



POLICY STUDENT CONDUCT

PFI aspires to stimulate a lasting attitude of civility, social responsibility and openness in our students as well as an appreciation for our values of accountability, diversity, respect and truth.

Basic Rights

All people must treat others with dignity and respect in order for scholarship to thrive. Violations of these basic rights can subject a student to appropriate disciplinary or judicial action including removal of the student from PFI.

Copyright

Unauthorized distribution of copyrighted material, including unauthorized peer-to-peer file sharing, may subject students to civil and criminal liabilities. Anyone found liable for civil copyright infringement may be ordered to pay either actual damages or “statutory” damages per Title 17, United States Code, Sections 504, 505. Willful copyright infringement can also result in criminal penalties. For more information, visit the U.S. Copyright Office website at www.copyright.gov. For more, see page 14 of this manual.

Internet Use

A violation on PFI’s Internet can result in termination of network access and/or other disciplinary action including removal of the student from PFI. This includes torrenting or downloading any material unrelated to classwork or protected by copyright.

Substance Abuse

PFI is a drug-free space. As such, the unlawful manufacture, sale, delivery, unauthorized possession or use of any illicit drug is prohibited on property owned or controlled by PFI or as part of any PFI activity.

Anyone attending class under the influence of drugs or alcohol is subject to discipline including dismissal. Those who suspect they may have a drug or alcohol problem are encouraged to talk to PFI for referral to its network of counselors.

Weapons

Portland Fashion Institute is committed to a safe work and learning environment. PFI prohibits any person from possessing or giving the appearance of possessing any firearm, weapon or destructive device.

This policy applies while participating in any PFI activities property, and in all PFI owned or controlled buildings, offices, premises, sites or vehicles. PFI property also includes that portion of any other building occupied by PFI on a permanent or temporary basis. The prohibition is effective whether or not an individual holds a concealed handgun license.

Sanctions

Any student who violates this rule is:

- Ordered to leave the immediate premises or property owned or controlled by PFI by a PFI person in charge of a classroom or other PFI property.
- Subject to institutional disciplinary proceedings and exclusion from PFI campus and events.
- Subject to arrest for criminal trespass if failing to comply with an order by PFI to leave or to remain off the immediate premises or property owned or controlled by PFI.

Definitions

Weapons are any instruments or implements which are capable of inflicting serious bodily injury, and shall include but not be limited to any:

- o Rifle, shotgun, handgun, machine gun, or other firearm, or antique firearms suitable for use; any air gun, spring gun, B-B gun, or implement that is not a firearm, which propels a pellet of any kind with a force that can reasonably be expected to cause bodily harm; any starter pistol, flare gun, tranquilizer gun, stun gun, zip gun, spear gun, dart gun, sling shot; or ammunition of any type for weapons governed by these regulations.
- o Knife, dagger; razor or other cutting instrument, the blade of which is exposed in an automatic way by switch, push-button, spring mechanism, or otherwise. Sharp instruments other than what is listed on the official PFI supply lists.
- o Striking instrument to include clubs, truncheons, blackjacks, sandbags, metal knuckles or sap gloves.
- o Martial arts weapons to include nunchakus, tonfas, staffs, and throwing stars.
- o Bow and arrow combination.
- o Device which discharges chemical irritant or tear gas and smoke grenades.
- o Incendiary device to include flammable liquids enclosed in readily breakable containers that can be equipped with an igniter of any type.

- o Explosive device to include hand grenades, bombs, black powder, smokeless powder, percussion caps, friction primers, and pyrotechnic fuses.
- o Fireworks, combustible or explosive composition or any substance or combination of substances or any article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration, or detonation and shall include:
 - o Blank cartridge or toy cannon in which explosives are used; the type of balloons which require fire underneath to propel them; firecrackers, torpedoes, skyrockets, roman candles, aerials or other fireworks of like construction; and any fireworks containing any explosive or flammable compound or any tablets or other device containing any explosive substance.
 - o Paintball guns and paintball markers and devices designed and manufactured to propel, by gas or air, an encapsulated gelatin paintball.
 - o Acid except for small quantities controlled by the instructor for educational, instructional and research activities.

For further information on Oregon PCS Weapons Policy:

For questions or additional detail, contact the Oregon Higher Education Coordinating Commission, 3225 25th Street SE, Salem OR 97302, (503) 378-5690, info.hecc@hecc.oregon.gov

DISCIPLINARY PROCEDURES:

Any student or staff member who is concerned that a student’s behavior appears to violate the student Code of Conduct should complete the Student of Concern form (located on Populi under the “forms” section). When submitted, this form will automatically be directed to PFI's senior management team for follow up. Student of Concern forms should be submitted as soon as possible after the event or behavior is discovered.

Informal Disciplinary Process

When PFI receives a Student of Concern Form or otherwise comes to believe that a student has violated PFI’s policies, PFI's Registrar will ordinarily reach out to the student via verbal or written notification to discuss the concern. The Registrar student will notify the student of the conduct issue that has been identified and the consequences that may result if the student is found responsible for violating the code of conduct. The conversation could include a review of the code of conduct, ways that such incidents can be avoided in the future, referrals to appropriate resources, possible sanctions, a written agreement to change the student's behavior or a censure notification that both parties review and sign. Sanctions, behavior agreements, and notes of censure are recorded in the student's disciplinary file for internal purposes

only. They may be considered in further conduct cases, but are not considered part of the student's permanent disciplinary record once the student leaves PFI.

