2026 Annual Security Report

2023, 2024, 2025 Crime Statistics

Clatsop Community College

Published: 9/25/2026

Revised: 10/12/2026 to update Counseling contact information

Clatsop Community College is accredited by the
Northwest Commission on Colleges and Universities.

Non-Discrimination Declaration: It is the policy of Clatsop Community College that there will be no discrimination or harassment on the grounds of race, color, sex, gender, marital status, religion, national origin, age, sexual orientation, gender identity or expression or disability in any educational programs, activities, or employment. Questions or complaints should be directed to Anita Jensen, Affirmative Action/Gender Equity (Title IX) Officer, Lower Library, Suite 102, ajensen@clatsopcc.edu (503) 338-2450; TDD : Oregon Relay- Dial 711. For Student Access Services, contact Faith Forster, Columbia Hall, Room 111, fforster@clatsopcc.edu (503) 338-2313.

Accommodations: Students having questions about or a request for classroom accommodations should contact Faith Forster, Columbia Hall, Room 111, fforster@clatsopcc.edu (503) 338-2313. Community members having questions about or a request for special needs and accommodation should contact Anita Jensen, Lower Library, Suite 102, ajensen@clatsopcc.edu (503) 338-2450; TDD: Oregon Relay- Dial 711. Please send special needs and accommodations requests here. Contact should be made at least two business days in advance of the event.

Declaración de no-discriminación: Es la política de Clatsop Community College que no habrá ningún tipo de discriminación o acoso por razón de raza, color, sexo, género, estado civil, religión, origen nacional, edad, orientación sexual, identidad de género o expresióno discapacidad en los programas educativos, actividades o en la contratación. Preguntas o quejas deben ser dirigidas al Anita Jensen, Oficial de Acción Afirmativa / Título IX localizada en la biblioteca, oficina número 102 , ajensen@clatsopcc.edu número de teléfono (503) 338-2450, TDD (discapacidad auditiva) marcar 711 en su teléfono. Para servicios de acceso para estudiantes, comuníquese con Faith Forster localizada en Columbia Hall, oficina número 111, fforster@clatsopcc.edu (503) 338-2313.

Ayuda a personas discapacitadas: Estudiantes que tengan preguntas o una requieran solicitud de adaptaciones en el aula deben comunicarse con Faith Forster, localizada en Columbia Hall , oficina número 111, fforster@clatsopcc.edu (503) 338-2313. En cuanto a los miembros de la comunidad, se les pide que se comuniquen con Anita Jensen, localizada en la biblioteca, oficina número 102 , ajensen@clatsopcc.edu número de teléfono (503) 338-2450, TDD (discapacidad auditiva) marcar 711 en su teléfono. Haga el favor de notificar a la oficina para que se le pueda proporcionar apoyo. La comunicación debe tomar lugar por lo menos dos días de trabajo antes del evento por el cual se requiera tal ayuda. Para más información, vea la página Web de Clatsop Community College bajo Información en Español.

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Introduction

Clatsop Community College (“College" or "CCC") takes the safety of students, staff, and community members very seriously. This report complies with the requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act"), the Violence Against Women Reauthorization Act ("VAWA"), the Stop Campus Hazing Act, and CCC Procedures AP3500 adopted 9/11/2018, AP3501 adopted 9/11/2018, and AP5505 adopted 2/12/2025. This report explains how the College reports and handles crime and emergency situations on or near the College property and describes prevention and awareness programs available to CCC students, employees, and community members. The Finance & Operations office compiles the report from information obtained from the Physical Plant; Vice President Academic Affairs (restructured 2023), Interim Provost/VP (created 2023); Dean of Enrollment Management & Registrar (2023), Interim Dean of Students (2024); Counseling; and the Human Resources office. Requests are made annually of the local police agencies to provide crime statistics for areas on and adjacent to the College properties.

CCC is a public, two-year co-educational institution serving northwest Oregon and southwest Washington since 1958. With three locations, namely the Lexington Avenue campus, Marine and Environmental Research and Training Station (MERTS) location, and South County Center in Seaside, the College serves approximately 3,400 students, whether full-time, part-time or in continuing education. The College does not have residential housing facilities, on or off-campus. CCC does not recognize any off-campus fraternity or sorority houses or off-campus student organizations.

The Northwest Commission on Colleges and Universities (NWCCU) serves as the regional authority on educational quality and institutional effectiveness of higher education institutions.

CCC is committed to providing a safe and secure environment for students, staff, and guests. Campus safety is a cooperative effort, where every CCC community member plays an active role in ensuring a safe learning and work environment. Students and employees are encouraged to review the information in this report carefully.

Statement of Values

Clatsop Community College students are proud members of a learning community. Students from different backgrounds and experiences must commit to the values of respect, accountability, service, and integrity. Students must conduct themselves with integrity and understand that the quality of their educational experience is predicated on the quality of individual academic work, mutual respect for the values of others, and service to the community.

The College expects both students and employees to hold themselves accountable for the commitments they make, and for their conduct. When faced with adversity, CCC expects a student to engage in thoughtful reflection and exhibit superior, ethical decision-making skills. The College expects that everyone respects the rights and dignity of all members of our community by listening attentively, communicating clearly, and remaining open to understanding others and their diverse points of view.

Key CCC and Community Contacts

Emergency Response: Call 911

Administrator on Duty
503-338-2555

President
Jarrod Hogue
Location: 1660 Lexington Avenue, Astoria
Building: Towler Hall, room 205
503-338-2580
reportcrime@clatsopcc.edu

Director, Physical Plant
Daniel Clark
Location: 1775 Lexington Avenue, Astoria
Building: Alder Hall, back entrance
503-338-2393
reportcrime@clatsopcc.edu

Director, Human Resources
Coordinator, Title IX
Anita Jensen
Location: 1680 Lexington Avenue, Astoria
Building: Lower Library, room 102
503-338-2450
titleIX@clatsopcc.edu or reportcrime@clatsopcc.edu

Dean of Students (Interim)
Sarah Geleynse
Location: 1651 Lexington Avenue, Astoria
Building: Columbia Hall, room 115
503-338-2414
sgeleynse@clatsopcc.edu

Finance & Operations
Location: 1680 Lexington Avenue, Astoria
Building: Lower Library, room 108D
503-338-2422
reportcrime@clatsopcc.edu

VP/Provost (Interim)
Title IX Investigator
Teena Toyas
Location: 1660 Lexington Avenue, Astoria
Building: Towler Hall, room 110
503-338-2445
reportcrime@clatsopcc.edu

Title IX Investigator
Ben Palenske
Location: 1660 Lexington Avenue, Astoria
Building: Towler Hall, room 312
503-338-2307
bpalenske@clatsopcc.edu

Counseling
Meredith Payton, LCSW
Location: 1717 Lexington Avenue, Astoria
Building: Services building, room 108
503-338-2409
aweber@clatsopcc.edu

Local Resources

The Harbor (Domestic Violence and Sexual Assault Shelter/Services)
503-325-3426
503-325-5735 (24-hour crisis line)
1-855-938-0584 (O llámanos 24/7 línea de crisis en Español)

Domestic Violence Hotlines
800-799-7233 or 503-325-5735
SafeNet, 814-454-8161

Crisis Support Network – Long Beach, WA (Domestic Violence & Sexual Assault Services)
360-642-0095
800-435-7276

The Charlotte House – Cathlamet, WA (Domestic Violence & Sexual Assault Services)
360-795-6400 (24-hour hotline)
866-795-9381 (toll-free hotline)

Astoria Police Department, 503-325-4411 (For non-emergency. Emergency dial 911)

Seaside Police Department, 503-738-6311 (For non-emergency. Emergency dial 911)

Oregon Department of Human Services, 503-325-2021, Toll-free: 800-643-4606

Clatsop County Department of Public Health, 503-325-8500 Ext. 4921

Planned Parenthood, 800-230-7526

Reporting Crimes and Other Emergencies

Reporting of Crimes to Law Enforcement

Crimes should be reported immediately to local law enforcement. Law enforcement duties are the responsibility of the Astoria Police Department for the Lexington and MERTS locations and the Seaside Police Department for South County Center. The Clatsop County Sheriff Office and Oregon State Police also provide law enforcement support in an emergency. The College does not have campus law enforcement or security staff. When the victim of a crime elects to report a crime, the report should be made in an accurate and prompt manner.

To report a crime in progress or another type of emergency occurring at any CCC location or surrounding public property, call 911. Clatsop County emergency dispatchers are available 24 hours a day and will send the appropriate law enforcement or emergency personnel to all reported emergency calls. Any incidents involving criminal activity occurring on or around campus should be reported to the police.

