Code and could result in a citation.

Cycling is restricted to designated streets/sidewalks and maintained pathways on campus, and riders shall yield to pedestrians. Cycling is not permitted on stairways.

Slacklining is allowed on campus. However, the line may not be elevated to a height more than three feet, and only Douglas Fir trees with a diameter greater than one foot may be used to support the line.

No parkour type activities utilizing college buildings, structures, equipment, or vehicles are allowed.

Highlining and rappelling are not permitted on campus.

Students involved in listed recreational activities will be responsive to requests from College officials to cease their activities should their recreation become problematic in a particular area. They will also assist Campus Safety officers in communicating to non-students that such activities on the College campus are restricted to current Lewis & Clark students. Campus Safety will enforce this policy and continue to work with LC students to insure that these activities remain safe, not only for participants, but also for pedestrians who may be in the area.

The College strongly recommends that students involved in these recreational activities use appropriate safety equipment including helmets, knee pads and elbow pads as necessary. The College supports these recreational activities by members of the Lewis & Clark community when these activities can be done safely and when those involved respect the multiple use of designated areas.

Lewis & Clark students involved in recreational activities are also encouraged to utilize other designated recreational areas within the Portland community and through club-organized and ASLC-sponsored activities, both on their own and in concert with other organized club sports.

These recreational activities all have inherent risks, mostly associated with falling with the potential result of bruises or scrapes, and in more serious falls, broken bones and dislocated joints, and in the most serious cases permanent injury and possibly even death. The College's position regarding participation in such activities is that the participant does so at her or his own risk. Participants are responsible for conducting these activities in a safe manner and will be responsible for any injuries to bystanders or damage to property caused by their activities. Failure to conduct these activities in a safe manner shall be considered a violation of this policy.

SMOKING

The College takes seriously its obligation to provide a safe, healthy environment for faculty, staff, students and guests. The College is guided by the Oregon Indoor Clean Air Act in efforts to provide an appropriate work and learning environment. Recognizing that smoke from tobacco products has direct adverse effects on the health of smokers and nonsmokers, and responding to growing concerns expressed by employees and students, smoking is not permitted:

- in any College building
- within 25 feet of any College building
- in any College vehicle
- in any other designated areas

It is the responsibility of all community members to enforce this policy.

SOLICITATION

Individuals who are not employees are not permitted to distribute literature or printed materials of any kind, sell merchandise, solicit financial contributions for any other cause or conduct any activity on College property which is not specifically authorized and directly related to College business.

STUDENT ORGANIZATIONS

Student organizations at Lewis & Clark must be registered. Registered organizations appear on a list maintained by the Office of Student Activities. That office provides information about registered organizations to students interested in learning about opportunities to participate in student groups. Being registered is a good way for an organization to increase its membership and allows an organization to reserve space on campus for meetings, presentations, etc.

A chartered group is recognized by the ASLC Charter Commission and the ASLC Student Council. The Commission's purpose is to acknowledge organizations that promote the social and academic interests of students. The Commission annually evaluates each of the chartered organizations and reviews requests of groups wishing to obtain a charter.

Chartered organizations may apply for funds from the ASLC Budget and Finance Board to support the group and pay for such expenses as honoraria for visiting speakers, movie rental costs, a once-a-term social event, and regular office supplies. In addition, chartered organizations may reserve rooms on campus and reserve College vans. Chartered organizations can have their charters revoked for not following accepted ASLC guidelines.

See the ASLC Bylaws and/or contact the ASLC offices for specific information on charter review and deadlines for applying for a charter.

Note: Student organizations should consult with the Dean of Students and the Office of College Relations for information on Lewis & Clark's policies regarding fund raising and donations before engaging in fund-raising activities (such as contacting a prospective donor or accepting any donations).

TECHNOLOGY RESOURCES, RESPONSIBLE USE OF

Policy Statement

The College provides the campus community with technology resources for the purposes of teaching, learning, scholarly research and administrative tasks. Available resources include, but are not limited to, software, hardware (including telephones, computers, and media equipment) either owned or leased by the College, and the expertise of staff in Information Technology and other institutional offices. The following policy applies both to users of College equipment and to owners of personal equipment that is connected to the data or telecommunications infrastructure of the College.