The Registrar will notify the student that continuation of the identified behavior or new information regarding the incident may result in formal disciplinary procedures.

Formal Process

If there are continued incidents, behaviors and reports through additional Student of Concern form statements, the Registrar and senior management will consult to determine whether the student is responsible for violating the Code of Conduct and if so, which disciplinary sanctions will be imposed. Any one of the following disciplinary sanctions may be applied:

a) **Disciplinary Probation:** Probation may be applied for repeated minor misconduct, single incidents which contain multiple minor violations of misconduct, or for more serious misconduct that falls short of suspension-level misconduct. A student who is placed on disciplinary probation may also be required to sign a behavior contract and/or complete educational sanctions such as reflective exercises, research and civic education, community education, community involvement, academic success, restorative education and/or counseling. The student will receive a sanction letter outlining probationary conditions which spell out prohibited conduct and/or activities. The sanctioned student is conditionally allowed to continue attending classes and/or participate in student activities. Sanctions of probation are recorded in the student's permanent disciplinary record and may be considered in further conduct cases. Probation for students is managed separately from Satisfactory Academic Progress (SAP) policy and procedures. A student may be placed on leave of absence during probation with fees paid for the quarter held for the next term or refunded. Violation of the probation agreement leads to suspension.

b) **Suspension:** Suspended students are forbidden to enroll in or attend classes and may not be allowed on campus for a specified period of time, up to two academic years (eight terms). The student will receive a suspension letter that specifies conditions for possible re-enrollment after the suspension period such as a Threat Assessment review (see Threat Assessment Guidelines). Suspensions are recorded in the student's permanent disciplinary record and may be considered in further conduct cases. SAP is suspended. Failure to meet the terms of suspension leads to expulsion.

c) **Expulsion:** Expelled students are forbidden to enroll in or attend classes and are prohibited from entering PFI premises. The student will receive an expulsion letter. Expulsions are recorded in the student's permanent disciplinary record and may be considered in further conduct cases. SAP is suspended. Threat Assessment Guideline

apply. Students will not be considered for reinstatement unless they submit a letter specifying how they have corrected their behavior with a letter of recommendation from a qualified expert testifying on their improvements. Students would have to reapply.

d) No-Trespass Order: A suspended or expelled student may be issued a no-trespass order which would exclude them from all PFI locations and events and would be noted in their student record.

Conduct Decision Appeal Process

Student(s) involved in a conduct case may appeal the Registrar's disciplinary decision on the basis of alleged violation of the procedures identified above. The appeal should be submitted via the appeal form (located in Populi under the "forms" section) to the Director within five working days of receipt of the sanction decision. If an appeal request is not filed within the time specified, it will not be considered. Upon receipt of the appeal request form, the Director will review the request and either uphold or revise the sanction decision within ten working days of receipt of the appeal form. This date may be extended by mutual agreement. The Director's decision is final, except in cases where a sanction of expulsion from PFI has been applied to a student. In those instances, the expelled student may appeal the decision of the Director to the senior management team through an Expulsion Appeal Hearing.

Expulsion Appeal Hearing

Student(s) that have received a sanction decision of expulsion which has already been reviewed and upheld by the Director will have five days to request an Expulsion Appeal Hearing. The hearing request should be submitted via the hearing request form (located in Populi under the "forms" section) to the Director within five working days of receipt of the Director's decision upholding the expulsion decision. If a hearing request is not filed within the time specified, it will not be considered. The senior management team shall be convened within fifteen working days after receipt of the expelled student's request for a hearing. The hearing date may be extended by mutual agreement.

1) The senior management team as an Expulsion Review Committee shall be composed of the following:

- a) A chairperson to be appointed by Director.
- b) Two instructors appointed by the Director.
- c) One staff member appointed by the Director.
- d) A Recorder – identified by the Registrar – will set up the hearing meeting, ensure that rooms and materials are secured and record the proceedings.

If any of the persons listed above is a party, a witness or has a conflict of interest with this case, they will be recused from participating as a member of the Expulsion Review Committee and the next appropriate person will be selected. The committee shall receive and review evidence and make a recommendation about the final determination of the case to the Registrar.

2) Expulsion Review Committee Rules:

- a) The student and PFI have the right to seek legal advice (counsel). The cost of such advice is to be borne by the respective parties. The proceedings outlined in this section in no way represent a court of criminal or civil law. The conduct process, review process and appeal process are all rights associated within the educational environment for PFI students.
- b) Counsel may be present during the hearing but will not be permitted to participate or make arguments.
- c) A record of the proceedings before the committee shall be kept by the Recorder.
- d) Written statements may be used in evidence, but must be signed and shared with the other party 48 hours in advance of the hearing. This is designed to provide sufficient time for such party to review materials and question witnesses prior to hearing. If the other party interrogates the witness, the witness' statement shall be reduced to writing, signed and provided to the opposing party. The original statement and the reply shall be submitted together as evidence. If the witness was not questioned, only the original statement shall be submitted as evidence.