Emergency:	Police, Fire or Ambulance – 911
Non-emergency:	Astoria Police Department – 503-325-4411
	Seaside Police Department – 503-738-6311

If you observe a crime or are a victim of a crime, report the following:

a) type of incident,
b) location of incident,
c) description of person or person's clothing and physical features,
d) person's direction of travel and description of any vehicle, and,
e) date and time of incident.

Internal Reporting

For non-emergency situations, or in addition to calling local law enforcement, students and employees can also contact the Administrator on Duty for assistance. Please call the following number:

Administrator on Duty:
503-338-2555

Students and employees are encouraged to inform CCC of crimes so that CCC has complete and accurate information for the purposes of providing timely warnings and disclosing annual statistics. The Finance & Operations office is responsible for the collection of crime reports. Incidents should be reported by email at reportcrime@clatsopcc.edu. The form for reporting incidents can be found on the College web page, under the Campus Safety option. (https://www.clatsopcc.edu/campus-safety/). The reportcrime@clatsopcc.edu also informs the President, Director Human Resources, and the Director Physical Plant of incidents.

Campus Security Authorities

The College does not employ law enforcement or campus security staff.

Crime Statistics

In compliance with the Clery Act, VAWA, and, the Stop Campus Hazing Act (2025), CCC provides crime statistics about a wide variety of crimes over the past three years.

Collection and Reporting of Crime Statistics

As indicated earlier, the Finance & Operations office compiles the crime report from information obtained from the Physical Plant; Vice President Academic Affairs (restructured 2023), Interim Provost/VP (created 2023); Dean of Enrollment Management & Registrar (2023), Interim Dean of Students (2024); Counseling; and the Human Resources office. Annual crime statistic requests are made to local police agencies for the areas on and adjacent to the College properties and non-campus locations used by the College. Police departments for Seaside, Astoria, and applicable out-of-county departments responded to our request for statistics.

As discussed later in the report, there are specific resources that crime victims can access if they wish to maintain confidentiality. CCC has a practice to encourage these confidential sources to inform victims or witnesses of how to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. The confidential sources reports the non-identifying information to be included in the statistical data for Clery Act reporting purposes.

In compliance with the Clery Act and VAWA, statistics are disclosed separately for each of the four general categories (underscored & italicized in the charts below). When an incident meets the definitions in more than one of these categories, it must be reported in each category. Statistics include the number of all reported offenses, without regard to the findings of a court, coroner or jury, or the decision of a prosecutor. Procedures relating to Hazing have been added to this edition, in compliance with the Stop Campus Hazing Act. **No incidents of Hazing were reported in 2025.**

A crime may be classified as unfounded only after a full investigation by sworn or commissioned law enforcement personnel and, for Clery Act purposes, only if sworn or commissioned law enforcement personnel make a formal determination that the report is false or baseless. A crime report cannot be designated unfounded merely because the investigation failed to prove that the crime occurred; this would be an inconclusive or unsubstantiated investigation.

Crime Statistics for 2023, 2024, and 2025

The following are crime statistics for the CCC Lexington Avenue and CCC MERTS locations; the public sidewalks, streets, waterways, and public parks immediately adjacent to the Lexington Avenue and MERTS locations (Public Property); and Non-Campus locations (South County Center, rented classroom facilities, and lodging facilities for annual field trips) for the calendar years 2023, 2024, and 2025.

No incidents of Hazing were reported in 2025.

Lexington Campus

	2023		2024		2025	
	Main Campus 1651 Lexington		Main Campus 1651 Lexington		Main Campus 1651 Lexington	
	On-Campus	Public Prop*	On-Campus	Public Prop	On-Campus	Public Prop
CRIMINAL OFFENSES						
CRIMINAL HOMICIDE						
Murder and Non-negligent Manslaughter	-	-	-	-	-	-
Manslaughter by Negligence	-	-	-	-	-	-
SEXUAL ASSAULT (Also a VAWA Offense but is reported here)						
Rape	-	-	-	-	-	-
Fondling	-	-	-	-	-	-
Incest	-	-	-	-	-	-
Statutory Rape	-	-	-	-	-	-
Robbery	-	-	-	-	-	-
Aggravated Assault	-	-	-	-	-	-
Burglary	-	-	-	-	-	-
Motor Vehicle Theft	-	-	-	-	-	-
Arson	-	-	-	-	-	-
HATE CRIMES (categories of bias: race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, or disability)						
Murder and Non-negligent Manslaughter	-	-	-	-	-	-
Sexual Assault						
Rape	-	-	-	-	-	-
Fondling	-	-	-	-	-	-
Incest	-	-	-	-	-	-
Statutory Rape	-	-	-	-	-	-
Robbery	-	-	-	-	-	-
Aggravated Assault	-	-	-	-	-	-
Burglary	-	-	-	-	-	-
Motor Vehicle Theft	-	-	-	-	-	-
Arson	-	-	-	-	-	-
Simple Assault	-	-	-	-	-	-
Larceny-Theft	-	-	-	-	-	-
Intimidation	-	-	-	-	-	-
Destruction/Damage/Vandalism of Property	-	-	-	-	-	-
VAWA OFFENSES						
Dating Violence	-	-	-	-	-	-
Domestic Violence	-	-	-	-	-	-
Stalking	-	-	-	-	-	-
ARREST						
Weapons: carrying, possessing, etc.	-	-	-	-	-	-
Drug abuse violations	-	-	-	-	-	-
Liquor law violations	-	-	-	-	-	-
DISCIPLINARY REFERRAL						
Weapons: carrying, possessing, etc.	-	-	-	-	-	-
Drug abuse violations	-	-	-	-	-	-
Liquor law violations	-	-	-	-	-	-

Marine and Environmental Research and Training Station (MERTS) Campus

	2023		2024		2025	
	MERTS Campus Liberty Lane		MERTS Campus Liberty Lane		MERTS Campus Liberty Lane	
	On-Campus	Public Prop	On-Campus	Public Prop	On-Campus	Public Prop*
CRIMINAL OFFENSES						
CRIMINAL HOMICIDE						
Murder and Non-negligent Manslaughter	-	-	-	-	-	-
Manslaughter by Negligence	-	-	-	-	-	-
SEXUAL ASSAULT (Also a VAWA Offense but is reported here)						
Rape	-	-	-	-	-	-
Fondling	-	-	-	-	-	-
Incest	-	-	-	-	-	-
Statutory Rape	-	-	-	-	-	-
Robbery	-	-	-	-	-	-
Aggravated Assault	-	-	-	-	-	-
Burglary	-	-	2	-	-	-
Motor Vehicle Theft	-	-	-	-	-	-
Arson	-	-	-	-	-	-
HATE CRIMES (categories of bias: race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, or disability)						
Murder and Non-negligent Manslaughter	-	-	-	-	-	-
Sexual Assault						
Rape	-	-	-	-	-	-
Fondling	-	-	-	-	-	-
Incest	-	-	-	-	-	-
Statutory Rape	-	-	-	-	-	-
Robbery	-	-	-	-	-	-
Aggravated Assault	-	-	-	-	-	-
Burglary	-	-	-	-	-	-
Motor Vehicle Theft	-	-	-	-	-	-
Arson	-	-	-	-	-	-
Simple Assault	-	-	-	-	-	-
Larceny-Theft	-	-	-	-	-	-
Intimidation	-	-	-	-	-	-
Destruction/Damage/Vandalism of Property	-	-	-	-	-	-
VAWA OFFENSES						
Dating Violence	-	-	-	-	-	-
Domestic Violence	-	-	-	-	-	-
Stalking	-	-	-	-	-	-
ARREST						
Weapons: carrying, possessing, etc.	-	-	-	-	-	-
Drug abuse violations	-	-	-	-	-	-
Liquor law violations	-	-	-	-	-	-
DISCIPLINARY REFERRAL						
Weapons: carrying, possessing, etc.	-	-	-	-	-	-
Drug abuse violations	-	-	-	-	-	-
Liquor law violations	-	-	-	-	-	-

Other Non-Campus Locations

South County Center, rented classroom facilities,
and lodging facilities for annual field trips

