

Board Policy Committee Meeting 01.23.2025

Update on Title IX

From Karen Smith at OCCA (1/16/2025):

As many of you likely heard, last Thursday a federal judge in Kentucky issued a ruling vacating the 2024 Title IX rules that went into effect on August 1, 2023, in all states. This means that the 2020 Title IX rules are back in effect for everyone. I have reached out to our partners at the Community College League of California about this development and how the needed changes to board policies and administrative procedures should be handled. They are awaiting guidance from the law firm they work with and will get back to me with more information as soon as possible. I will send that guidance to you when I receive it.

Until we hear back from OCCA re: Title IX, all policies and procedures that include the updated language will be on hold – including the policies and procedures below that were approved for 1st reading at the January 9 Board meeting.

ON HOLD

- **BP 3430 Prohibition of Harassment** – This policy was revised to update a reference to BP 3433 Prohibition of Sex Discrimination under Title IX. **(legally required)**
- **BP 3433 Prohibition of Sex Discrimination under Title IX** – This policy was revised to update the title and align with the requirements of the 2024 Title IX regulations. **(legally required)**
 - **AP 3433 Prohibition of Sex Discrimination under Title IX** – This procedure was revised to update the title, add a definition for sex discrimination under Title IX, and revise the definition of sex-based harassment under Title IX to align with the requirements of the 2024 Title IX regulations. **(legally required)**
 - **AP 3435 Discrimination and Harassment Complaints and Investigations** – This procedure was revised to update references to BP 3433 Prohibition of Sex Discrimination under Title IX, AP 3433 Prohibition of Sex Discrimination under Title IX, and AP 3434 Responding to Sex Discrimination under Title IX. **(legally required)**
- **BP 3540 Sexual and Other Assaults on Campus** – The Program updated this policy to apply to victims of domestic violence to align to current law. **(legally required)**
 - **AP 3540 Sexual and Other Assaults on Campus** – This procedure was revised to update references to AP 3434 Responding to Sex Discrimination under Title IX. **(legally required)**

For 2nd Reading and Adoption at Feb. 13 BOE Meeting

- **AP 2720 Communications Among Board Members**

Tentatively for 1st Reading at Feb. 13 BOE Meeting *(the Joint Policies & Procedures Committee is reviewing BP 7120 for 2nd reading at their Jan. 22 meeting)*

- **BP 7120 Recruitment and Hiring (SUG/AR)** – OCCA updated this policy to add optional language about all employees demonstrating the ability to work with and serve individuals within a diverse community college campus environment.

To Rescind at Feb. 13 BOE Meeting

- **4.730 Staff Participation Political Activities** – should have been rescinded when BP 7370 Political Activity – Employees was adopted on April 11, 2024. BP 7370 will not be posted to the website until 4.730 is rescinded.

AP 2720 Communications: Among Board of Education Members Within the College and Education Centers Publications

References:

ORS 244.010 to 244.047

The Board of Education desires to maintain open channels of communication between itself and staff. The basic line of communication will, however, be through the President.

Staff Communications to the Board

All formal communications or reports to the Board or any Board committee from supervisors, faculty or other staff member will be submitted through the President. This procedure will not be construed as denying the right of any employee to address the Board about issues which are neither part of any active administrative procedure, nor disruptive to the operation of the College. Staff members are invited to board meetings, which provide an opportunity to observe the Board's deliberations on matters of staff concern.

Board Communications to Staff

All official Board communications, policies and directives of staff interest and concern will be communicated to staff members through the President. The President will provide appropriate communication to keep staff fully informed of the board's priorities, concerns and actions.

The Board of Education will adhere to the following in carrying out the responsibilities of the Board:

1. Request for information – any individual Board member who desires a written report or survey prepared by the administrative staff will make such a request to the President. A copy of the material will be provided/made available to each Board member.
2. Request for Legal Opinions – Any Board member may request a legal opinion. Such request, however, shall be made at a regular Board meeting, or through the Board Chair to the President. If the legal opinion sought involves the President's employment or performance, the request should be made to the Board Chair. Legal counsel represents the College and is responsible to the Board.
3. Action on Complaints or Requests Made to Board Members – When Board members receive complaints or requests for action from staff, students or members of the public, such information is to be conveyed to the Board Chair and President for action, where appropriate.
4. Board Member Relationship to Administration – Individual Board members may be informed about the College's educational program, may visit the College or other

facilities to gain information and may request information from the President. Board members will not individually intervene in the administration of the College

5. Contracts Made by Individual Board Members – Individual Board members may NOT engage in contracts on behalf of the Board.
6. Attendance – Board members are expected to attend all regular Board meetings, work sessions, retreats, and other official meeting of the Board either in person, or through teleconferencing or telecommunications.
7. Use of Email is only for one-way sharing of information between Board members or in response to administrative inquiries. Email communications are public records and are subject to the requirements of Public Records Laws.

