

**[10006] CAMPUS SECURITY ACT DISCLOSURE STATEMENT – Clery Act**

The Campus Security Act (Public Law 102-26) 34 C.F.R. Section 668.46 (c)(1) requires postsecondary institutions to disclose the number of instances in which certain specific types of crimes have occurred in any building or on any property owned or controlled by this institution which is used for activities related to the educational purpose of the institution and/or any building or property owned or controlled by student organizations recognized by this institution. In compliance with that law, the following reflects this institution’s crime statistic for the period between 01/01/2015 and 12/31/2017. PLEASE NOTE THAT THIS INSTITUTION DOES NOT HAVE ON CAMPUS HOUSING, AND THAT THERE NO POLICE RECORDS THAT PERTAIN DIRECTLY TO THE PROPERTY USED BY THE INSTITUTION. THEREFORE, THE STATISTICS BELOW REPORT ONLY THOSE INCIDENTS REPORTED TO THE INSTITUTIONAL ADMINISTRATION AND/OR TO THE LOCAL POLICE.

**Report Distribution Date: October 1, 2018**

**Occurrences REPORTED within the 2015, 2016 and 2017 Calendar Years**

Crimes Reported	2015	2016	2017	Location: C=Campus N=Non-campus P=Public Area	* Hate Crime? (see note)
(i) Criminal homicide:					
(A) Murder and non-negligent manslaughter	0	0	0		
(B) Negligent manslaughter	0	0	0		
(ii) Sex Offenses:					
(A) Rape	0	0	0		
(B) Fondling	0	0	0		
(C) Incest	0	0	0		
(D) Statutory Rape	0	0	0		
(iii) Robbery	0	0	0		
(iv) Aggravated assault	0	0	0		
(v) Burglary	0	0	0		
(vi) Motor Vehicle Theft	0	0	0		
(vii) Arson	0	0	0		
(viii) Liquor law violations	0	0	0		
Arrest and referrals for disciplinary actions including:					
(A) Arrests for liquor law violations, Drug law violations, and illegal weapons possession:	0	0	0		
(B) Persons not included in 34 CFR 668.46(c)(1)(ii)(A) who were referred to campus disciplinary action for liquor law violations, drug law violations, and illegal weapons possession	0	0	0		
Hate crimes: As listed under 34. CFR668.46 (c)(1)(i)					
(A) Larceny-theft	0	0	0		
(B) Simple Assault	0	0	0		
(C) Intimidation	0	0	0		
(D) Destruction, Damage or Vandalism of Property	0	0	0		
<b>New reporting as of 10/01/2018</b>					
Incidents of sexual assault		0	0		
Domestic Violence		0	0		
Dating Violence		0	0		
Stalking		0	0		

**NOTE - Crimes reported under any of the category listed in this section that show evidence of prejudice based on race, religion, sexual orientation, ethnicity or disability as prescribed by the Hate Crimes Statistical Act.**

1. This institution does not employ campus security personnel but encourages both its employees and students to immediately report suspected criminal activity or other emergencies to the nearest available institutional official and/or in the event of emergency to directly contact local law enforcement or other emergency response agencies by dialing 911.

## CAMPUS SECURITY ACT DISCLOSURE STATEMENT – Clery Act—(continued)

2. (i) All students and employees are required to report any crime or emergency to their institutional official promptly.  
(ii) Preparation for the Annual Disclosure of Crime Statistics report is obtained by the institution’s directors who contact the correct police department District for statistics and the institution’s Daily Incident Log and then records those statistics.  
(iii) If a student or employee wishes to report a crime on a voluntary or confidential basis, the **institutional official** will be prepared to record and report the crime, but not the name of the informant. The student or employee may, in order to maintain confidentiality, submit the information in writing to his/her **institutional official** without signature. If the student wishes not to maintain confidentiality, the student will contact his/her **teacher or school official** who in turn will contact the nearest **supervisor** to report criminal actions or emergencies to the **appropriate agency by calling (911)**.
3. Only students, employees and other parties having business with this institution should be on institutional property. Staff, faculty, students, and prospective students or any person entering the premises must have and CARRY on them at all times a security identification badge. Those without an identification badge must sign in at the entrance and identify their purpose of visit, the person to be visited and register their time in and out of the building. The visitor must also wear a visitor’s badge while on campus. All rear access doors leading to the campus are closed and locked during evening hours. When the school closes for the night, the school’s official or supervisor will inspect each floor to see that it is empty and then set the alarms on each floor and then lock down the campus. Other individuals present on institutional property at any time without the express permission of the appropriate institutional official(s) shall be viewed as trespassing and may as such be subject to a fine and/or arrest. In addition, students and employees present on institutional property during periods of non-operation without the express permission of the appropriate institutional official(s) shall also be viewed as trespassing and may also be subject to a fine and/or arrest.
4. Current policies concerning campus law enforcement are as follows:
  - (i) Institution’s officials have no powers of arrest other than the Citizens Arrest Law, and are required in the event of a crime or emergency to call the correct agency or dial (911) for the police and emergency services. The Citizens Arrest Law will be invoked only as a last resort, and after all other possibilities have been explored.
  - (ii) Employees shall contact their immediate or nearest ranking supervisor to report any criminal action or emergency to the appropriate agency by calling (911). If possible, in the interim, institutional official shall attempt to non-violently deal with the crime or emergency with the appropriate agency on campus. Individual discretion must be used; as undue risk should not be taken.
  - (iii) The institution currently has no procedures for encouraging or facilitating pastoral or professional counseling (mental health or otherwise), other than the student or employee is encouraged to seek such aid.
5. Though this institution does not offer regularly scheduled crime awareness or prevention programs, students are encouraged to exercise proper care in seeing to their personal safety and the safety of others. The following is a description of policies, rules and programs designed to inform students and employees about the prevention of crimes on campus.
  - a. Do not leave personal property in classrooms.
  - b. Report any suspicious persons to your institutional official.
  - c. Always try to walk in groups outside the school premises.
  - d. If you are waiting for a ride, wait within sight of other people.
  - e. Employees (staff and faculty) will close and lock all doors, windows and blinds and turn off lights when leaving a room
  - f. The Crime Awareness and Campus Security Act is available upon request to students, employees (staff and faculty) and prospective students.
  - g. The school has no formal program, other than orientation, that disseminates this information. All information is available on request.
  - h. Information regarding any crimes committed on the campus or leased/attached properties (parking lot) will be available and posted in a conspicuous place within two (2) business days after the reporting of the crime and be available for sixty (60) business days during normal business hours, unless the disclosure is prohibited by law, would jeopardize the confidentiality of the victim or an ongoing criminal investigation, would jeopardize the safety of an individual, would cause a suspect to flee or evade detection, or would result in the destruction of evidence. Once the reason for the lack of disclosure is no longer in force, the institution must disclose the information. If there is a request for information that is older than sixty 60 days, that information must be made available within two (2) business days of the request.
6. The institution does not offer regularly scheduled crime awareness or prevention programs other than orientation where all the institution’s policies and regulations are properly disclosed to prospective students.
7. All incidents shall be recorded in the Daily Incident Log located in the Title IX Coordinators office. The log includes the date, time, location, incident reported, and disposition of incident and the name of the person who took the report. The report must be entered in the log within two (2) business days after it is reported to the school’s official, unless that disclosure is prohibited by law or would endanger the confidentiality of the victim.