	2023	2024	2025
	Non-Campus	Non-Campus	Non-Campus
CRIMINAL OFFENSES			
CRIMINAL HOMICIDE			
Murder and Non-negligent Manslaughter	-	-	-
Manslaughter by Negligence	-	-	-
SEXUAL ASSAULT (Also a VAWA Offense but is reported here)			
Rape	-	-	-
Fondling	-	-	-
Incest	-	-	-
Statutory Rape	-	-	-
Robbery	-	-	-
Aggravated Assault	-	-	-
Burglary	-	-	-
Motor Vehicle Theft	-	-	-
Arson	-	-	-
HATE CRIMES (categories of bias: race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, or disability)			
Murder and Non-negligent Manslaughter	-	-	-
Sexual Assault	-	-	-
Rape	-	-	-
Fondling	-	-	-
Incest	-	-	-
Statutory Rape	-	-	-
Robbery	-	-	-
Aggravated Assault	-	-	-
Burglary	-	-	-
Motor Vehicle Theft	-	-	-
Arson	-	-	-
Simple Assault	-	-	-
Larceny-Theft	-	-	-
Intimidation	-	-	-
Destruction/Damage/Vandalism of Property	-	-	-
VAWA OFFENSES			
Domestic Violence	-	-	-
Dating Violence	-	-	-
Stalking	-	-	-
ARREST			
Weapons: carrying, possessing, etc.	-	-	-
Drug abuse violations	-	-	-
Liquor law violations	-	-	-
DISCIPLINARY REFERRAL			
Weapons: carrying, possessing, etc.	-	-	-
Drug abuse violations	-	-	-
Liquor law violations	-	-	-

Crime Definitions

Under the Clery Act, for the purposes of counting and disclosing Criminal Offense, Hate Crime, arrest, and disciplinary referral statistics the College must do so based on definitions provided by the Federal Bureau of Investigation's (FBI's) Uniform Crime Reporting (UCR) Program. The definitions for Murder, Rape, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson, Weapons Carrying, Possessing, etc. Law Violations, Drug Abuse Violations, and Liquor Law Violations are from the Summary Reporting System (SRS) User Manual from the FBI's UCR Program. The definitions of Fondling, Incest and Statutory Rape are from the FBI's National Incident-Based Reporting System (NIBRS) Data Collection Guidelines edition of the UCR. Hate Crimes are classified according to the FBI's Uniform Crime Reporting Hate Crime Data Collection Guidelines and Training Manual. Note that, although the law states that institutions must use the UCR Program definitions, Clery Act crime reporting does not have to meet all of the other UCR Program standards.

For the categories of Domestic Violence, Dating Violence and Stalking, the Clery Act specifies that Clatsop Community College must use the definitions provided by the Violence Against Women Act of 1994 and repeated in the Department's Clery Act regulations.

Definitions of Criminal Offenses

1. **Criminal Homicide**
    a. **Murder and Non-negligent Manslaughter** - the willful (non-negligent) killing of one human being by another.
    b. **Manslaughter by Negligence** - the killing of another person through gross negligence.
2. **Sexual Assault (Sex Offenses)** - Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.
    a. **Rape** - the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.
    b. **Fondling** - the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.
    c. **Incest** - sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
    d. **Statutory Rape** - sexual intercourse with a person who is under the statutory age of consent.
3. **Robbery** - the 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.

4. **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.
5. **Burglary** - the unlawful entry of a structure to commit a felony or a theft.
6. **Motor Vehicle Theft** - the theft or attempted theft of a motor vehicle.
7. **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 of another, etc.

Hate Crime Categories

A Hate Crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim.

Race - A preformed negative attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, blacks or African Americans, whites.

Religion - A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, atheists.

Sexual Orientation - A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual Orientation is the term for a person's physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual (straight) individuals.

Gender - A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.

Gender Identity - A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals. Gender non-conforming describes a person who does not conform to the gender-based expectations of society, e.g., a woman dressed in traditionally male clothing or a man wearing makeup. A gender non-conforming person may or may not be a lesbian, gay, bisexual, or transgender person but may be perceived as such.

Ethnicity - A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term "race" in that "race" refers to a grouping based mostly upon biological criteria, while "ethnicity" also encompasses additional cultural factors.

National Origin - A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth. This bias may be against people that have a name or accent associated with a national origin group, participate in certain customs associated with a national origin group, or because they are married to or associate with people of a certain national origin.

Disability - A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital, or acquired by heredity, accident, injury, advanced age, or illness.

Larceny-Theft, Simple Assault, Intimidation, and Destruction/Damage/Vandalism of Property are included in the College's Clery Act statistics only if they are Hate Crimes.

1. **Larceny-Theft** - the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. (Larceny and theft mean the same thing in the Uniform Reporting Code (UCR).) **Constructive possession** is the condition in which a person does not have physical custody or possession but is in a position to exercise dominion or control over a thing.
2. **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.
3. **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.
4. **Destruction/Damage/Vandalism of Property** - to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

VAWA Offenses

VAWA Offenses citation 34 CFR 668.46(c)(1)(iv)

The third category of crime statistics the College must disclose are those added to the Clery Act by the Violence Against Women Act.

1. **Dating Violence** - is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
    a. For the purposes of this definition—
        i. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
        ii. Dating violence does not include acts covered under the definition of domestic violence.
2. **Domestic Violence** - is defined as a felony or misdemeanor crime of violence committed
    a. By a current or former spouse or intimate partner of the victim;
    b. By a person with whom the victim shares a child in common;
    c. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
    d. By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
    e. By 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 the jurisdiction in which the crime of violence occurred.
3. **Stalking** - is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
    a. Fear for the person's safety or the safety of others; or

b. Suffer substantial emotional distress.
c. For the purposes of this definition—
    i. **Course of conduct** means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
    ii. **Reasonable person** means a reasonable person under similar circumstances and with similar identities to the victim.
    iii. **Substantial emotional distress** means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

Arrests and Disciplinary Referrals for Violation of Weapons, Drug Abuse and Liquor Laws

Arrests and referrals citation 34 CFR 668.46(c)(1)(ii)

Arrest - for Clery Act purposes is defined as persons processed by arrest, citation, or summons.

Referred for disciplinary action - is defined as the referral of any person to any official who initiates a disciplinary action of which a record is established, and which may result in the imposition of a sanction.

1. **Weapons: Carrying, Possessing, Etc.,** - is defined as the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.
2. **Drug Abuse Violations** - are defined as the violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.
3. **Liquor Law Violations** - are defined as the violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

Hazing

Reference 20 U.S. Code Section 1092 subdivision (f)

"Haze" means:

1. To subject an individual to whipping, beating, striking, branding or electronic shocking, to place a harmful substance on an individual's body or to subject an individual to other similar forms of physical brutality;
2. To subject an individual to sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics or other similar activity that subjects the individual to an unreasonable risk of harm or adversely affects the physical health or safety of the individual;

3. To compel an individual to consume food, liquid, alcohol, cannabis, controlled substances or other substances that subject the individual to an unreasonable risk of harm or adversely affect the physical health or safety of the individual;
4. To cause, coerce, or otherwise induce another person to perform sexual acts; or
5. To induce, cause or require an individual to perform a duty or task that involves the commission of a crime under local, state, or federal law or an act of hazing.

Security and Access

Access to CCC Locations

The Lexington campus facilities are accessible to the College community and visitors 6:00a.m. to 10:00 p.m., Monday through Friday, and varied hours on weekends depending on scheduled classes. The MERTS campus and South County Center are open 8:00 a.m. to 5:00 p.m., Monday through Friday. Academic buildings are open according to the academic schedule during the week and on weekends. Persons in buildings without proper ID or authorization may be escorted from the buildings. Refusal to leave the premises upon request may initiate a call to law enforcement which may result in a citation or arrest for criminal trespass.

The maintenance and custodial staff routinely check facilities and lock/unlock doors at predetermined times. Maintenance and custodial staff also routinely check facilities to ensure that all lighting is functional and adequate as well as to address security related issues in accordance with policy 3.305 (last revised 1/26/1995). All College staff are encouraged to report observed maintenance issues.

Board Policy 6700: There are certain facilities on Clatsop's campus that are suitable for public use. These buildings and facilities are spaces and classrooms throughout the College's locations. Use of these facilities will be approved pursuant to procedure and as provided by this policy. The President shall establish procedures regarding the use of the College property and facilities, including property designated by the College as suitable for use by community groups, outside contractors, and others.

The procedure shall reflect the requirements of applicable law, the procedures shall include reasonable rules regarding the time, place, and manner of use of the College's facilities. They shall ensure that persons or organizations using the College's property are charged such fees as are authorized or required by law. Public use of the College's property shall not interfere with scheduled instructional programs or other activities of the College on behalf of students.

No group or organization may use the College's property to unlawfully discriminate on the basis of race, color, religion, ancestry, national origin, military or veteran status, disability, gender, or on any basis prohibited by law.

In granting permission to use these facilities, the College will not discriminate on the basis of viewpoint with regard to organizations engaging in expressive activities on the topics and subject matters articulated above.

Emergency Notifications and Timely Warnings

For emergency situations, Clatsop Community College uses the Standard Response Protocol (SRP) provided by the non-profit "I Love U Guys" Foundation. The SRP is action based. The SRP protocols have been incorporated into all training and drills. A supporting Emergency Response Plan flipchart includes consistent SRP terms and visuals with expanded emergency response information. The SRP posters and flipcharts are located in classrooms and open spaces at each College location.

There are four specific Standard Response Protocol (SRP) actions that can be performed during an incident.