The use of technology resources provided by the College for purposes other than teaching, learning, scholarly research, and the institution's administrative functions may be terminated if it interferes in any way with those primary endeavors.

Many of the College's technology resources are shared with the entire campus community. Individuals using those resources should be considerate of the needs of others and do nothing to impede others' use of the same. Examples of such impediments include, but are not limited to:

- Activities that obstruct usage or deny access to others
- Activities that compromise privacy
- Activities that could be considered harassing
- Activities that could be considered libelous
- Attempting to "hack" into any computer either at the College or elsewhere
- Activities that violate copyright laws
- Activities that violate College policies and procedures
- Destruction or alteration of data or information belonging to others
- Activities that violate local, state, or federal laws
- Unauthorized use of computer accounts
- Impersonating other individuals
- Creating, using or distributing virus programs or programs that attempt to explore or exploit network security and/or other vulnerabilities
- Attempts to capture or crack passwords or break encryption protocols
- Allowing anyone else to use one's account(s)
- Extensive use of resources for private or personal use
- Use of College-owned technology resources for personal gain
- Use of Peer-to-Peer (P2P such as KaZaA, Grokster, etc.) software to share files that hold a copyright (i.e. music, movies, games, software, etc.)

Identification

Individuals wishing to provide information on College-supported information system—including, but not limited to the Campus Wide Information System (World Wide Web), USENET, and e-mail—or through connections to the institution's data or telecommunications infrastructure must comply with the following requirements:

- 1) All information must contain either the name or electronic mail address of the person making the information available. Anonymous use of technology resources is not permitted. For example, in the case of active

information such as e-mail, the FROM: field must contain the e-mail address of the person sending the mail. Passive information, such as that found on the WWW, must contain the e-mail address of the author, owner, or sponsor of that page at the bottom of the page.

- 2) All information must carry a date indicating when the information was made available. For information made available actively, as in the case of e-mail, the date would appear in the DATE: field. For passive information, as in the case of the WWW, the date would appear at the bottom of the page, preceded by an indication that this is the posting date.
- 3) Web space provided by the College and using its domain name (lclark.edu) and any other College-owned technology resource must not be used for fundraising, advertising or running a for-profit or not-for-profit business.

The Information Technology Staff is dedicated to the implementation of new technologies and enhancement of existing ones in support of the College's mission. It is not a monitoring agency. Nevertheless, files, e-mail messages and other information that use or are stored on College-owned technology resources should not be considered private or secure. Such information may be subject to legal subpoenas, search warrants, or audits. In the course of maintenance, systems administrators are expected to treat information they encounter as confidential. If, however, they encounter information or files that suggest illegal activity, they are required to report such discoveries to the appropriate authorities. When electronic files are accessed or viewed by systems administrators, the owner will be notified except when a violation of law is suspected.

Engaging in any activity that violates this policy can result in an immediate loss of access privileges. If such activities also violate other College policies, including the academic honor code, or local, state or federal laws, they may be reported to the appropriate campus office for resolution. Such cases may result in consequences as serious as suspension or dismissal from the College as well as prosecution by outside authorities.

With the evolving nature of resources and load, specific changes or additions to these policies may occur from time to time. These changes will be made available via the Responsible Use of Information Technology section of the Information Technology web site. It is the responsibility of each individual who uses the technology resources of the College to be familiar with and abide by all current operational policies.

The use of any technology resource of the College implies acceptance of ALL current operational policies.

Procedure

If you suspect any violations of this policy, please contact the Chief Technology Officer at 768-7020.

TELEPHONES, AUTHORIZED AND UNAUTHORIZED USE

The College switchboard is attended by a PBX operator during normal working hours throughout the year. In addition, students also provide coverage evenings and weekends during the academic year. The Law School has a separate

switchboard, which may be reached from the upper campus by dialing "6" and then "0." The Law School switchboard is open from 8:30 A.M. to 5 P.M. weekdays.