8. This institution does not permit the sale, possession or consumption of alcoholic beverages on school property and adheres to and enforces all state underage-drinking laws.
9. The institution does not permit the possession, use or sale of illegal drugs by its employees and students and adheres to and enforces all state and Federal drug laws. The violation of these policies by students or employees may result in expulsion, termination and/or arrest

**CAMPUS SECURITY ACT DISCLOSURE STATEMENT – Clery Act—(continued)**

10. Information concerning drug and alcohol abuse education programs is posted at the campus and is distributed annually to students and staff. (*Institutions are advised to make available to students and staff members information on an agency that provides counseling and help on drug and alcohol abuse education*).
11. It is the policy of this institution to have any sexual assaults (criminal offenses) on campus to be reported immediately to the institution's official, who will report it to (911) emergency and police units. The institution during the orientation of given to newly admitted students emphasizes the prevention of sexual crimes by insisting students to work, study and walk outside of the premises in as much as possible, accompanied by other students or in view of other persons, generally, avoiding as much as possible to be alone by themselves at any time. During the daily functioning of the school operations, staff and administrators focus in observing that students are not in any circumstance by themselves.
  - (i) The institutional program to prevent sexual crimes consists in maintaining a continuous lookout for each other to protect and prevent any sexual assaults. The entire staff takes part of this program to protect the students and the staff among themselves.
  - (ii) A person who was victimized will be encouraged to seek counseling at a rape crisis center and to maintain all physical evidence until such a time when that person can be properly transported to a hospital or rape crisis center for proper treatment.
  - (iii) A victim of a sexual crime has the option of reporting this crime to the institutional authorities or to report it directly to (911) and search for professional assistance from the emergency agencies. If requested, the institutional personnel will be prepared to request assistance calling (911). When the crime is reported, the school will provide the victim with a written explanation of his or her rights and options.
  - (iv) The institution does not have accessibility to professional counseling, mental health or otherwise, students and employees are encouraged to seek such professional assistance at the nearest hospital or health care services.
  - (v) The institution will offer the victim of a sexual crime, any available options to change the academic schedule in as much as possible to the benefit of the victimized person.
  - (vi) The institutional disciplinary actions in reference to an alleged sex offence are as follows:
    - (A) The accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding: and
    - (B) Both the accuser and the accused must be informed of the outcome of any institutional proceeding brought alleging a sex offense
  - (vii) This institution has zero tolerance of violation of this policy. Once the offense is confirmed the institutional disciplinary action against students or employees may result in expulsion from school, or termination of employment and in accordance to local laws, to an arrest of the offender by the authorities.
12. The institution provides the following website to obtain information concerning the registration of sex offender's arrest.

<http://www.city-data.com/so/so-Portland-Oregon.html>  
<https://www.portlandoregon.gov/police/article/348486>  
<https://sexoffenders.oregon.gov/>

**13 Description of school's emergency response and evacuation procedures.**

Required elements:

- Procedures to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus
- Statement that institution will, without delay, and taking into account the safety of the community, determine content of the notification Must initiate notification system, unless issuing notification will compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency
- A description institution's process to confirm there is a significant emergency
- Determine whom to notify

- Determine content of the notification
- Initiate the notification system
- List of titles of persons/organizations responsible for carrying out these actions
- Procedures for disseminating emergency information to the larger community
- The institution's procedures to test the emergency response and evacuation procedures on at least an annual basis
- Tests Announced or unannounced
- Publicized in conjunction with at least one test per calendar year
- Documented (description of the exercise, the date, time, and whether it was announced or unannounced)

- 14 Revised **Crime Classification: Burglary vs. Larceny**: An incident must meet three conditions to be classified as a Burglary.
- There must be evidence of unlawful entry (trespass). Both forcible entry and unlawful entry – no force are counted.
  - The unlawful entry must occur within a structure, which is defined as having four walls, a roof, and a door.
  - The unlawful entry into a structure must show evidence that the entry was made in order to commit a felony or theft. If the intent was not to commit a felony or theft, or if the intent cannot be determined, the proper classification is Larceny.
- 15 **Definition of On-Campus Student Housing Facility**: For the purposes of the Clery Act regulations, as well as the HEA fire safety and missing student notifications regulations, any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility. This definition clarifies that any building located on campus on land owned or controlled by the institution that is used for student housing must be counted as an on-campus student housing facility, even if the building itself is owned or controlled by a third party.

#### **CAMPUS SECURITY ACT DISCLOSURE STATEMENT – Clery Act—(continued)**

- 16 **Campus Law Enforcement Policies**: All institutions must include a statement of policy regarding campus law enforcement in their Annual Security Report. This statement must contain the following elements:
- Sumner College does not have campus security personnel.
  - A description of the working relationship of campus security personnel with State and local law enforcement agencies, including whether the institution has agreements with such agencies, such written memoranda of understanding (MOU), for the investigation of alleged criminal offenses.
  - A statement of policies which encourage accurate and prompt reporting of all crimes to the campus police and the appropriate law enforcement agencies.
  - Students and employees should refer to the person or agency listed at the end of this report when reporting or seeking help on a criminal incident. Please note that any emergency that requires immediate attention should not wait to report to the school's officer but rather should contact the appropriate agency by calling (911).

**The institution does not maintain any special relationship with State and local police and does not have an agreement with those police agencies (such as written memoranda of understanding) to investigate alleged crimes.**

**This Institution encourages students to complete a timely reporting of all crimes to the campus administrators, police and appropriate law enforcement agencies**

**This institution encourages students to immediately report an incident where an emergency evacuation will be needed. All students should be familiar with the evacuation procedures posted in several key places around the campus.**

**This institution does not provide on-campus housing. Therefore, the following disclosures do not apply to this institution:**

**Fire safety (668.49)**

**Missing students (668.46(h))**

**Emergency notifications 668.46(g))**

**Hate crimes 668.46(c))**

**Peer to Peer file sharing: Students authorized to utilize the institutional electronic equipment for purposes of conducting research, practical work, writing essays, doing homework assignments or in any general use of the equipment for course related work, are strictly unauthorized to copy or distribute any copyrighted material and any violations will subject the individual violator (staff member, non-staff member or student) to civil and criminal liabilities. The first violation will be punished by removing any authorized privilege use of any institutional equipment, if the violation includes the use of individually owned equipment, the individual will not be allowed to bring in his/her personal equipment into the school premises. Second violation the staff member may be terminated or the student may be expelled from school. This decision will be taken by the school administration. The institution conducts annual evaluations of the procedures in place to prevent any violations of copyrighted materials observing the need of the students to have access to the institutional network. The institution will keep a log summarizing violations reported and disciplinary actions taken.**

**Students and employees should refer to the following person or agency when reporting or seeking help on a criminal incidents. Please note that any emergency that requires immediate attention should not wait to report to the school's officer but rather should contact the appropriate agency by calling (911).**

Campus Security Authority	Carlie Jones Joanna Russell
Title	Title IX Coordinator President
School Name	Sumner College
Street address	<b>15115 SW Sequoia Parkway, Suite 200</b>
City, State Zip	<b>Portland, OR 97224</b>
Phone No.	503-223-5100

#### WHO TO NOTIFY

#### CAMPUS SECURITY AUTHORITY (CSA)

##### On Duty Managers:

Carlie Jones, Title IX Coordinator

**503.223.5100**

Joanna Russell, President

**503.972.6230**

#### SEXUAL ASSAULT RESOURCES

Emergency

**911**

Portland Police Non-Emergency

**503.823.0000**

National Sexual Assault Hotline

**1-800-656-4673**

Portland Women's Crisis Line

**1-888-235-5333**

Sexual Assault Resource Center

**1-888-640-5311**

Oregon Law Help

<http://oregonlawhelp.org/>

#### SEXUAL HARRASSMENT & VIOLENCE

Carlie Jones, Title IX Coordinator

**503.223.5100**

Joanna Russell, President

**503.972.6230**

#### ALCOHOL & DRUG RESOURCES

Alcohol Drug Hotline

**503.244.4645 or 1.800.923.4357**

Clackamas Women's Services

**503.654.2288 or 1.888.654.2288**

Portland Women's Crisis Line

**503.256.5333 or 1.888.235.5333**

Department of County Human Services  
Mental Health & Addiction Services Division  
**503.9888.3999 EX: 24264**  
Providence Substance House Treatment  
**503.574.9200**  
Addiction Prevention & Treatment Programs,  
Volunteers of America, Oregon  
**503.235.8655**  
Siloam International, Inc.  
Substance Abuse Treatment  
**503.227.6111**  
Oregon Prevention & Treatment Resource Clearinghouse  
**503.378.8000**  
**800.822.OPRC**  
Alcoholics Anonymous  
**503.223.8569**

#### Substance Abuse Prevention

Sumner College is concerned about the effects of substance abuse in the school environment, in the work place, and in the lives of those involved. The following qualified agencies could be of assistance:

DePaul Treatment Centers 503.535.1151  
Oregon Prevention & Treatment Resource Clearinghouse 503.378.8000  
Alcoholics Anonymous 503.223.8569

Staff and students are prohibited from the unlawful manufacture, distribution, possession, or use of illicit drugs or alcohol. This prohibition applies while on the property of the school or participating in any institutional activity. Students or employees who violate this policy will be subject to disciplinary action up to and including expulsion or termination.