Lockout: is followed by the Directive: "Get Inside. Lock Outside Doors" and is the protocol used to safeguard students and staff within the building.

Lockdown: is followed by "Locks, Lights, Out of Sight" and is the protocol used to secure individual rooms and keep students quiet and in place.

Evacuate: is always followed by a location and is used to move students and staff from one location to a different location in or out of the building.

Shelter: is always followed by a type and a method and is the protocol for group and self-protection.

Emergency Response and Evacuations Procedures

The President's office is responsible for coordinating and maintaining the College's emergency response and evacuation procedures (BP 3505 and AP 3505).

President
Vice President / Provost (Interim)
Associate Vice President for Business, Community and Workforce Development / Executive Director CEDR
Dean of Students (Interim)
Dean Workforce Education and Training
Director Human Resources
Director Physical Plant
Director Computer Services
Director Communications & Marketing
Director TRIO SSS
Director Pre-College TRIO
Director Admissions & Outreach

The College Administration and Physical Plant staff are responsible for responding to emergency incidents, building alarms and reported safety hazards to assess conditions and

make contact with the appropriate emergency responders. The Federal Emergency Management Agency (FEMA) Incident Command System (ICS) management is used. The team determines if there is a significant emergency or an immediate threat to the health and safety. Based on the information available, communication with the campus community is made using Bandit Alert and telephone paging (in progress).

Bandit Alert is an opt-out emergency mass communication providing email, text and call notification of emergency or College closure. Bandit Alert sign-up is processed at the time of student enrollment or employee hire, Bandit Alert is also available for community sign-up. Telephones, with paging capability (in progress), are located in classrooms and open spaces for use in an emergency for the fastest possible notification of an emergency to be received or reported.

The President's office selects key team members from the list above to assess the level of threat and determine on a case-by-case basis when an emergency notification or timely warning is appropriate. An emergency notification will be necessary upon determination that a significant emergency or dangerous situation is occurring at a CCC location that involves an immediate threat to the health or safety of students or employees. If appropriate, CCC will, without delay, provide emergency notification unless, in the professional judgment of responsible authorities including local law enforcement, such notification will compromise the ability to assist a victim or otherwise effectively respond to the emergency.

Timely Notification: Notices regarding major crimes or safety and security concerns will be sent out as a news bulletin on the Bandit Alert, telephone paging (in progress), e-mail system, and web page. In the event of an immediate threat to the health and safety of students and staff, notification will be provided using Bandit Alert and campus paging using the telephone system (in progress).

Bandit Alert is an opt-out emergency mass communication providing email, text and call notification of emergency or College closure. Telephones with paging capability (in progress) are located in classrooms and open spaces for use in an emergency for notification of an emergency to be received or reported.

CCC notifies members of the College community of these emergency procedures and conducts safety and evacuation drills, training, and exercises. Drills are performed as announced and unannounced with a minimum of one per year. Safety Captains are assigned to designated buildings and trained to assist in the evacuation process.

Emergency procedure flip charts are located in classrooms and open spaces. Annual safety training, including the review of the Standard Response Protocol (SRP) and emergency procedures, is conducted during fall In-Service activities and for new employee orientation. Instructors are encouraged to discuss emergency procedures with their students at the beginning of each term. CCC coordinates with local emergency services to determine how and when to disseminate emergency information to individuals and/or organizations outside the College communities.

Evacuation drills are documented, and records are kept in the Finance & Operations office. CCC uses a practice of test evaluation for drills that includes documentation and a collaborative approach to determine lessons learned and future process improvements. Everyone involved in the emergency response and procedures will understand their role and responsibility. The emergency response and evacuation procedures are publicized in conjunction with the announced drills.

Timely Warning: CCC has a practice of issuing timely warnings to the community as soon as pertinent information is verified regarding criminal activity or safety hazards on and/or around College locations.

Alerting the Campus Community: Upon the determination that an emergency situation exists, the following individuals will immediately coordinate the steps to provide emergency notification:

President
VP/Provost (Interim)
Director, Computer Services
Director, Communications & Marketing

The notification of the specific emergency, location and the required action will be delivered by use of fire alarm sirens and strobe lights, Bandit Alert, telephone paging (in progress), College website, local radio stations, and other overlapping methods of communication as appropriate as determined by the threat assessment team. These methods will ensure that notifications and warnings can be transmitted quickly to students and employees.

Campus Law Enforcement

As stated previously, the College does not employ law enforcement or campus security staff. College Administration and Physical Plant staff work cooperatively and at the direction of local law enforcement including the Astoria Police Department, Seaside Police Department, and the Clatsop County Sheriff Office. Law enforcement agencies regularly conduct training exercises on the Lexington campus. CCC does not have any written agreements or contracts with local law enforcement agencies regarding the investigation of alleged criminal offenses.

Weapons on Campus: Possession, use or threatened use of firearms, ammunition, dangerous chemicals, weapons, or destructive devices is not allowed on property owned or controlled by the College or at College-sponsored events, except as expressly authorized by state law. All weapons violations will be reported immediately to law enforcement. (Policy: 3.235 – last revised 1/26/95)

Programs to inform the CCC Community about Security

Campus Security Act information is available on the CCC website https://www.clatsopcc.edu/campus-safety/ to give all students the information they need to be safe students. The address for the website is printed in the Student Guide to CCC, which is distributed at the time of registration.

Crime Prevention and Awareness Education: Dating violence, domestic violence, sexual assault, and stalking prevention are covered during the College's New Student Orientation for all students. Crime prevention information is included in the New Student Handbook (Campus Safety/Security) that is given to all new students at the time of New Student Orientation. This information is also available throughout the year from Student Services, and on the College website. (https://www.clatsopcc.edu/student-handbook/)

Women's Studies and Human Development courses include prevention topics, individual projects, and an annual campus-wide and community campaign. Programs offered through The Harbor provide educational information, community education and crisis services involving sexual assault. The campus Diversity, Equity, and Inclusion Council supports and helps publicize annual Women's Studies campaigns, participates in The Harbor's annual Sexual Assault Awareness Month activities, and is represented on the Lower Columbia Diversity Coalition. Additional information is distributed throughout the year through classroom communication and the College's e-mail system.

Prohibition of Drug and Alcohol Abuse Policy

CCC complies with all state and federal laws about possession and sale of controlled substances and alcohol, including under-age drinking laws, the Drug Free Schools and Communities Act (20 USC 1145g and 34 CFR 86.1 et seq.), and the Drug Free Workplace Act of 1988 (41 USC Section 702). Possession or use of illegal drugs is forbidden on the College-owned or controlled property and at all College-sponsored events. Sale and consumption of alcohol is permitted on the College-owned or controlled property and at College-sponsored events with the pre-approval of the Finance & Operations office and documentation of proper licensing requirements per board policy BP 3560 Alcoholic Beverages (last revised: June 11, 2019). All violations of drug or alcohol laws will be reported immediately to law enforcement per Board policy 4.705 Alcohol/Controlled Substance Use (last revised June 12, 2012).

CCC provides counseling and referrals for students and staff experiencing problems resulting from drug and alcohol use.

To receive confidential counseling or referrals to outside counseling agencies and specialists, contact:

Student Services/Counseling Services – 503-338-2409 or aweber@clatsopcc.edu
Human Resources/Affirmative Action Officer – 503-338-2450 or ajensen@clatsopcc.edu

On-Campus

Counseling: For substance abuse problems or addiction, a Counselor in Student Services can advise students about actions to take for support and further help from community self-help groups, treatment programs, and private counselors. This service is provided to students free of charge. Counseling Services are located in Services Building Room 108. Students may call for an appointment at (503) 338-2409 or schedule through aweber@clatsopcc.edu.

Additional resources and support for substance abuse and assistance with transition and adjustment to College is available to students enrolled in the Life Transitions program (formerly Lives in Transition (LIT)) (Columbia Hall, Rm 114) and the Student Support Services (TRIO) program (Towler Hall, Rm 312). Students in these programs receive extra help with personal and academic planning and problem solving. Students may talk to any faculty or staff member with whom they feel comfortable and expect requests for help to be treated with respect and compassion.

Employees have access to the Employee Assistance Programs (EAP) that provide referrals for counseling as well as substance abuse treatment.

Campus Courses

Several credit courses in the Social Sciences Department can increase awareness of alcohol and drug abuse and dependency: HS101 Alcohol Use, Abuse and Addiction, HS102 Drug Use, Abuse and Addiction, HS115 Substance Abuse Prevention, HS200 Family Dynamics of Addiction, CJ243 Alcohol and Other Dangerous Drugs. Besides many non-credit interest courses, helpful personal development courses that earn College/university credit include: HD100 College Survival and Success, HD110 Career Planning, HD160 Overcoming Barriers, HPE295 Health and Fitness for Life, PSY101 Psychology of Human Relations, PSY190 Stress Theory and Management, PSY201, General Psychology.