3) Hearing Procedure:

- a) The hearing shall be private and will be closed to the public unless the student requests a public hearing. Students must request the hearing to be public at least 48 hours in advance of the hearing. Otherwise, the hearing will be closed.
- b) Written and oral evidence may be received.
- c) The hearing shall proceed in the following order:
 - i. Opening statements
 - ii. Presentation of evidence in support of the charges
 - iii. The student's evidence in opposition to the charges
 - iv. Rebuttal evidence
 - v. Closing arguments
- d) After hearing the evidence, the committee will retire to executive session for deliberation. After a recommendation has been reached, the committee shall respond within 7 days and announce its decision in writing giving its findings of fact, conclusions and recommendations. These will be forwarded to the Registrar.
- e) The record of the hearing, findings and recommendation of the Expulsion Review Committee shall be reviewed by the Registrar. If the Registrar concludes additional

evidence should be taken, they may remand the matter back to the Expulsion Review Committee for further proceedings. If the Registrar is satisfied the record is complete, they may affirm or reduce the Expulsion Reviews Committee's recommendation and will inform the student of that decision. The Registrar's decision shall be final.

f) A record of the hearing, findings and recommendations of the Expulsion Review Committee and the action taken by the Registrar shall be housed in the Registrar's office.

IMMEDIATE SUSPENSIONS AND INTERIM MEASURES

A. Temporary Suspension (up to 24 hours in duration)

Any PFI staff member, upon determining that an student is acting inappropriately or is potentially in violation of the student code of conduct, may temporarily remove a student from a class, activity, event, or from campus for no more than one day (24 hours). If necessary, Facilities Management can assist with removal of the student. Any temporary suspension must be summarized and reported to the Registrar within 24 hours via the Student of Concern form (located on the Populi webpage under "Forms and Documents") for review and consideration of summary suspension or other disciplinary proceedings.

B. Summary Suspension (variable duration)

Summary suspension may be used to protect PFI from the immediate possibility of disorder or threat to safety of students or staff. An instructor or staff member may summarily suspend a student when they deem appropriate. Summary suspension will automatically last until the immediate possibility of disorder or threat to safety of students or staff no longer exists. A hold on any future registration activity will be put in place for a student summarily suspended until such time as a Threat Assessment has been completed and PFI has had an opportunity to review and determine whether to lift the suspension or proceed to the formal process. Summary suspension shall be for the purpose of investigation of the event or events in which the student or students were allegedly involved. It may be continued pending final disposition of the case through the formal process (see below) if it is determined that it is necessary for the safety of the students or the staff or the welfare of the college.

1. The reason(s) for summary suspension shall be personally delivered to the student or mailed to his/her latest known address used for registration within 72 hours of the suspension. This notice shall include an invitation to the student to give an explanation as to why the summary suspension should not be continued.

2. If formal charges are warranted, the formal disciplinary process outlined above shall be followed from this point forward. If no grounds for formal charges can be identified, the summary suspension ends.

C. Interim Measures for Remediation

Interim measures may be used to protect students, complainants, respondents, and others during or after an investigation of alleged misconduct. A Director, Registrar or staff member may initiate such measures as appropriate.

In general, interim measures:

1. May include non-contact directives (including no-trespass or temporary suspension) on both complainant and respondents, and others as appropriate;
2. Will be applied equitably, however in cases where a preference must be made between complainant and respondent (e.g., moving one person away from another), the complainant will be favored;
3. Will usually remain in place until final judgments (including appeal) are determined;
4. Will be communicated in the same manner as summary suspension;
5. Can be appealed to the Director in the same manner as a conduct sanction;
6. Are directions under the Student Conduct Policy. Failure to follow these restrictions can result in sanctions.

D. Additional Measures

Portland Fashion Institute prohibits discrimination on the basis of race, color, national origin, age, disability, sex, sexual orientation, gender identity, religion, marital status, and all other classification protected by law.

Any student who believes they have been unlawfully discriminated against, as described in ORS 345.240, must report such conduct to PFI immediately and PFI will promptly investigate. A student may also file a complaint under ORS 659A.820 with the Commissioner of the Bureau of Labor and Industries. PFI policies governing employees will be enforced in situations where instructional staff or other school personnel have been found to have engaged in discriminatory behavior.

Students who have other complaints regarding PFI shall provide the complaint to PFI in writing so that PFI can investigate and address as appropriate. PFI will promptly investigate and will provide a written response within 30 days of receipt of the complaint. Complaints must be postmarked or received electronically within one year of the student's last date of attendance. If the complaint alleges a violation of ORS 345.010 to 345.070 or OAR 715-045-0006 through 715-045-0220, the student may submit a written complaint to the Higher Education Coordinating Commission, Private Career Schools, 3255 25th Street SE, Salem, OR 97302 after exhausting PFI's procedures or after 45 days have elapsed from filing a written complaint with PFI, whichever occurs first. For more information regarding filing such a complaint with HECC, please see OAR 715-045-0023.