There are numerous legal sanctions under local, state, and federal laws which can be used to punish violators. Penalties can range from suspension, revocation and denial of driver's license, to 20-50 years imprisonment or hard labor without benefit of parole. Property may be seized. Community service may be mandated.

Recent federal anti-drug laws affect a number of areas in everyone's lives. Students could lose eligibility for financial aid and could be denied other federal benefits, such as Social Security, Retirement, Welfare, Disability, and Veterans Benefits. The Department of Housing and Urban Development, which provides funds to states and communities for public housing, now has the authority to evict residents and members of their household who are involved in drug-related crimes on or near the public housing premises. Businesses could lose federal contracts if the company does not promote a drug-free environment. Finally, a record of a felony or conviction in a drug-related crime may prevent a person from entering certain careers.

The laws of the State of Oregon are adequate to protect the innocent, but stringent enough to ensure that persons involved with illegal dealing of drugs or excessive use of alcohol can be adequately punished. For example, a small amount of drugs found on a person may lead to an arrest which could require the person to make payment of all court costs as well as participate in mandatory community service. A person found with drugs with the intention to distribute could be imprisoned. A person found to be intoxicated while driving could be forced to pay court costs, lawyer's fees, participate in community service, receive an increase in the cost of automobile insurance or even lose their driver's license and end up in prison. In addition to local and state authorities, the federal government has four agencies employing approximately 52,500 personnel engaged in fighting illicit drugs. These agencies are: The Drug Enforcement Agency, U.S. Customs Service, Federal Bureau of Investigation, and the U.S. Coast Guard.

Drug Abuse is the utilization of natural and/or synthetic chemical substances for non-medical reasons to affect the body and its processes, the mind and nervous system and behavior. The abuse of drugs can affect a person's physical and emotional health and social life. Alcohol is the most abused drug in the United States.

Drugs can be highly addictive and injurious to the body as well as one's self. People tend to lose their sense of responsibility and coordination. Restlessness, irritability, anxiety, paranoia, depression, acting slow moving, inattentiveness, loss of appetite, sexual indifference, comas, convulsions, even death can result from overuse or abuse of drugs. Not only does the person using the drug subject himself to all sorts of health risks, drug use can and, in many instances does, cause grief and discomfort to innocent people. A drug-dulled brain, for example, affects the wide range of skills needed for safe driving, such as thinking. Further, reflexes are slowed, making it hard for drivers to respond to sudden, unexpected events. Alcohol-related highway deaths are the top killer of 15-24 year olds.

There are drug or alcohol counseling, treatment, and rehabilitation facilities available in our area where you can seek advice and treatment. An excellent source is the yellow pages of the local telephone book. Look under the heading "Drug Abuse & Addiction - Information and Treatment". You may also contact the Oregon Department of Alcohol and Drug Programs at (503)-945-5763 for further information on drug and alcohol rehabilitation centers in our area.

There are national organizations one can contact for help. The Alcoholism and Drug Abuse Hotline is open 24 hours (800) 252-6465. The Cocaine Hotline (800) 444-9999 is open 24 hours a day. The National Institute on Drug Abuse Hotline is available 8:00 AM to 2:00 AM, Monday through Friday and 11:00 AM to 2:00 AM, on weekends (800) 662-4357.

Treatment is available and may be expensive. For example, a typical live-in program lasting four weeks can cost from \$5,000 to \$15,000. Outpatient programs cost from \$1,000 to \$5,000. Who pays for these treatments? There may be programs which cover the costs. One way or another, the person and the taxpayer pay! It has been proven that an individual "hooked" cannot just stop, but requires professional care to kick the habit.

There are classic danger signals that could indicate the first sign of drug use. The primary ones that could call attention to one's use of drugs are:

- Abrupt changes in mood or attitude
- Continuing slump at work or school
- Continuing resistance to discipline at home or school
- Cannot get along with family or friends
- Unusual temper flare-ups
- Increased borrowing of money
- Heightened secrecy
- A complete new set of friends

Staff and students who violate these standards of conduct subject themselves to disciplinary actions. Students are reminded that as a precondition to accepting a Federal Pell Grant that they sign a certificate stating they would not engage in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance during the period covered by a Federal Pell Grant. A Federal Pell Grant recipient convicted of a criminal drug offense resulting from a violation occurring during the period of enrollment covered by the Federal Pell Grant must report the conviction, in writing, within 10 calendar days of the conviction, to the Director, Grants and Contracts Service, U.S. Department of Education, 400 Maryland Avenue, S.W., Room 3073, FOB-6, Washington, DC 20202- 4571. Failure to report the conviction could lead to LS&T or debarment.

Staff, upon being hired by Sumner College, receives a briefing and acknowledgment in writing that they understand the provisions of the Drug-Free Workplace Act of 1988. Employees must notify the Campus President of the school in writing of a conviction of a criminal drug statute occurring in the workplace, within five (5) days after receiving the conviction. Disciplinary action will take place within 30 days of notification and can range from a letter of admonishment, suspension from school or work, and/or enrollment in a rehabilitation program, to termination from either school or employment.

#### FEDERAL PENALTIES AND SANCTIONS FOR ILLEGAL POSSESSION OF A CONTROLLED SUBSTANCE

##### 21. U.S.C. 844(a)

1st conviction: Up to 1 year imprisonment and fined at least \$1,000 but not more than \$100,000, or both. After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined at least \$2,500 but not more than \$250,000 or both. After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and fined at least \$5,000 but not more than \$250,000 or both. Special sentencing provisions for possession of crack cocaine: Mandatory at least 5 years in prison, not to exceed 20 years and fined up to \$250,000 or both, if:

1st conviction and the amount of crack possessed exceeds 5 grams. (b) 2nd crack conviction and the amount of crack possessed exceeds 3 grams. (c) 3rd or subsequent crack conviction and the amount of crack possessed exceeds 1 gram

##### 21. U.S.C. 853(a) (2) and 881(a) (7)

Forfeiture of personal and real property used to possess or to facilitate possessions of a controlled substance if that offense is punishable by more than 1 year imprisonment. (See special sentencing provisions re: crack)

21. U.S.C. 881(a) (4)

Forfeiture of vehicles, boats, aircraft, or any other conveyance used to transport or conceal a controlled substance.

21. U.S.C. 844a

Civil fine of up to \$10,000 (pending adoption of final regulations).

21. U.S.C. 853a

Denial of Federal benefits, such as student loans, grants contracts, and professional and commercial licenses, up to 1 year for first offense, up to 5 years for second and subsequent offenses.

18. U.S.C. 922(g)

Ineligible to receive or purchase a firearm.

Miscellaneous

Revocation of certain Federal licenses and benefits, e.g., pilot licenses, public housing tenancy, etc., are vested within the authorities of individual Federal agencies. Note: These are only Federal penalties and sanctions. Additional State penalties and sanctions may apply.