Off-Campus Help/Professional Help

Clatsop Behavioral Healthcare: Mental health evaluation, counseling, referral for recovery, crisis intervention. 115 W Bond St, Astoria. www.clatsopbh.org/ 503-325-5722,
Crisis Line: 503-325-5724
Alcohol/Drug Help Line: 800-923-4357 (adults), 877-515-7848 (Spanish), 877-553-8336 (youth)
Alcohol and Drug treatment referrals: 800-454-8966
Tobacco Cessation Contact: OREGON TOBACCO QUIT LINE: 1-800-QUIT-NOW (800-784-8669), www.quitnow.net/oregon; Spanish: 1-855-DÉJELO-YA (855-335-3569), www.quitnow.net/oregonsp; TTY: 1-877-777-6534. Tobacco possession is illegal on campus if under age 21 as of Jan. 1, 2018. All CCC locations are Tobacco free zones.

Private practitioners: phone book yellow pages or “substance abuse treatment Clatsop County OR” web search.

Self Help Groups

Meeting times and contact phone numbers are listed in local newspapers and online.

Alcoholics Anonymous (AA): Alcohol abuse recovery, www.aa-oregon.org, (503) 861-5526.
Narcotics Anonymous (NA): Drug abuse recovery, www.na.org, (503) 717-3702.
Al-Anon: Friends/family affected by alcohol addiction, www.al-anon.alateen.org, 888-425-2666.

Hazing

Procedure AP 5505, relating to Hazing, was added February 12, 2025, in compliance with the Stop Campus Hazing Act.

Hazing is not permitted at Clatsop Community College. No individual, student organization, club, team, or any other College-affiliated student group is permitted to plan, engage in, or condone hazing, on or off the College campus.

Haze is defined as:

a. To subject an individual to whipping, beating, striking, branding or electronic shocking, to place a harmful substance on an individual's body or to subject an individual to other similar forms of physical brutality;
b. To subject an individual to sleep deprivation, exposure to the elements, confinement in a small space or other similar activity that subjects the individual to an unreasonable risk of harm or adversely affects the physical health or safety of the individual;
c. To compel an individual to consume food, liquid, alcohol, cannabis, controlled substances, or other substances that subject the individual to an unreasonable risk of harm or adversely affect the physical health or safety of the individual; or
d. To induce, cause or require an individual to perform a duty or task that involves the commission of a crime or an act of hazing.

This policy is not intended to prohibit or sanction the following conduct:

a. Customary public athletic events, contests, or competitions that are sponsored by the College; or
b. Any activity or conduct that furthers the goals of a legitimate educational curriculum, a legitimate extracurricular program, or a legitimate military training program.

The College encourages all members of the College community who believe that they have witnessed, experienced, or are aware of conduct that violates this policy to report the violation to the Dean of Students.

Should the College become aware of hazing by a student organization or any of its members, the College may immediately suspend the organization or group pending an investigation into the allegations. Allegations of hazing are resolved in accordance with the student conduct process. Students and/or student organizations found responsible for violating this policy are subject to the full range of disciplinary sanctions. For more information, refer to Student Services Policies BP 5500 and AP 5505.

Sexual Assault, Domestic Violence, Dating Violence, & Stalking

Definitions
The following are the definitions of conduct prohibited by the sexual misconduct policy. In addition to state and federal penalties, Sexual Misconduct violations can result in College-imposed sanctions ranging from a written reprimand to expulsion from the College. These definitions should be applied when reviewing the remainder of this document.

Consent
Consent as defined by Oregon Law (ORS 163.315) (oregonlaws.org/ORS/163.315)

A person is considered incapable of consenting to a sexual act if the person is:

a. Under 18 years of age;
b. Mentally defective;
c. Mentally incapacitated; or
d. Physically helpless.

A lack of verbal or physical resistance does not, by itself, constitute consent but may be considered by the trier of fact along with all other relevant evidence. [1971 c.743 §105; 1999 c.949 §2; 2001 c.104 §52]

The College further defines consent for purposes of Title IX and student conduct as knowing, voluntary, and clear permission, through word or action, to engage in mutually agreed upon sexual activity or contact.

Since different people may experience the same interactions differently, each party is responsible for making sure that partners have provided ongoing, clear consent to engaging in any sexual activity or contact.

A person may withdraw consent at any time during sexual activity or contact through words or actions. If that happens, the other party must immediately cease the activity or contact. Pressuring another person into sexual activity can constitute coercion, which is also considered to be sexual misconduct.

a. Silence or the absence of resistance alone does not constitute consent. A victim is not required to resist or say “no” for an offense to be proven.
b. Consent to some forms of sexual activity (e.g., kissing, fondling, etc.) should not be construed as consent for other kinds of sexual activities (e.g., intercourse).
c. Being or having been in a dating relationship with the other party does not mean that consent for sexual activity exists.
d. Previous consent to sexual activity does not imply consent to sexual activity in the future.

A person is unable to give consent when there is sufficient evidence of force, coercion, or incapacitation.

For the purposes of determining consent:

1. **Coercion** is the improper use of pressure to compel another individual to initiate or continue sexual activity against their will. Coercion can include a wide range of behaviors, including intimidation, manipulation, threats, and blackmail. A person's words or conduct are sufficient to constitute coercion if they wrongfully impair another individual's freedom of will and ability to choose whether or not to engage in sexual activity. Coercion includes but is not limited to: threatening to "out" someone based on sexual orientation, gender identity, or gender expression; and threatening to harm oneself if the other party does not engage in the sexual activity.
2. **Incapacitation** is defined as a state in which individuals are unable to make rational, reasonable decisions because they lack the capacity to understand the "who, what, when, where, why, or how" of a situation or interaction. Individuals cannot give sexual consent if they can't understand what is happening, or if they are disoriented, helpless, asleep, or unconscious for any reason. That applies even if it is because they voluntarily consumed alcohol or drugs. Unless consent is "knowing," it is not valid. Those engaging in sexual activity who know or should have known that the other party is incapacitated are engaging in sexual misconduct. The possession, use, distribution, and/or administration of any incapacitating substances is prohibited.
    a. The fact that a responding party was intoxicated, and thus did not realize the reporting party was incapacitated, does not excuse sexual misconduct.
3. **Force** is defined as direct or indirect use of physical violence and/or imposing physically on someone to gain sexual access. Force, unless part of mutually-permissible kink, is a clear demonstration of a lack of consent.

<u>Dating Violence</u>

Dating Violence: Under Oregon state law, there is no specific definition of "Dating Violence." Oregon state law defines Teen Dating Violence and requires public school district boards to adopt policies addressing it (ORS 339.366).

Dating Violence as defined for Clatsop Community College Clery Purposes: Violence committed by a person:

1. Who is, or has been, in a social relationship of a romantic and/or intimate nature with the victim.
2. The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
    a. Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
    b. Dating Violence does not include acts covered under the definition of Domestic Violence.

For the purposes of complying with the requirements of this section and section 668.41 of the Federal Register 34 CFR, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

ORS 147.450 includes Teen Dating Violence with Domestic Violence.

1. Teen Dating Violence means:
    a. A pattern of behavior in which a person uses or threatens to use physical, mental, or emotional abuse to control another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age; or
    b. Behavior by which a person uses or threatens to use sexual violence against another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age. [2001 c.870 §23; 2007 c.71 §40; 2012 c.69 §2]

Note: 147.450 (Definitions) to 147.471 (Advisory Council) were enacted into law by the Legislative Assembly but were not added to or made a part of ORS Chapter 147 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

Domestic Violence

Domestic Violence as defined by ORS 135.230 (oregonlaws.org/ORS/135.230)
Domestic Violence means abuse between family or household members.

1. Family or household members means any of the following:
    a. Spouses
    b. Former spouses
    c. Adult persons related by blood or marriage
    d. Persons cohabiting with each other
    e. Persons who have cohabited with each other or who have been involved in a sexually intimate relationship
    f. Unmarried parents of a minor child
2. Abuse means:
    a. Attempting to cause or intentionally, knowingly, or recklessly causing physical injury;
    b. Intentionally, knowingly, or recklessly placing another in fear of imminent serious physical injury; or
    c. Committing sexual abuse in any degree as defined in ORS 163.415 (Sexual abuse in the third degree), 163.425 (Sexual abuse in the second degree), and 163.427 (Sexual abuse in the first degree).

Hostile Environment

1. A hostile environment is created when sexual harassment is:
2. Sufficiently severe, or
3. Persistent or pervasive, and
4. Objectively offensive that it:
    a. Unreasonably interferes with, denies, or limits someone's ability to participate in or benefit from the institution's educational [and/or employment], social, and/or residential program.