Each residence hall room has a telephone extension which can receive local or long-distance calls and place local calls 24 hours a day. Students may elect to subscribe to telephone services at their own expense.

Accepting collect telephone calls constitutes unauthorized use of the telephone system at Lewis & Clark. The mobility of the student population and the time delay for receipt of charges (30 days to 10 months) makes it difficult to recover charges for collect telephone calls. As a result, students may not accept collect calls. Any infraction of this policy will result in:

1. A billing, plus a \$25 fee for each infraction, posted against the resident's account.
2. Grades and transcripts being withheld until charges are paid.

Each month the College receives a billing which tracks any collect calls that have been accepted at the College. The billings show the location which accepted the call, the date, time, calling number, length of call, and cost. This information is reviewed and the charges are passed on to the responsible party(ies). When a collect call is accepted in a residence hall, the charges are posted to the resident's account.

Resident students share equally in responsibility for any charges that may arise from use of the telephones in their rooms. Any charges are divided by the number of residents in a particular room at the time the charge occurs. It is the student's responsibility to recover charges made to his or her account because his or her roommate accepted a collect telephone call. Equally, it is the student's responsibility to reimburse his or her roommates for such charges.

Students who repeatedly accept collect calls in their rooms may lose their telephone privileges for the remainder of the academic year.

Students who have problems with the telephones in the residence halls should contact their Campus Living Coordinator.

THEFT

Attempted or actual theft and/or damage to College property or property of students, other members of the College, or others legitimately using College property is prohibited.

TRANSCRIPTS

To secure an official transcript from Lewis & Clark College the student must file a written request bearing his or her signature. The Registrar's Office will process this request and produce an official transcript of the entire academic record of the student. The Registrar's Office can not produce a transcript reporting only specific terms. Students may view and print unofficial transcripts from WebbAdvisor.

The cost for the processing of an official transcript is \$5.00 per copy. If multiple copies are requested at once, the cost is \$5.00 for each of the first two copies and \$2.00 per copy thereafter for the copies ordered in multiple quantities. The

College may withhold transcripts from students with unpaid financial obligations to the College.

The College does not issue copies of transcripts from other institutions. If students are interested in securing copies of transcripts from other schools, they must write to those institutions directly.

TRANSPORTATION AND PARKING REGULATIONS

The following is an excerpt of the Transportation and Parking Regulations. For complete policies and regulations, please go to <http://www.lclark.edu/dept/parking/parkingregs.html>.

OVERVIEW

Lewis & Clark College has established these Parking and Transportation regulations to:

- Provide for the protection and safety of the Lewis & Clark community by ensuring emergency access to the campus and its buildings.
- Mitigate and minimize the impact of parking and traffic congestion on the College's pursuit of its academic mission and on the life of the surrounding community.
- Comply with traffic reduction requirements mandated by the city of Portland and the Oregon Department of Environmental Quality.
- Organize vehicle traffic and parking on the Lewis & Clark campus in an efficient, safe manner in accordance with the city of Portland's conditional use requirements.

Permission to park or operate a motor vehicle on Lewis & Clark College property is governed by these regulations, is a privilege granted by the College, and does not ensure the availability of a parking space.

Parking Fees

Lewis & Clark's Board of Trustees approves a schedule of parking fees each year as part of the budget process.

Semester Parking Permits: Upon registration of vehicles, employees and students may purchase semester permits at the Cashier's Office located in the lower level of Templeton Student Center. A permit for both the fall and spring semesters may be purchased

Payment Methods: Employees may purchase semester parking permits by authorizing monthly payroll deductions. Students must pay for their semester permits in full upon issuance.

Daily Parking Passes: Students, Faculty, and Staff may purchase daily parking passes from the Campus Safety Office or the Cashier and Credit Office.

Refunds: Students who have purchased a semester parking permit may return it for a refund for the unused portion of the semester.