# 2018-2019 Sumner College Campus Security/Workplace Policy Guide

## THE CLERY ACT

In 1990, the Higher Education Act of 1965 (HEA) was amended to include the Crime Awareness and Campus Security Act of 1990 (Title II of Public Law 101- 542). This amendment required all postsecondary institutions participating in Title IV student financial aid programs to disclose campus crime statistics and security information. In 1998, the act was renamed the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. This act is more commonly known as the “Clery Act”. The Clery Act requires colleges and universities to:

- Collect, classify and count crime reports and statistics
- Issue campus alerts
- Publish an annual security report
- Submit crime statistics to the Department of Education
- Maintain a daily crime log
- Disclose missing student notification procedures (if applicable)
- Provide fire safety info (if applicable)

Sumner College publishes an annual Campus Security and Fire Safety Report in accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998 ("Clery Act"), 20 U.S.C. § 1092(f), Title 34 U.S. Code of Federal Regulations Section 668.46. This report includes important information about safety and security policies implemented to protect the welfare of our campus community, as well as crime statistics. This report is available at [www.sumnercollege.edu](http://www.sumnercollege.edu). You may also request a copy of the report by contacting Sumner College at 8338 NE Alderwood Road, Ste 100 Portland, OR 97224. Crime Statistics may be viewed at the U.S. Department of Education, Campus Safety and Security Data Analysis Cutting Tool at [www.ope.ed.gov/sec](http://www.ope.ed.gov/sec)

## CAMPUS SECURITY

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), originally known as the Campus Security Act, requires all colleges and universities that participate in federal financial aid programs to keep and disclose information about crime on and near their respective campuses. Campuses are not permitted to take retaliatory action against anyone with respect to the implementation of any provision of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

## PREPARING THE ANNUAL SECURITY REPORT

This annual security report is compiled and prepared by Sumner College personnel. Statistical information for activity that occurs off campus is retrieved from the Portland and Tigard Police departments. For purposes of issuing timely warnings and the annual statistical disclosure required under Clery, the campus community should report all crimes to campus personnel.

Criminal activity occurring off-campus is monitored and recorded by the following agencies: Portland and Tigard Police Departments. Students involved in criminal activity off-campus may be contacted, cited or arrested by one of these agencies. During the preparation of the Annual Security Report, each of the above agencies is contacted and a good faith effort is made to obtain information as to crimes that are reportable under the Clery Act.

## CAMPUS SECURITY AUTHORITIES

Even at institutions with police or security on campus, a student who is a victim of a crime may be more inclined to report it to someone other than the campus police or security. For this reason, the Clery Act requires all institutions to collect crime reports from a variety of individuals and organizations that Clery considers to be campus security authorities.

### Who is a Campus Security Authority?

- A campus police department or a campus security department of an institution.
- Local Police/Sheriff (Good Faith Request).

- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property).

Crimes may be reported to college officials who have significant responsibility for student and campus activities. The faculty and staff of Sumner College are trained to assist students in contacting (CSA's) Campus Security Authorities in the event the student needs to report a crime. Campus Security Authorities (CSA) are responsible for forwarding non-identifying information for inclusion in the annual security report, regardless of whether or not the victim chooses to file a report with law enforcement or press charges. As defined under the Clery Act, CSA's include college deans and assistant deans, college directors, assistant directors, athletic team coaches, athletic assistant coaches, faculty advisors to student groups, and campus staff involved in disciplinary and judicial proceedings. Please be aware that information forwarded by CSA's is for statistical purposes only.

#### PROFESSIONAL AND PASTORAL COUNSELORS

When acting in their official capacity, professional and pastoral counselors are not required to report crimes for inclusion in the annual disclosure of crime statistics under 20 U.S.C. Section 1092(f). Professional and pastoral counselors are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures available for reporting crimes on a voluntary, confidential basis for inclusion in the annual crime statistics. A "pastoral counselor" is a person who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling, and functioning within the scope of that recognition as a pastoral counselor. A "professional counselor" is a person whose official responsibilities include providing mental health counseling and who is functioning within the scope of his or her license or certification.

#### VOLUNTARY/CONFIDENTIAL REPORTING

If you are the victim of a crime, we encourage you to file a crime report with Sumner College. If you would like to maintain confidentiality and do not wish to pursue action within the college or criminal justice system, you are encouraged to consider filing a confidential report for purposes of inclusion in the annual disclosure of crime statistics. These types of reports can be made to Sumner College. Individuals can do this by mail. The information can enhance community safety by allowing the college to keep a more accurate record of crimes, helping to determine whether a pattern of crime exists and alerting the campus to potential danger.

#### TIMELY WARNING

The College will issue "Timely Warnings" when Clery Act events occur and may affect College students and personnel.

**Scope:** Narrow focus on Clery crimes.

**Why:** Timely warnings are triggered by crimes that have already occurred but represent an ongoing threat. Timely warnings are issued for any Clery crime committed within your Clery geography that is reported to your campus security authorities or a local law enforcement agency and is considered by the institution to represent a serious or continuing threat to students and employees.

**Where:** Applies to crimes that occur anywhere on your geographical locations.

**When:** Issue a warning as soon as the pertinent information is available. In the event of a situation which, in the judgment of the College President, constitutes an ongoing or continuing threat of a criminal nature to the campus community, a timely warning will be issued by the Administration.

Events that qualify for timely warnings include, but are not limited to, the following:

- Burglary
- Homicide
- Motor Vehicle Theft
- Arson
- Hate Crimes
- Manslaughter
- Sex Offenses
- Robbery
- Aggravated Assault
- Any crime considered to represent a threat to the public

The warning will be distributed utilizing one or more of the following systems:

- Campus e-mail
- Text message/cell phones
- Public address system
- Posted flyer

## EMERGENCY NOTIFICATIONS

The College will issue “Emergency Notifications” when Clery Act events occur and may affect College students and personnel.

**Scope:** Wide focus on any significant emergency or dangerous situation (may include Clery crimes).

**Why:** Emergency notification is triggered by an event that is currently occurring on or imminently threatening the College facilities. Initiate emergency notification procedures for any significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees.

**Where:** Applies to situations that occur on College property.

**When:** Initiate procedures immediately upon confirmation that a dangerous situation or emergency exists or threatens.

Upon confirmation of a serious or emergency situation that poses an immediate threat to the health or safety of the campus community, a campus-wide notice will be disseminated, unless issuing a notification will, in the judgment of the responding authorities, compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency events that qualify for emergency notifications include, but are not limited to:

- Outbreak of Meningitis, Norovirus, or other serious illness
- Approaching tornado, hurricane or other extreme weather conditions
- Earthquake
- Gas leak
- Terrorist incident
- Active Shooter/Armed Intruder
- Bomb Threat
- Civil Unrest
- Explosion
- Nearby chemical or hazardous waste spill
- Aircraft crash
- Fire

The notification will be distributed as soon as possible under the following guidelines:

Authority to activate a public notification will rest with the College President who may designate agents with the authority to activate a notification. In situations when there is not time for consultation, a Campus Security Authority may initiate a notification.

In matters of a criminal nature, the College President or local law enforcement will determine whether notifications are appropriate and necessary. The College President or designee will determine an incident’s extent and scope, and whether it meets the criteria for an emergency notification.

In matters not of a criminal nature, the College President or Campus Security Authority that has jurisdiction will determine whether notifications are appropriate and necessary. When a Campus Security Authority that has jurisdiction over an incident is not available to make a determination about notifications, a designee may determine an incident’s extent and scope and whether it meets the criteria for an emergency notification.

Once requested by a designated authority, notifications will be made as soon as practicable. Notifications will generally be made by a staff member who has been trained and is authorized to send notifications.

All messages should include the type of situation, the location of the situation, the time and date, instructions for the recipient and an additional method for the public to obtain information. One or more of the following systems will be used for sending notifications:

- Campus e-mail
- Public address system
- Text Message/ cell phones
- Posted Flyers

## EMERGENCY RESPONSE and EVACUATION PLAN

Sumner College requires its campus to maintain an Emergency Response and Evacuation Plan (EREP) which includes plans and instructions to be followed by campus administration, faculty, staff, students and guests in the event of emergencies and evacuations.