Non-Consensual Sexual Contact

Non-consensual sexual contact is:

1. Any intentional sexual touching,
2. However slight,
3. With any object,
4. By a person upon another person,
5. That is without consent and/or by force.

Non-Consensual Sexual Intercourse

Non-consensual sexual intercourse is:

1. Any sexual intercourse
2. However slight,
3. With any object,
4. By a person upon another person,
5. That is without consent and/or by force.

Retaliation

Retaliation is:

1. Any adverse action,
2. Taken against a person participating in a protected activity
3. Because of that person's participation in that protected activity
4. Subject to limitations imposed by the first amendment and/or academic freedom.

Sexual Assault

As defined by ORS 163.305 (oregonlaws.org/ORS/163.305)

1. Sexual assault means any unwanted sexual contact as defined in ORS 163.305 – ORS 147.450.
2. Deviant sexual intercourse means sexual conduct between persons consisting of contact between the sex organs of one person and the mouth or anus of another.
3. Forcible compulsion means to compel by:
    a. Physical force; or
    b. A threat, express or implied that places a person in fear of immediate or future death or physical injury to self or another person, or in fear that the person or another person will immediately or in the future be kidnapped.
4. Mentally defective means that a person suffers from a mental disease or defect that renders the person incapable of appraising the nature of the conduct of the person.
5. Mentally incapacitated means that a person is rendered incapable of appraising or controlling the conduct of the person at the time of the alleged offense.
6. Physically helpless means that a person is unconscious or for any other reason is physically unable to communicate unwillingness to an act.
7. Sexual contact means any touching of the sexual or other intimate parts of a person or causing such person to touch the sexual or other intimate parts of the actor for the purpose of arousing or gratifying the sexual desire of either party.
8. Sexual intercourse has its ordinary meaning and occurs upon any penetration, however

slight; emission is not required. [1971 c.743 §104; 1975 c.461 §1; 1977 c.844 §1; 1979 c.744 §7; 1983 c.500 §1; 1999 c.949 §1; 2009 c.770 §1]

Sexual Exploitation

1. Occurs when one person takes non-consensual or abusive sexual advantage of another for their own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and
2. That behavior does not otherwise constitute one of the other sexual misconduct offenses.

Sexual Harassment

(BP 3433 – adopted 9/11/2025, AP 3433 – adopted 11/17/2025)
Any unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature constitute sexual harassment when this conduct:

1. Explicitly or implicitly affects an individual's employment or education;
2. Unreasonably interferes with an individual's work or academic performance; or
3. Creates an intimidating, hostile, or offensive work or educational environment.

Consistent with the harassment of one student by another student, defined as unwelcome conduct of a sexual nature that is so severe and/or pervasive, and objectively offensive, and that so substantially impairs a person's access to the College programs or activities that the person is effectively denied equal access to the College's resources and opportunities.

Sexual harassment includes sexual violence. Sexual harassment may include incidents between any members of the College community. This applies to all staff members, students, vendors, and guests/visitors on campus.

Sexual Violence

(Policy 1.001 - revised 6/24/2015; BP 5500 – adopted 9/11/2025; BP 3540 – revised 8/12/2020; AP 3540 – revised 8/4/2020)
Physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to the student's age or use of drugs or alcohol or an intellectual or other disability that prevents the student from having the capacity to give consent). Sexual violence includes rape, sexual assault, sexual battery, sexual abuse, and sexual coercion. (Policy 1.001)

Stalking

Stalking as defined by ORS 163.732 (oregonlaws.org/ORS/163.732)

1. A person commits the crime of Stalking if:
    a. The person knowingly alarms or coerces another person or a member of that person's immediate family or household by engaging in repeated and unwanted contact with the other person;
    b. It is objectively reasonable for a person in the victim's situation to have been alarmed or coerced by the contact; and
    c. The repeated and unwanted contact causes the victim reasonable apprehension regarding the personal safety of the victim or a member of the victim's immediate family or household.

2. Stalking is a Class A misdemeanor.
    a. Notwithstanding paragraph (a) of this subsection, Stalking is a Class C felony if the person has a prior conviction for:
        i. Stalking; or
        ii. Violating a court's Stalking protective order.
    b. When Stalking is a Class C felony pursuant to paragraph (i) of this subsection, Stalking shall be classified as a person felony and as crime category 8 of the sentencing guidelines grid of the Oregon Criminal Justice Commission. [1993 c.626 §2; 1995 c.353 §2] Note. See second note under 163.730 (Definitions for ORS 30.866 and 163.730 to 163.750).

Policies and Programs regarding Sexual Assault, Domestic Violence, Dating Violence, and Stalking

Clatsop Community College is committed to creating and maintaining a community where all persons who participate in the College programs and activities can work and learn together in an atmosphere free of all forms of harassment, exploitation, or intimidation. Every member of the College community should be aware that the College prohibits sexual harassment, sexual misconduct, domestic violence, dating violence, and stalking, and that such behaviors are prohibited both by law and College policy.

Students are expected to make themselves aware of, and comply with the law, and with College policies and regulations. College policies, Standards of Student Conduct, and the student conduct process have been established to respond promptly and effectively to incidents involving allegations of inappropriate behavior within our community.

Sexual misconduct, including sexual harassment, sexual assault, sexual exploitation, domestic violence, dating violence, and stalking are violations of College policy. A number of federal laws and regulations, including Title IX, the Violence Against Women Act (VAWA), and the Clery Act mandate how institutions respond to such allegations. Many types of sexual misconduct also constitute violations of Oregon law as referenced in this publication.

Members of the campus community, guests, and visitors have a right to be free from sexual misconduct. All members of the community must conduct themselves in a way that does not infringe upon the rights of others. The College policy is intended to define expectations for appropriate conduct and outline resolution processes to address conduct that does not meet these expectations. When individuals accused of sexual misconduct are found to be in violation of the policy, the College will impose serious sanctions, as noted in the following sections.
All members of the campus community, guests, and visitors are protected by this policy regardless of their sexual orientation or gender identity. The College has jurisdiction over student conduct that occurs on College property, or in connection with official College functions whether on or off College property. The College may, at its sole discretion, exercise jurisdiction over student behavior that occurs off campus and that would violate student conduct policies

or regulations when the alleged misconduct indicates the student poses a threat to the safety or security of any member(s) of the College community.

Programs and Campaigns

Primary Prevention Programs: The College provides information through classes (Lives in Transition) and the College Counseling Center intended to end dating violence, domestic violence, sexual assault, and stalking that evaluate risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels.

Prevention awareness is provided for incoming students and new employees, and ongoing awareness and prevention information for students and employees that:

1. Identifies domestic violence, dating violence, sexual assault, and stalking as prohibited conduct.
2. Defines, using definitions provided both by the Department of Education as well as state law and College policy, what behavior constitutes domestic violence, dating violence, sexual assault, and stalking.
3. Defines what behavior and actions constitute consent to sexual activity in the State of Oregon and using the definition of consent contained in this document.
4. Provides a description of safe and positive options for bystander intervention; meaning safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking.
5. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.
6. Information on risk reduction; risk reduction means options designed to decrease perpetration and bystander inaction and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.
7. Provides an overview of information regarding:
    a. Procedures victims should follow if a crime of domestic violence, dating violence, sexual assault, and stalking occurs.
    b. How the institution will protect the confidentiality of victims and other necessary parties.
    c. Existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services are available for victims, both within the institution and in the community.
    d. Options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures.
    e. Procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking.

Reducing the Risk of Victimization: No one deserves to be assaulted. Victim-blaming is never appropriate, and the College fully recognizes that only those who commit sexual misconduct are responsible for their actions. The College provides the suggestions that follow to help individuals reduce their risk of being victimized and their risk of committing acts of sexual misconduct. Additional recommendations may be found online at rainn.org, which is the Rape, Abuse & Incest National Network, the nation's largest anti-sexual violence organization.

1. Make any limits/boundaries you may have known as early as possible.
2. Clearly and firmly articulate consent or lack of consent.
3. Remove yourself, if possible, from an aggressor's physical presence.
4. Reach out for help, either from someone who is physically nearby or by calling someone. People around you may be waiting for a signal that you need help.
5. Take affirmative responsibility for your alcohol and/or drug consumption. Alcohol and drugs can increase your vulnerability to sexual victimization.
6. Look out for your friends and ask them to look out for you. Respect them, and ask them to respect you, but be willing to challenge each other about high-risk choices.

Bystander Intervention

The College offers bystander intervention information to all students in an effort to ensure that each member of the campus community is invested in creating a safe campus environment for themselves and others and safe options for preventing harm and intervening when a risk of sexual misconduct exists.