Visits to Campus

Campus visits by Board members will be regarded as information expressions of interest in College affairs and not as “inspections” or visits for supervisory or administrative purposes. Official visits by Board members will be carried on only under Board authorization. The Board will notify the President.

Approval of Handbooks and Directives*

In order that pertinent policies, regulations, College rules, and procedures of the Board of Education may be known by all staff members, patrons and students affected, College administrators are granted authority to issue staff and student handbooks.

It is essential that the contents of all handbooks conform with College policies and regulations. It is also important that all handbooks bearing the name of the College be of a quality that reflects favorably on the College.

All handbooks published are to be made available to the Board for informational purposes.

*This includes but is not limited to required compliance reporting

END OF PROCEDURE

Adopted:



BP 7120 Recruitment and Hiring

References:

NWCCU Standard 2.F.1, 2.F.3

NOTE: The following paragraph is optional:

The [entity's] Clatsop Community College's recruitment and hiring procedures will demonstrate a commitment to diversity, equity, and inclusion in order to achieve the College's [entity's] mission and support students in achieving their educational goals. The College's [entity's] recruitment and hiring procedures will allow the College [entity] to engage in diversity hiring, to the extent permitted by law, that increases the representation of underrepresented communities in the College's [entity's] workforce. Diversity hiring includes a hiring process that mitigates unconscious bias and eliminates irrational barriers to employment to allow the College [entity] to hire the best candidate regardless of the candidate's protected classes. Underrepresented communities consist of individuals holding identities broadly underrepresented in the College's [entity's] workforce in comparison to their representation in the field or job category within the State or nationally in higher education.

The College President shall establish procedures to recruit and select faculty, staff, and administrators who are dedicated to student success and have a clear understanding of and commitment to the mission, vision, and values of the College in accordance with College policies and procedures and/or requirements of any applicable Collective Bargaining Agreement.

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In order to promote student learning within a culture of equity and inclusion, successful candidates must demonstrate through a series of pre-qualifying and interview questions that they have an understanding of how to work well with individuals from a broad range of backgrounds and needs. This includes, but is not limited to, individuals with disabilities and those with diverse academic, socio-economic, cultural, racial and ethnic backgrounds. There will be no discrimination or harassment on the grounds of race, color, religion, sex (including pregnancy), sexual orientation, gender identity, national origin, marital status, age (18 years of age and older), disability, expunged juvenile record, or familial status. Oregon law defines race to include "physical characteristics that are historically associated with race, including but not limited to natural hair, hair texture, hair type and protective hairstyles" as defined in ORS 659A.001.)

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NOTE: The following sentence is optional:

The [entity's] Equal Employment Opportunity Plan will document the multiple measures that capture the broad array of strategies and actions the [entity] uses or will use to ensure equal employment opportunity. The [CEO] will provide the Board of Education with an annual report regarding the [entity's] Equal Employment Opportunity Plan.

Employees shall possess the minimum qualifications prescribed for their positions by federal law, state law, and/or College policies/procedures.

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Commented [PS1]: At the Jan. 8 meeting, the Joint Committee decided not to include this sentence. The College does not have an Equal Employment Opportunity Plan.

The Board of Education must be advised of any employment candidate who inadvertently or willfully misrepresents any information on their application or during any interviews specific to the application or fails to notify CCC of a change in status from what is on their application or disclosed during any interviews specific to the application within one week of that change. The President must inform the Board of Education of the misrepresentation before hiring the candidate, but it does not preclude the President from hiring that candidate after informing the Board.

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END OF POLICY

~~President's Cabinet Approval Date: July 21, 2021~~

~~College Council Approval Date: May 27, 2021~~

Board Adoption Date: October 12, 2021

Last Revised (Joint Policies and Procedures Committee): May 13, 2024

Last Revised (Board): July 11, 2024

Rescinds: 4.005 Personnel Policy Goals

STAFF PARTICIPATION IN POLITICAL ACTIVITIES

Employees may exercise their right to participate fully in affairs of public interest on a local, county, state and nationally level on the same basis as any other citizen in a comparable position in public or private employment and within the law.

All College employees are privileged within the limitations imposed by state and federal laws and regulations to choose any side of a particular issue and to support their viewpoints as they desire by vote, discussion or persuading others. Such discussion and persuasion, however, will not be carried on during the performance of College duties, except in open discussion during classroom lessons that consider various candidates for a particular office or various sides of a particular political or civil issue.

On all controversial issues, employees must designate that the viewpoints they represent on the issues are personal and are not to be interpreted as the College's official viewpoint.

No employee will use College facilities, equipment or supplies in connection with his/her campaigning, nor will he/she use any time during the working day for campaign purposes.

END OF POLICY

Legal Reference:

ORS Chapter 244
ORS 260.432

Oregon Constitution, Article 15, Section 8 (adopted Nov. 4, 1958)