Campus Security Authorities (CSA's) are responsible for reporting and ensuring the evacuation of the campus in the case of an emergency. The EREP includes:

1. The process by which the campus will confirm that there is a significant emergency or dangerous situation involving an immediate threat to the health and safety of students or staff occurring on the campus.
- 2) A provision for immediate notification of the campus community upon confirmation of a significant emergency or dangerous situation.
- 3) Procedures for disseminating emergency information to the larger community.
- 4) Procedures for disseminating updated emergency information, which explain how this information will be communicated to the campus and relevant members of the community on a regular basis.
- 5) Procedures for testing and publishing the plan on an annual basis.
- 6) CSA's are responsible for carrying out this process. The campus will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate an emergency.

### **SECURITY & ACCESS TO FACILITIES**

- 1) Sumner College limits access to all campus facilities to authorized personnel, students, and visitors. Unauthorized persons will be considered "trespassers" and will be dealt with accordingly
- 2) Adequate lighting is provided on campus, especially in outside areas. Certain school staff and faculty are always on campus during business hours.
- 3) Only authorized vehicles are allowed to park in the designated parking areas.
- 4) Sumner College does not employ security personnel
- 5) **The institution does not maintain any special relationship with State and local police and does not have an agreement with those police agencies (such as written memoranda of understanding) to investigate alleged crimes.**

### **CRIME AWARENESS & PREVENTION**

All new Sumner College employees and students are instructed on crime awareness during orientation, including the description of campus security measures and procedures for reporting any criminal activity or emergency. Students are required to follow campus security guidelines for their own personal and property safety, and are encouraged to report any suspicious activity.

Prospective students and employees are provided with a summary of the campus measures to prevent crime on campus, with details for acquiring the complete policies and procedures package from the campus via the campus website. This information on crime awareness is readily available upon request, and will be updated and redistributed to all existing students and staff on an annual basis.

The campus does not maintain any off-campus student organizations.

Students performing externship or clinical practice off-campus are expected to practice safety and security procedures as if the site were an extension of the campus.

### **CRIME PREVENTION**

Often people contribute to crimes of opportunity by needlessly placing themselves or their property at risk. Prevention efforts can be effective in reducing the opportunities for criminal activity. The following list is a compilation of tips devoted to crime prevention:

- Do not prop open campus doors.
- Do not leave personal property unattended.
- Report suspicious individuals to security.
- Keep your classroom locked at all times.
- At night, always walk in groups of at least two.
- Stay on main walkways.
- Remove valuables from your car and lock it.

- Engrave your valuables.
- Always carry your picture ID.
- Be aware of your surroundings and what is going on around you. If you assume responsibility for your own safety first encourage others to do the same, the opportunities for crime are drastically reduced.

## CRIME LOG

The campus maintains a Crime Log that records, by the date the crime was reported, any crime that occurred on campus, on a non-campus building or property, on public property, or within the geographic jurisdiction of the Campus.

The log includes:

1. Date of entry
2. Incident report date
3. Date/time of the crime
4. Nature/type of the crime/complaint
5. General location of crime
6. Disposition of complaint, if known

A campus may withhold information required above if there is clear and convincing evidence that the release of the information would:

- a) Jeopardize an ongoing criminal investigation or the safety of an individual;
- b) Cause a suspect to flee or evade detection; or
- c) Result in the destruction of evidence.

The campus must make an entry or an addition to an entry to the log within two business days of the report of the information to the campus authority, unless that disclosure is prohibited by law or would jeopardize the confidentiality of the victim.

**The campus must make the crime log for the most recent 60-day period open to public inspection during normal business hours. The campus must make any portion of the log older than 60 days available within two business days of a request for inspection.**

## REPORTING CRIMES

1. Students should accurately and promptly report criminal acts to the Campus President or designee at the campus, a member of the Campus Management staff, or local police departments.
2. Reporting crimes is on a voluntary, confidential basis.
3. The Campus President or designee is responsible to document any criminal acts, as well as reporting crimes to the local authorities as required by law.
4. The campus is required to make timely warnings to members of the campus community regarding the occurrence of crimes, those that are reported to campus security, and those considered by the institution to represent a threat to students and employees. The campus community includes all campus buildings and grounds, all adjacent public property and externship sites.
5. Timely warnings to the campus community will be issued in a handout or flyer and also posted on any notice boards within the campus.
6. If there is an ongoing investigation of a crime that occurred in, at, or on any of the locations listed above that would be jeopardized, cause the suspect to flee, risk the safety of an individual, or result in the destruction of evidence, the campus may delay the timely warning until any adverse effect is no longer likely to occur.
7. The statistics are collected centrally for each campus on a monthly basis and reported to the Department of Education annually.
8. Should also include the institution's response after a crime is reported (ex. Disciplinary hearing).

## CRIME STATISTICS

The federal law requires that colleges and universities disclose statistics on twelve crimes that may occur on campus, on non-campus property, or on public property adjacent to the campus. For the purposes of the Clery Act, any building that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student facility even if the building itself is owned or controlled by a third party, as classified by the FBI Uniform Crime Report. Campus specific statistics are attached as an addendum and may be obtained by students and/or employees (current and perspective) via the campus website or at the residential campus location.

## ***DEFINITIONS for Crimes (as defined by the FBI Uniform Crime Report)***

1. **HOMICIDE:** The willful (non-negligent) killing of one human being by another or the killing of another person through gross negligence. In general, (1) any death caused by injuries received in a fight, argument, quarrel, assault, or commission of a crime is considered **Murder and Non-negligent Manslaughter** and (2) any death caused by the gross negligence of another is considered **Criminal Homicide-Manslaughter by Negligence**.

2. **SEXUAL ASSAULT:** Any sexual act directed against another person, forcibly and/or against the person's will; not forcibly or against the person's will when the victim is incapable of giving consent. Forcible Rape – Rape by Force is defined as the carnal knowledge of a female forcibly and against her will. "Against her will" includes instances in which the victim is incapable of giving consent because of her temporary or permanent mental or physical incapacity (or because of her youth). Forcible Rape – Attempts to Commit Forcible Rape is defined as assaults or attempts to forcibly rape. Non-Forcible Rape – Incidents of unlawful, non-forcible sexual intercourse classified as (1) Incest is non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law and (2) Statutory Rape is non-forcible sexual intercourse with a person who is under the statutory age of consent according to state statutes. **Note: By definition, sexual attacks on males are excluded from the rape category and must be classified as assaults or other sex offenses depending on the nature of the crime and the extent of injury.**

3. **DOMESTIC VIOLENCE:** Any felony or misdemeanor act of violence committed by a current or former spouse or intimate partner of the victim; a person with whom the victim shares a child in common; a person who is cohabitating with the victim or who has cohabited with the victim as a spouse or intimate partner; a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies [under VAWA], or; any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of this jurisdiction.

4. **DATING VIOLENCE:** Any act of violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship shall be determined based on a consideration of the following factors; the length of the relationship; the type of the relationship; and the frequency of the interaction of the persons involved in the relationship.