Bystander Intervention Tips and Strategies (from the NSVRC TIP SHEET)

The #MeToo movement has brought forth thousands of powerful stories illustrating the serious and widespread impact of sexual harassment and abuse. The wave of stories and research has made clear that sexual violence is not limited to just a few abusers, industries, or populations of victims. Now that the scope of the problem is clearer than ever; it is time for a national conversation on how everyone – not just survivors – can use their voices to change the culture and take action to prevent sexual violence.

Why Bystander Intervention Matters: Preventing sexual harassment is everybody's responsibility. An engaged bystander is someone who lives up to that responsibility by intervening before, during, or after a situation when they see or hear behaviors that threaten, harass, or otherwise encourage sexual violence. The behaviors that make up sexual violence exist on a spectrum. While some behaviors – such as sexist jokes, inappropriate sexual comments, innuendos, catcalling, or vulgar gestures – aren't illegal, this does not make them any less threatening or harmful to the person experiencing them. These situations also take place across a range of locations and settings – often in public spaces, workplaces, schools, communities, and online. All of us must embrace our voices to demonstrate that these behaviors will not be tolerated.

How to Be a Good Bystander: It may not be safe or effective to directly confront the harasser in every case, but there is a range of ways bystanders can be involved before, during, or after a situation when they see or hear behaviors that promote sexual violence.

Below are some intervention tips and strategies:

- **Disrupt the Situation:** Every situation is different, and there is no one way to respond. When you witness a person being harassed, threatened, or followed by someone, you can try to distract the harasser or insert yourself into their interaction to help the targeted person get out of the situation. For example, if you see someone on the street being verbally harassed, you can interrupt the harasser and ask them for directions. You can also intervene by pretending to know the person being harassed and starting a conversation with them as an opportunity to come between them and the harasser.

- **Don't Act Alone:** Get support from people around you by calling on others to help. The more people who come together to interrupt a situation, the more you reinforce the idea that the behavior is not acceptable in your community. This can be as simple as saying, "Let's say something to them so they stop." If you do not feel safe, you may consider contacting the police.

- **Confront the Harasser:** Whether or not you know the harasser, you can intervene by telling them in a respectful, direct, and honest way that their words or actions are not okay. For example, when you hear someone make comments that blame victims for being assaulted or make light of sexual violence, you can tell them:
  - You need to stop.
  - That's so inappropriate.
  - What you just said made me feel uncomfortable. Here's why…
  - Do you realize how problematic that is?
  - We need to talk about what you just said.
  - Why would you say that?

- **Set the Expectation to Speak Up and Step In:** Talking openly and responding directly to inappropriate behaviors will have a snowball effect and encourage others to respond. It shows you recognize the comment or behavior is unacceptable and shows others it will not be tolerated. For example, if you are in a group setting and you hear someone make inappropriate comments, you can say:
  - Are you hearing what I am hearing?
  - I can't be the only one who thinks this is not OK.
  - I don't see how XYZ is relevant or appropriate to this discussion.
  - I know you're a better person than that.

- **Understand How Your Privilege Positions You to Speak Up:** Your age, race, gender, etc. may make it safer for you to speak up and be vocal about harassment – especially when you are not the target or representative of the target group.

Focus on the needs and experience of the target and ensure they receive the support they need.

- Let them know that what has happened to them isn't their fault.
- Affirm that they didn't do anything wrong.
- Express your support for the individual.
    - I saw what they just did. Are you OK?
    - I heard what that person said to you. I am so sorry.

➢ **Take Action Online:** Everyone can help address an online culture that tolerates rape and sexual violence. Online comments that blame victims contribute to a broader climate in which sexual violence is tolerated and not taken seriously.

- Believe and support survivors. For example, thank survivors for sharing their stories in the comments of news articles and blog posts.
- Respond to victim-blaming, rape jokes, or other problematic comments on social media:
    - Post a response like, "Sexual assault is never the survivor's fault."
    - Refocus accountability on the individual(s) who committed sexual abuse.
- Link to an educational resource about sexual violence prevention, like those that can be found at nsvrc.org/publications.

➢ **Be Proactive:** Practice with friends and family what you would say and how you would say it if you're ever put in the situation where you need to confront a harasser. Think of how you would like others to take action on your behalf or reflect on a situation where you wish you had acted differently.

Publication Type: Tipsheet
Title: Bystander Intervention Tips and Strategies
Author: National Sexual Violence Resource Center
Copyright date: 2018
Source: https://www.nsvrc.org/bystander-intervention-tips-and-strategies

Awareness and Prevention Programs

The College offers a variety of education and training programs to prevent sexual assault, domestic violence, dating violence, and stalking and the awareness of rape, acquaintance rape, other forcible and non-forcible sex offenses, domestic.

Violence Against Women Act (VAWA) and Clery Training: Students and employees are provided with education and training on awareness and risk reduction of sexual violence, dating violence, domestic violence, stalking, and consent in compliance with the Violence Against Women Act (VAWA) and the Clery Act.

Students: Information is presented at New Student Orientation, in Dean of Students email communication, and through the College Counseling Center.

Dating violence, domestic violence, sexual assault, and stalking prevention are covered during the College's New Student Orientation for all students. Crime prevention information is included in the New Student Handbook (Campus Safety/Security) that is given to all new students at the time of New Student Orientation. This information is also available throughout the year from Student Services, and on the College website. (https://www.clatsopcc.edu/student-handbook/)

Employees: Training is provided to all new employees as well as annually to every employee by content experts through Vector online training.

Campus Wide, Community, and Ongoing Campaigns: Flyers stating the campus' prohibition on sexual assault, dating violence, domestic violence, harassment, and stalking are posted throughout the campuses. The flyers include contact information for reporting such crimes, including the option of confidential reporting.

Women's Studies and Human Development courses include prevention topics, individual projects, and an annual campus-wide and community campaign. Programs offered through The Harbor provide educational information, community education and crisis services involving sexual assault. The campus Diversity, Equity, and Inclusion Council supports and helps publicize annual Women's Studies campaigns, participates in The Harbor's annual Sexual Assault Awareness Month activities, and is represented on the Lower Columbia Diversity Project. Additional information is distributed throughout the year through classroom communication and the College's email system.

Procedures Students and Employees Should Follow in Cases of Sexual Assault, Domestic Violence, Dating Violence, and Stalking

Below are the procedures that should be followed after an incident of domestic violence, dating violence, sexual assault, or stalking has been reported. The "preponderance of the evidence" standard will be used for all complaints (whether student or employee-related) in any College proceeding arising from such a report.

1. Go to a safe location as soon as you are able.
2. Seek immediate medical attention
    a. if you are injured,
    b. believe you may have been exposed to an STI/STD or potential pregnancy,
    c. or in the event that physical evidence needs to be collected and preserved that may assist in proving the alleged criminal offense occurred or that may be helpful in obtaining a protection order.
3. Contact any of the following for immediate assistance:
    a. Coordinator Title IX at 503-338-2450. Regular business hours, M–F
    b. Counseling Center at 503-338-2409
    c. Administrator on Duty 503-440-2495

d. The Harbor (Domestic Violence and Sexual Assault Shelter/Services) *
    i. 503-325-3426
    ii. 503-325-5735 (24-hour crisis line)
    iii. 1-877-770-5735 (24-hour crisis line)
e. Washington Crisis Center Network
    i. 360-642-0095
    ii. 800-435-7276
f. Local Law Enforcement (Non-emergency, 911 for Emergency)
    i. Astoria Police Department, 503-325-4411
    ii. Seaside Police Department, 503-738-6311

Denotes that this resource is confidential.

4. It is important to preserve physical evidence that may include tissue and fluid samples, evidence of violence, sheets, towels, clothing, etc. You may choose to avoid washing, bathing, urinating, etc., until after being examined at the hospital, if possible. Because evidence of a sexual assault can deteriorate quickly, you may choose to seek a medical exam as soon as possible. Evidence collection should be completed within 120 hours of an assault, but fluids, hair samples, and DNA can be collected for a long time thereafter. Even if you have washed, evidence can often still be obtained. After 120 hours, it may still be helpful to have medical attention, even if you are not trying to obtain evidence of an assault. If you are still wearing any clothes worn during the assault, wear them to the hospital, but bring a change of clothes, as the hospital will keep the clothes you are wearing as evidence. If you have changed clothes, bring the ones you were wearing during the assault to the hospital in a clean paper (not plastic) bag or a wrapped in a clean sheet. Leave sheets/towels at the scene of the assault. Police will collect them. Typically, police will be called to the hospital to take custody of the rape kit, but it is up to you whether you wish to speak with them or file a criminal complaint.
5. Choose how to proceed. You have options, and are encouraged to contact the Counselor, the Harbor, or Title IX to discuss your options:
    a. Do nothing until you are ready
    b. Pursue resolution by the College
    c. Initiate criminal proceedings
    d. Initiate a civil process against the perpetrator

You may pursue whatever combination of options is best for you. If you wish to have an incident investigated and resolved by the College, students should contact the Dean of Students office. Employees should contact the Human Resources Department and procedures will be explained. Those who wish for incidents to be handled criminally should contact local police where the assault occurred. A campus official is available to accompany students in making such reports if desired. Contact the Counseling Center or the Dean of Students office for more information.