PARKING OF VEHICLES

Parking permits are required to park on campus during the fall and spring semesters, Monday through Friday from 7 A.M. to 7 P.M. During the summer sessions, parking permits are not required on the Fir Acres Campus, but “no parking” zones, loading zones, service courts, and reserved parking spaces are enforced throughout the year. There is no charge for parking after 7 P.M. weekdays or on weekends. Parking permits are required on the South Campus and in the Law School staff parking area during summer sessions.

When a vehicle is found to be in violation of Lewis & Clark’s parking regulations, the permit holder or (in the absence of a valid permit) the vehicle’s registered owner is responsible for payment of associated parking violation fines.

Vehicle Registration

Vehicles owned and/or operated by students, faculty, or staff that will be parked at anytime on the campus or in adjacent neighborhoods must be registered with the College. Unregistered vehicles parked on the campus are subject to fines, immobilization (booting), and/or towing at the owner’s expense. Students, faculty, and staff must register their vehicles online at www.lclark.edu/dept/parking/vehiclereg.html.

STUDENT PARKING

Freshmen Prohibition

Freshmen students in the undergraduate college are prohibited from having vehicles on campus. An application for waiver may be submitted to the Director of Transportation and Parking and must be accompanied by documentation as required. The Director of Transportation and Parking may, at his or her discretion, grant waivers on the basis of valid medical reasons or for off-campus employment. Freshmen who bring cars to campus under any circumstance without a waiver from the Director of Transportation and Parking are in violation and subject to parking fines and sanctions by the Dean of Students. Students who register vehicles brought to campus by freshman are subject to parking fines and sanctions by the Dean of Students.

Graduate and Undergraduate Student Parking

Undergraduate and Graduate students may park in any unreserved parking space on the campus if a valid parking permit is displayed in the vehicle.

Resident Parking Permits

Vehicles that display a resident parking permit may park in unreserved and unrestricted parking areas 24 hours per day, seven days a week, during the academic year. Resident parking permits are not authorized for parking areas designated by signs or markings for staff and faculty or other restricted designations.

ENFORCEMENT

Parking Violation Notices

When there is cause to believe that a violation of these regulations has occurred, the Transportation and Parking Office will issue a parking violation notice that lists the date, approximate time, location, nature of the violation, and fine amount. The

parking violation notice may be served by affixing a copy to the subject vehicle or by delivering or mailing a copy to the campus mailing address of the person responsible for the vehicle.

Responsibility for Illegal Parking

The permit holder, or in the absence of a valid permit, the vehicle's registered owner of the vehicle, is responsible for any parking violations of that vehicle and for all offenses other than moving violations under these regulations. If another person was using the vehicle at the time of the violation, either the permit holder or the registered owner will be held responsible for the violation.

Penalty Payment and Appeal Procedure

Parking fines will automatically be charged by the Cashier and Credit Office to the college accounts of students, faculty, and staff.

- A parking violation notice may be appealed online within 10 days of receiving the citation on the Transportation and Parking website.
- If the alleged violator does not appeal the notice of violation within 10 days, the fine will remain as a charge to the college account of the violator and the right to appeal will be waived.
- If the parking citation is appealed and the violation is upheld, the fine will remain as a charge to the individual's college account. If the appeal is upheld, the fine will be reversed.

Appeals Hearing Officer

The Office of Transportation and Parking uses an outside arbitration service to adjudicate parking appeals. The hearings officer is authorized to uphold the appeal, deny the appeal, suspend the fine, or reduce the fine.

UNAUTHORIZED ENTRY

Unauthorized entry into, or use of, College premises or equipment, including unauthorized roof access, including the Tennis Bubble, is prohibited.

VIOLENT, THREATENING, COERCIVE, OR ABUSIVE CONDUCT

Lewis & Clark College is committed to maintaining a safe and healthy environment for all faculty, staff and students, and will not tolerate any form of violence, abusive behavior, intimidation, or coercion committed by or against any member of its community. All reports of violence or abusive behavior will be taken seriously by members of this campus community.