5. **STALKING:** May be defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress

6. **SIMPLE ASSAULT:** An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness. Included are offenses such as minor assault, hazing, assault and battery, and injury caused by culpable negligence. As with Aggravated Assault, there are no attempted Simple Assaults. **Simple, Not Aggravated** includes all assaults which do not involve the use of a firearm, knife, cutting instrument, or other dangerous weapon and in which the victim did not sustain serious or aggravated injuries Agencies must classify as simple assault such offenses as assault and battery, injury caused by culpable negligence, intimidation, coercion, and all attempts to commit these offenses. In addition, Reporting Agencies must classify the offense as simple assault if the injuries are not serious (abrasions, minor lacerations, or contusions) and require no more than usual first-aid treatment. Under certain circumstances, offenses

7. **AGGRAVATED ASSAULT:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

Examples include:

- a) Firearm includes all assaults in which a firearm of any type is used or is threatened to be used. (Examples: revolvers, automatic pistols, shotguns, rifles, etc.).
- b) Knife or Cutting Instrument includes assaults wherein weapons are used as cutting or stabbing objects or their use is threatened. (Examples: knives, razors, hatchets, scissors, etc.).
- c) Other Dangerous Weapon includes assaults resulting from the use or threatened use of any object as a weapon in which serious injury does or could result. (Examples: Mace, pepper spray, clubs, bricks, etc.). Attacks by explosives, acid, lye, poison, scalding, burnings, etc. are also included in this category.
- d) Hands, Fists, Feet, Etc. – Aggravated Injury includes only the attacks using personal weapons such as hands, arms, feet, fists, and teeth that result in serious or aggravated injury. Reporting agencies must consider the seriousness of the injury as the primary factor in establishing whether the assault is aggravated or simple. They must classify the assault as aggravated if the person injury is serious, for example, there are broken bones, internal injuries, or stitches required. Often the weapon used or the extent of the injury sustained will be the deciding factor in distinguishing aggravated from simple assault. To classify an assault, consider the following:

1. The type of weapon employed or the use of an object as a weapon
2. The seriousness of the injury
3. The intent of the assailant to cause serious injury

8. **ROBBERY:** Taking or attempting to take anything of value from the care, custody or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Examples include:

- a) Firearm includes robberies in which any firearm is used as a weapon or employed as a means of force to threaten the victim or put the victim in fear.
- b) Knife or Cutting Instrument includes robberies in which a knife, broken bottle, razor, ice pick, or other cutting or stabbing instrument is employed as a weapon or as a means of force to threaten the victim or put the victim in fear.
- c) Other Dangerous Weapon includes robberies in which a club, acid, explosive, brass knuckles, Mace, pepper spray, or other dangerous weapon is employed or its use is threatened.
- d) Strong-arm – Hands, Fists, Feet, Etc. includes muggings and similar offenses in which only personal weapons such as hands, arms, feet, fists, and teeth are employed or their use is threatened to deprive the victim of possessions.

9. **LARCENY/THEFT:** The unlawful taking, carrying, leading, or riding away of property from the possession, or constructive possession (where one does not have physical custody or possession, but is in a position to exercise control over a thing), of another person. Larceny and theft mean the same thing in the UCR Program. Motor vehicle theft is not included and is counted separately because of the great volume of such thefts. Agencies must report local offense classifications such as grand theft, petty larceny, felony larceny, or misdemeanor larceny as larceny-theft.

Examples include:

- a. Pocket-picking – This includes wallets, purses, pockets, etc. If the victim is manhandled or if force beyond simple jostling is used to overcome the resistance of the victim, the offense becomes a strong-arm robbery and must be so classified.
- b. Purse-snatching – This includes purses, handbags, etc. If more force is used than actually necessary to snatch the purse from the owner, or if the victim resists the theft in any way, then the offense is classified as a strong-arm robbery.
- c. Shoplifting.
- d. Theft from motor vehicles whether locked or unlocked (Except theft of motor vehicle parts and accessories) \*If a theft from a motor vehicle occurs in conjunction with a motor vehicle theft, reporting agencies must classify the incident as a motor vehicle theft.
- e. Theft of motor vehicle parts and accessories (attached to vehicle).
- f. Theft of bicycles.
- g. Theft from buildings.
- h. Theft from Coin-Operated Machine or Device.
- i. All other larceny-theft not specifically classified – All thefts which do not fit the definition of the specific categories of larceny listed above. This includes theft of furniture, tools, etc.

10. **BURGLARY:** The unlawful entry (breaking or entering) with intent to commit a felony or theft, breaking and entering with intent to commit a larceny, house-breaking, safecracking, and all attempts at these offenses as burglary. The definition of a structure includes, but is not limited to, any residence, business, campus or classroom, other buildings, public buildings, etc.

An incident must meet three conditions to be classified as a Burglary:

- a. There must be evidence of unlawful entry (trespass). Both Forcible Entry and Unlawful Entry – No Force are counted.
- b. The Unlawful Entry must occur within a structure, which is defined as having four walls, a roof, and a door.
- c. The Unlawful Entry into a structure must show evidence that the entry was made in order to commit a felony or theft. If the intent was not to commit a felony or theft, or if the intent cannot be determined, the proper classification is Larceny.

Examples include:

- a. Forcible Entry is any offense where force of any kind is used to unlawfully enter a structure for the purpose of committing a theft or felony. (Examples: Using tools, breaking windows, master keys, or picks to gain entry). Agencies must also include this category burglary by concealment inside a building followed by exiting the structure.
- b. Unlawful Entry – No Force is considered when the entry of a structure is achieved by use of an unlocked door or window. The element of trespass to the structure is essential in this category, which includes thefts from open garages, open warehouses, open or unlocked dwellings, and open or unlocked common basement areas in apartment houses where entry is achieved by other than the tenant who has lawful access.
- c. Attempted Forcible Entry includes those situations where a forcible entry burglary is attempted but not completed. Once the thief is inside a locked structure, the offense becomes a Burglary – Forcible Entry. Agencies must classify attempts to enter an unlocked structure as well as actual trespass to an unlocked structure as Burglary

– Unlawful Entry – No Force. Only situations in which a thief has attempted to break into a locked structure are classified as Burglary – Attempted Forcible Entry.

**Note: If a forcible or unlawful entry of a building is made to steal a motor vehicle, the reporting agency must count the offense and the value of the vehicle under burglary, not motor vehicle theft.**

11. **VANDALISM:** To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law. This offense covers a wide range of malicious behavior directed at property, such as cutting auto tires, drawing obscene pictures on public restroom walls, smashing windows, destroying campus records, tipping over gravestones, and defacing library books. Reporting agencies must include attempts to commit any of the above.

12. **MOTOR VEHICLE THEFT:** Motor Vehicle Theft includes the theft or attempted theft of a motor vehicle, which the UCR Program defines as a self-propelled vehicle that runs on land surface and not on rails; for example, sport utility vehicles, automobiles, trucks, buses, motorcycles, motor scooters, all-terrain vehicles, and snowmobiles are classified as motor vehicles. Joyriding should be included as Motor Vehicle Theft. **Note: If a motor vehicle is stolen in conjunction with another offense, each offense must be classified accordingly.**

Examples include:

a. Trucks and Buses include the theft of those vehicles specifically designed (but not necessarily used) to commercially transport people and cargo. Pickup trucks and cargo vans, regardless of their use, are included in this category. The UCR Program considers a self-propelled motor home to be a truck.

b. Other Vehicles includes all other motor vehicles that meet the UCR definition such as snowmobiles, motorcycles, motor scooters, trail bikes, mopeds, golf carts, all-terrain vehicles, and motorized wheelchairs. Obviously, all situations cannot be covered, so the classifier's decision must be based on UCR standards and the results of law enforcement investigation.

13. **INTIMIDATION:** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack. Intimidation involves an offender making some type of threat to the victim without actually using or displaying a weapon. Such threats can be made in person, over the telephone, or in writing.

**13. ARSON:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property or another, etc. Include as arson only structural fires determined through investigation to have been willfully or maliciously set. Attempts to burn are included in this offense, but fires of suspicious or unknown origins are not. **Note: If arson is recorded, the campus is responsible for updating the Fire Safety Report to include arson or any other types of fire.**

Examples include:

a. Structural includes single occupancy residential (houses, townhouses, etc.), other residential (apartments, tenements, hotels, etc.), storage (barns, garages, etc.), industrial/manufacturing, other commercial (stores, restaurants, offices, etc.), community/public (churches, jails, campuses, colleges, etc.), all other structure (out buildings, monuments, buildings under construction, etc.). Structures are further divided into two subcategories: residential and nonresidential.

b. Mobile includes motor vehicles (automobiles, trucks, buses, motorcycles, etc.) and other mobile property (trailers, recreational vehicles, airplanes, boats, etc.).

c. Other subcategory encompasses arson of all property not classified as structural or mobile.

Willful or malicious burnings of property such as crops, timber, fences, signs, and merchandise stored outside structures are included in this category. Incidents in which persons are killed as a direct result of arson are classified as both criminal homicides and arson. Similarly, the number of persons severely injured during arson must be reported as aggravated assaults along with the arson.

15. **HATE CRIMES:** In general, "hate" or "bias" crime is often defined as unlawful actions designed to frighten or harm an individual because of his/her race, religion, gender, disability, ethnicity, national origin, or sexual orientation. A hate crime is classified as any occurrence of criminal homicide, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, destruction/damage/vandalism of property, and any other crime involving bodily injury reported to local law enforcement agencies or a campus security authority, that manifest evidence that the victim was intentionally selected because of the perpetrator's bias. An important distinction is required when reporting a hate crime. The mere fact that an offender is biased against a victim's race, religion, gender, disability, ethnicity, national origin, or sexual orientation is not sufficient to deem the offense a hate crime. Rather, it must be determined that the offender's criminal act was motivated, in whole or in part, by the offender's bias.

## **DISCIPLINARY REFERRALS**

The following are the FBI Uniform Crime Report's definition of crime for which arrests and disciplinary referrals must be reported:

### **DISCIPLINARY REFERRALS**

The following are the FBI Uniform Crime Report's definition of crime for which arrests and disciplinary referrals must be reported:

**LIQUOR LAW VIOLATIONS:** Violations of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages (does not include arrests for driving while impaired or under the influence of alcohol).

The campus will report the following in its annual statistics:

1. The number of campus violations.
2. The type of sanction for violations.
3. The number of arrests.
4. The number of fatalities.

### **Sumner College Policy on Alcoholic Beverage Possession, Sale and Use**

The possession, sale or the furnishing of alcohol on the campus of the Sumner College is governed by state law and Sumner College policy. The enforcement of alcohol laws on campus is primarily the responsibility of College administration and staff with the cooperation of local law enforcement. The Sumner College is designated as a "drug free" campus

The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced and violators are subject to College disciplinary action, criminal prosecution, fine and imprisonment. It is unlawful to sell, furnish or provide alcohol to a person under 21 years of age. The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal. It is also a violation of Sumner College policy for anyone to consume or possess alcohol in any public or private area of campus without prior approval from the College. Organizations or groups violating alcohol/substance policies or laws may be subject to sanctions by the College.

**DRUG LAW VIOLATIONS:** Violations of state and local laws, specifically those for the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.

The campus will report the following in its annual statistics:

1. The number of campus violations.
2. The type of sanction for violations.
3. The number of arrests.
4. The number of fatalities.

### **Sumner College Policy on Illegal Drug Possession, Sale and Use**

Sumner College campus has been designated "Drug Free" and only under certain circumstances is the consumption of alcohol permitted. The illegal possession, sale manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced and violators are subject to disciplinary action, criminal prosecution, fine and imprisonment.

### **Substance Abuse Education and Prevention**

Sumner College is concerned about the effect of substance abuse in the school environment, in the work place, and in the lives of those involved. At Sumner College we actively work to combat substance abuse through guest speakers from health agencies and law enforcement agencies, and by referral of concerned persons to qualified licensed agencies:

Alcohol Drug Hotline  
**503.244.4645 or 1.800.923.4357**  
Clackamas Women's Services  
**503.654.2288 or 1.888.654.2288**  
Portland Women's Crisis Line  
**503.256.5333 or 1.888.235.5333**  
Department of County Human Services

Mental Health & Addiction Services Division  
**503.9888.3999 EX: 24264**  
Providence Substance House Treatment  
**503.574.9200**  
Addiction Prevention & Treatment Programs,  
Volunteers of America, Oregon  
**503.235.8655**  
Siloam International, Inc.  
Substance Abuse Treatment  
**503.227.6111**  
Oregon Prevention & Treatment Resource Clearinghouse  
**503.378.8000**  
**800.822.OPRC**  
Alcoholics Anonymous  
**503.223.8569**

Staff and students are prohibited from the unlawful manufacture, distribution, possession, or use of illicit drugs or alcohol. This prohibition applies while on the property of the school or participating in any institutional activity. Students or employees who violate this policy will be subject to disciplinary action up to and including expulsion or termination from employment.

These are numerous legal sanctions under local, state, and federal laws which can be used to punish violators. Penalties can range from suspension, revocation and denial of a driver's license, to 20-50 years imprisonment at hard labor without benefit of parole. Property may be seized. Community service may be mandated.

Recent federal anti-drug laws affect a number of areas in everyone's lives. Students could lose eligibility for financial aid and could be denied other federal benefits, such as Social Security, Retirement, Welfare, Disability, and Veterans Benefits. The Department of Housing and Urban Development, which provides funds to states and communities for public housing, now has the authority to evict residents and members of their household who are involved in drug-related crimes on or near the public housing premises. Businesses could lose federal contracts if the company does not promote a drug-free environment. Finally, a record of a felony or conviction in a drug-related crime may prevent a person from entering certain careers.

The laws of the State of Oregon are adequate to protect the innocent, but stringent enough to ensure that persons involved with illegal dealing of drugs or excessive use of alcohol can be adequately punished. For example, a small amount of drugs found on a person may lead to an arrest which could require the person to make payment of all court costs as well as participate in mandatory community service. A person found with drugs with the intention to distribute could be imprisoned. A person found to be intoxicated while driving could be forced to pay court costs, lawyer's fees, participate in community service, receive an increase in the cost of automobile insurance or even lose their driver's license and end up in prison.

In addition to local and state authorities, the federal government has four agencies employing approximately 52,500 personnel engaged in fighting illicit drugs. These agencies are: The Drug Enforcement Agency, U.S. Customs Service, Federal Bureau of Investigation, and the U.S. Coast Guard.

Here are a few legal facts of which you should be aware. It is a crime to hold someone else's dope. It is a crime to sell fake dope. You can be arrested if you are in a house (or a school) where people are using drugs, even though you are not. You can be charged with possessing dope even if it is not on you. You are considered to possess, under legal terms of "constructive possession", dope that is in your purse, car, or house.

Drug Abuse is the utilization of natural and/or synthetic chemical substances for non-medical reasons to affect the body and its processes, the mind and nervous system and behavior. The abuse of drugs can affect a person's physical and emotional health and social life. Alcohol is the most abused drug in the United States.

Drugs can be highly addictive and injurious to the body as well as one's self. People tend to lose their sense of responsibility and coordination. Restlessness, irritability, anxiety, paranoia, depression, acting slow moving, inattentiveness, loss of appetite, sexual indifference, comas, convulsions, even death can result from overuse or abuse of drugs. Not only does the person using the drug subject himself to all sorts of health risks, drug use can and, in many instances does, cause grief and discomfort to innocent people. A drug-dulled brain, for example, affects the wide range of skills needed for safe driving, such as thinking. Further, reflexes are slowed, making it hard for drivers to respond to sudden, unexpected events. Alcohol-related highway deaths are the top killer of 15-24 year olds.

There are drug or alcohol counseling, treatment, and rehabilitation facilities available in our area where you can seek advice and treatment. An excellent source is the yellow pages of the local telephone book. Look under the heading "Drug Abuse & Addiction - Information and Treatment". You may also contact the Oregon Department of Alcohol and Drug Programs at (503)-945-5763 for further information on drug and alcohol rehabilitation centers in our area.

There are national organizations one can contact for help. The Alcoholism and Drug Abuse Hotline is open 24 hours (800) 252-6465. The Cocaine Hotline (800) 444-9999 is open 24 hours a day. The National Institute on Drug Abuse Hotline is available 8:00 AM to 2:00 AM, Monday through Friday and 11:00 AM to 2:00 AM, on weekends (800) 662-4357.

Treatment is available and may be expensive. For example, a typical live-in program lasting four weeks can cost from \$5,000 to \$15,000. Outpatient programs cost from \$1,000 to \$5,000. Who pays for these treatments? There may be programs which cover the costs. One way or another, the person and the taxpayer pay! It has been proven that an individual "hooked" cannot just stop, but requires professional care to kick the habit.