Violence and abusive behavior include any attempted, threatened, or actual conduct that endangers or is likely to endanger the health or safety of a campus community member or visitor, or any threatening statement, harassment, or behavior that gives a campus community member or visitor reasonable cause to believe that his or her health or safety is at risk. Accidents are not considered workplace violence or abusive behavior even though safety or property may be at risk or harmed. Also, reasonable discipline and counseling are not included under this policy even though an employee or student may take offense.

Examples of violence and abusive behavior violating this policy include but are not limited to the following:

- Slapping, punching or otherwise physically attacking a person.
- A direct or implied threat of harm or hostile behavior that creates a reasonable fear of injury to another person or unreasonably subjects another individual to emotional distress.
- Brandishing a weapon or an object, which appears to be a weapon in a threatening manner.
- Intimidating, threatening, or directing abusive language toward another person.
- Stalking.
- Intentionally damaging College property or the property of a member of the Lewis & Clark College community or a visitor.
- Committing acts motivated by, or related to racial or sexual harassment or domestic violence.

Confidentiality will be maintained to the extent possible but it is not guaranteed. Retaliation or harassment against a person making a report in good faith will not be tolerated and may result in disciplinary action.

VISITING PRIVILEGES

Students assume responsibility for conduct of their visitors. If a visitor is asked to leave a specific area of campus, it is the responsibility of the student host to cooperate with the College official making the request.

The College may exclude all visitors from campus in times of impending or actual crises or emergencies, and may exclude any visitors from any area of the campus for any reason the College deems appropriate.

A person who has been suspended or dismissed from the College for disciplinary reasons, or whose record prohibits admission without special clearance, does not have visiting privileges on the College campus. Violators of this policy may jeopardize their readmission status and/or may be subject to legal or disciplinary action.

College residence halls are not public facilities. Only Lewis & Clark College students and authorized personnel are permitted in the residence halls.

WEAPONS ON CAMPUS

The presence of weapons on campus poses an unacceptable risk to the health and safety of all members and guests of the Lewis & Clark Community. It is the policy of the College to prohibit illegal or unauthorized possession of weapons, explosives, or dangerous chemicals on College premises. For the purposes of this policy, the definition of a weapon is:

- Any item or instrument described as a weapon in Oregon, Multnomah County, and/or the City of Portland statutes and ordinances;
- Any instrument, article, or substance which is specifically designed for and presently capable of causing death, incapacitation, or serious physical injury;
- Any item used to harass, threaten, intimidate, assault, or batter; and

- Any item the College deems dangerous.

This includes but is not limited to firearms, ammunition, paintball guns, airsoft guns, explosive devices (both incendiary and chemical), knives having a blade that swings into position by force of a spring or centrifugal force (commonly known as switchblades, any knives (other than pocket knives) with blades longer than three and one half inches, metal knuckles, straight razors, blackjacks, saps, sap gloves, koshes, bludgeons, martial arts stars, and weapons of the type commonly known as nunchukas. Anyone who observes someone on the Lewis & Clark campus violating this policy should immediately report the incident to the Campus Safety Office by dialing (503) 768-7777. The complainant should be prepared to provide the Campus Safety Office with any relevant information that caused them to observe the violation.

WITHDRAWAL OF STUDENT, INVOLUNTARY ADMINISTRATIVE

A student may be subject to involuntary administrative withdrawal from the College, or from College housing, if the student poses a danger of causing psychological or physical harm to self or others. A student may also be withdrawn for threatening or causing property damage or impeding lawful activities of others.

A student who is being administratively withdrawn will have an informal hearing before the Dean of Students or designate. A student may be asked to be evaluated by a psychologist or psychiatrist and the results of such an evaluation will be used as a basis for decision-making during the hearing. The student may be assisted by a family member, faculty member, mental health professional, or counsel. Whenever possible, relevant faculty members, students, College mental health professionals, and other College staff persons should attend the hearing. A hearing may be held without the student being present if he or she refuses or is unable to attend. The Dean of Students or designate shall prepare a written decision and forward it to the student within five days of the hearing. The decision of the Dean of Students or designate will be binding, final, and not subject to appeal.