There are classic danger signals that could indicate the first sign of drug use. The primary ones that could call attention to one's use of drugs are:

- Abrupt changes in mood or attitude
- Continuing slump at work or school
- Continuing resistance to discipline at home or school
- Cannot get along with family or friends
- Unusual temper flare-ups
- Increased borrowing of money
- Heightened secrecy

We recommend that any person observing any of the above changes in either staff or students immediately notify the Campus President. Caution must be observed not to wrongly accuse a person suspected of taking drugs as an improper accusation could lead to embarrassment both to the individual and the school.

Once it has been determined by management that assistance to overcome a drug problem is a necessity, the individual and his/her family should be counseled on the need for assistance.

Records must be maintained of any counseling provided to the individual. There are clinics in the school's vicinity which can render assistance. Treatment must be an expense borne by the patient. The school can only offer advice in a limited manner. If the individual is in immediate danger of harming either him/herself or others, local law authorities should be immediately contacted.

Staff and students who violate these standards of conduct subject themselves to disciplinary actions.

Students are reminded that as a pre-condition to accepting a Federal Pell Grant that they sign a certificate stating they would not engage in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance during the period covered by a Federal Pell Grant. A Federal Pell Grant recipient convicted of a criminal drug offense resulting from a violation occurring during the period of enrollment covered by the Federal Pell Grant must report the conviction, in writing, within 10 calendar days of the conviction, to the Director, Grants and Contracts Service, U.S. Department of Education, 400 Maryland Avenue, S.W., Room 3073, FOB-6, Washington, DC 20202- 4571. Failure to report the conviction could lead to LS&T or debarment.

Staff, upon being hired by Sumner College, Inc. receives a briefing and acknowledgment in writing that they understand the provisions of the Drug-Free Workplace Act of 1988. Employees must notify the Campus President of the school in writing of a conviction of a criminal drug statute occurring in the workplace, within five (5) days after receiving the conviction. Disciplinary action will take place within 30 days of notification and can range from a letter of admonishment, suspension from school or work, and/or enrollment in a rehabilitation program, to termination from either school or employment.

#### **FEDERAL PENALTIES AND SANCTIONS FOR ILLEGAL POSSESSION OF A CONTROLLED SUBSTANCE**

21. U.S.C. 844(a)

1st conviction: Up to 1 year imprisonment and fined at least \$1,000 but not more than \$100,000, or both. After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined at least

\$2,500 but not more than \$250,000 or both. After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and fined at least \$5,000 but not more than \$250,000 or both. Special sentencing provisions for possession of crack cocaine: Mandatory at least 5 years in prison, not to exceed 20 years and fined up to \$250,000 or both, if:

- (a) 1st conviction and the amount of crack possessed exceeds 5 grams.
- (b) 2nd crack conviction and the amount of crack possessed exceeds 3 grams.
- (c) 3rd or subsequent crack conviction and the amount of crack possessed exceeds 1 gram.

21. U.S.C. 853(a) (2) and 881(a) (7)

Forfeiture of personal and real property used to possess or to facilitate possessions of a controlled substance if that offense is punishable by more than 1 year imprisonment. (See special sentencing provisions re: crack)

21. U.S.C. 881(a) (4)

Forfeiture of vehicles, boats, aircraft, or any other conveyance used to transport or conceal a controlled substance.

21. U.S.C. 844a

Civil fine of up to \$10,000 (pending adoption of final regulations).

21. U.S.C. 853a

Denial of Federal benefits, such as student loans, grants contracts, and professional and commercial licenses, up to 1 year for first offense, up to 5 years for second and subsequent offenses.

18. U.S.C. 922(g)

Ineligible to receive or purchase a firearm.

Miscellaneous

Revocation of certain Federal licenses and benefits, e.g., pilot licenses, public housing tenancy, etc, are vested within the authorities of individual Federal agencies.

Note: These are only Federal penalties and sanctions. Additional State penalties and sanctions may apply.

## **WEAPONS POSSESSION:**

Defined as a violation of law or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment or use of firearms. Cutting instruments, explosives, incendiary devices or other deadly weapons are included in this category. If a weapon is utilized during any of the categories above, a separate weapon violation will be recorded in the campus statistics.

## **SEX OFFENDERS**

The Campus Sex Crimes Prevention Act requires colleges and universities to disclose to its students the location of sex offender registries and the campus community where state law enforcement agency information concerning registered sex offenders may be obtained. The act also requires registered sex offenders to provide a notice of any campus of higher education in which the offender is employed, carries on a vocation, or is a student to state officials. Students who are subject to an involuntary civil commitment, after completing a period of incarceration for a forcible or non-forcible sexual offense, are ineligible to receive a Federal Pell Grant.

Any member of the campus community who wishes to obtain further information regarding sexual offenders in the area may refer to <http://www.sexoffender.com> for the national registry and [www.meganslaw.ca.gov](http://www.meganslaw.ca.gov) .

## **SEX OFFENSES**

- In conjunction with the campus security bi-annual in-services, the campus will address awareness and prevention of rape and sex offenses. These in-service programs are conducted by trained professionals twice a year.
- If a sex offense occurs, the victim should immediately notify the campus authorities and local police. The standard of evidence used by the College in these cases will be that standard applied by any reasonable person investigating a similar circumstance. Any evidence that may support the offense should be meticulously preserved for police identification. To preserve evidence, you should not bathe or change clothes or do any cleaning up in any manner prior to receiving medical assistance

- Students have the option to report rape or sex offenses to the proper law enforcement authorities and local police. The campus staff will assist the student in reporting these offenses at the student's request.
- When acting in their official capacity, professional and pastoral counselors are not required to report crimes for inclusion in the annual disclosure of crime statistics under 20 U.S.C. Section 1092(f). Professional and pastoral counselors are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures available for reporting crimes on a voluntary, confidential basis for inclusion in the annual crime statistics. A "pastoral counselor" is a person who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling, and functioning within the scope of that recognition as a pastoral counselor. A "professional counselor" is a person whose official responsibilities include providing mental health counseling and who is functioning within the scope of his or her license or certification.
- Upon request by a victim of a sex offense, the campus will change that victim's academic schedule if the change is reasonably available.
- The campus has adopted a Procedure for Processing Complaints of Unlawful Discrimination and Other Grievances (the "Grievance Procedure") which applies in the event of an accusation of a sex offense. Copies of the Grievance Procedure may be obtained from the Campus President or designee. As provided in the Grievance Procedure, the accuser and the accused are entitled to the same opportunities to have others present during any proceedings that take place. Both the accused and the accuser will be notified of the results of the proceedings as stated in the Grievance Procedure. Decisions reached during the proceedings, other than referral to legal authorities, may be appealed using the campus Grievance Procedure. Documentation of any sex offense proceedings is required by Sumner College and must be kept on file indefinitely by the campus. This should include sanctions the campus may impose following a final determination of a campus disciplinary proceeding regarding rape, acquaintance rape, or other forcible or non-forcible sex offenses.

### **DISCIPLINARY PROCEEDINGS**

The Higher Education Opportunity Act (HEOA) requires colleges to disclose, upon written request, to the alleged victim of a crime of violence or a non-forcible sex offense, the results of any disciplinary hearing related to the offense conducted by the campus against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, the campus must provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

### **EMERGENCY RESPONSE and EVACUATION PLAN**

The *Sumner College Campus Security Authority Chart* details personnel who are responsible for carrying out the Emergency Response and Evacuation Plan.

Campus Security Authority Chart, Individuals to contact in case of an emergency:

1. Campus President
2. Director of Operations

### **CLERY ACT GEOGRAPHY DEFINITIONS ON CAMPUS**

Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes. Any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students and supports institutional purposes.

### **NON-CAMPUS BUILDING OR PROPERTY**

Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

### **PUBLIC PROPERTY**

All public property (including thoroughfares, streets, sidewalks, and parking facilities) that is within the campus, or immediately adjacent to and accessible from the campus.