Note that campus officials may contact on-call staff from other departments when their offices are closed, or they are otherwise unavailable to assist immediately.

Reporting to Law Enforcement

The decision to report to law enforcement is entirely yours. Some survivors say that reporting and seeking justice helped them recover and regain a sense of control over their lives. Understanding how to report and learning more about the experience can take away some of the unknowns and help you feel more prepared. Campus personnel will assist you in notifying these authorities, at your request. You also reserve the right to decline to notify these authorities.

How do I report sexual assault?

You have several options for reporting sexual assault:

- **Call 911.** If you are in immediate danger, dial 911. Help will come to you, wherever you are.
- **Contact the local police department.** Call the direct line of your local police station or visit the station in person.
- **Visit a medical center.** If you are being treated for injuries resulting from sexual assault, tell a medical professional that you wish to report the crime. You can also choose to have a sexual assault forensic exam. To find an appropriate local health facility that is prepared to care for survivors, call the National Sexual Assault Hotline 800.656.HOPE (4673).

To learn more about the options in your area, call the National Sexual Assault Hotline at 800.656.HOPE (4673). You'll be connected to a staff member from a local sexual assault service provider at https://centers.rainn.org/ who will walk you through the process of getting help and reporting to law enforcement at your own pace. In most areas, there are specific law enforcement officers who are trained to interact with sexual assault survivors. Service providers can connect you to these officers and might also send a trained advocate to accompany you through the reporting process.

Who will I be talking to?

In most areas, there are specific law enforcement officers who are trained to interact with survivors of sexual assault. In addition, many law enforcement agencies participate in Sexual Assault Response Teams (SARTs), which provide a survivor-centered, coordinated response to sexual assault. SARTs incorporate medical personnel, law enforcement, and sexual assault service providers in your area. They work together to organize the investigation, reduce repetition of questions and interviews, and facilitate communication among all agencies involved.

Learn more about communicating with law enforcement at https://rainn.org/articles/communicating-law-enforcement.

Is there a time limit on reporting to the police?

In short, yes. This window of time you can report a crime is called the statute of limitations. Statutes of limitation vary by state, type of crime, age of the victim, and various other factors.

Visit RAINN's State Law Database at https://apps.rainn.org/policy/ to learn more about the criminal statutes of limitation where you are.

What are some common concerns about reporting?

If you have questions or concerns about reporting, you're not alone. The list below may have answers to some common questions that are on your mind.

- **The perpetrator got scared away or stopped before finishing the assault.** Attempted rape is a serious crime and can be reported. Reports of attempted rape and other assault are taken seriously.
- **I know the person who hurt me.** About 2/3 of victims know the perpetrator. It can be unnerving to be violated by someone you know. Regardless of who the perpetrator is, sexual assault is against the law.
- **I've been intimate with the perpetrator in the past or am currently in a relationship with the perpetrator.** Sexual assault can occur within a relationship. Giving someone consent in the past does not give them consent for any act in the future. If you did not consent, they acted against the law—and you can report it.
- **I have no physical injuries, and I'm worried there's not enough proof.** Most sexual assaults do not result in external physical injuries. It's important to receive medical attention to check for internal injuries. You can also choose to have a sexual assault forensic exam to check for DNA evidence that may not be visible on the surface.
- **I'm worried law enforcement won't believe me.** There has been great investment in police training on this topic. While there are occasional exceptions, most law enforcement officers are understanding and on your side. If you do encounter someone who isn't taking your case seriously, ask for their supervisor and let your local sexual assault service provider know.
- **I don't want to get in trouble.** Sometimes minors are afraid of being disciplined, either by the law or by their parents, because they were doing something they shouldn't have when the abuse occurred. For example, a teen might have been consuming alcohol, or a child might have been breaking a house rule. It's important to remember that sexual assault is a crime—no matter the circumstances. Nothing you did caused this to happen.

Do I have to report to get rape kit?

By law, you are not required to report to law enforcement in order to receive a sexual assault forensic exam, commonly referred to as a "rape kit." The Violence Against Women Reauthorization Act of 2013 has made it easier for someone to have a "Jane Doe rape kit," where they are given a code to identify themselves if they choose to report later.

Does it matter whether or not I know the perpetrator? Can I still have an exam?

There is value in having a sexual assault forensic exam performed, regardless of whether or not you know the identity of the perpetrator or perpetrators. DNA evidence collected during the exam can play an important role in the case against the perpetrator.

Will I have to pay for the exam?

By law, you should not be billed for the direct costs of a sexual assault forensic exam. The way states handle this law can vary. Since 2009, states have been required to provide sexual assault forensic exams for free or via reimbursement, regardless of cooperation with law enforcement. Starting in 2015, health facilities will no longer be able to charge for exams up front and ask for victims to file reimbursement through their insurance later. If you have questions about a bill your received related to your exam or about any other aspects of the process, you can contact your local sexual assault service provider or state coalition.

Legal Disclaimer

The Rape Abuse and Incest National Network (RAINN) website provides general information that is intended, but not guaranteed, to be correct and up-to-date. The information is not presented as a source of legal advice. You should not rely, for legal advice, on statements or representations made within the website or by any externally referenced Internet sites. If you need legal advice upon which you intend to rely in the course of your legal affairs, consult a competent, independent attorney. RAINN does not assume any responsibility for actions or non-actions taken by people who have visited this site, and no one shall be entitled to a claim for detrimental reliance on any information provided or expressed. (www.rainn.org/)

Reporting

For all parties to make informed choices, they should be aware of confidentiality and privacy issues, as well as institutional reporting requirements.

Confidential Reporting: If reporting students wish that details of an incident be kept confidential, they should speak with the campus counseling office or off-campus health service providers. Members of the clergy, chaplains, and off-campus rape crisis center can maintain confidentiality. The College has also designated the College Counselor as an individual who can be consulted confidentially by students (with exception to Mandatory Reporting requirements). The Counselor is available to help students and services are free of charge. Local resources such as crisis centers are also confidential and have no duty to report your information to the College.

Non-Confidential Reporting: All College employees who are not designated above as confidential are considered responsible reporters for all the details of which they are aware about an incident involving suspected sexual harassment or sexual misconduct. They share this information with the Title IX Coordinator. Giving a responsible reporter notice of an incident constitutes official notice to the institution. Incidents of sexual misconduct will be taken seriously when official notice is given to the institution. Such incidents of sexual misconduct will be investigated under the College resolution procedures, which are discussed in a later section of this document.

Students and employees may request confidentiality, and that the Title IX Coordinator provide them with remedies and resources without initiating a formal resolution process. The coordinator will weigh requests for confidentiality against the institutional need to address and remedy discrimination under Title IX. Generally, the College will be able to respect your wishes, unless it believes there is a threat to the community based on the use of weapons, violence, pattern, predation, or threatening conduct by the person being accused.

The College will honor confidentiality to the extent possible, consistent with federal law, and offer available resources, supports, and remedies. Students and employees are not obligated to pursue a formal resolution to access the resources that are available. If the College decides that it is obligated to seek a formal resolution based on the notice given, students and employees are not obligated to participate in the resolution process. However, the ability of the College to enforce its policies or provide some remedies may be limited.

Incidents Involving Minors: Institutional duties with respect to minors and mandatory reporting laws (those under the age of 18) require reporting sexual misconduct incidents to state agencies and/or local law enforcement. As a result, confidentiality cannot be guaranteed in sexual misconduct incidents involving minors. (Reference, Policy 1.004 - adopted 12/11/2012)

Procedures the College Will Follow in Cases of Alleged Sexual Assault, Domestic Violence, Dating Violence, and Stalking

The College will assist the reporting party of sexual assault, domestic violence, dating violence, and stalking and will provide each reporting party with a written explanation of their rights and options. The notification will include options for available assistance with requesting changes to academic, living, transportation, and working situations, as well as available protective measures. The College will make such accommodations or provide such protective measures if the reporting party requests them and if they are reasonably available, regardless of whether the reporting party chooses to pursue a criminal complaint, or whether the offense is alleged to have occurred on or off campus.

In Oregon, survivors of domestic violence, dating violence, sexual assault, or stalking have rights under state law. These rights include financial assistance for a variety of things, like counseling, medical expenses, loss of earnings, and more. For more information on survivors' rights in the State of Oregon, visit www.doj.state.or.us/victims/pages/compensation.aspx. Information from the State of Oregon regarding the types of orders available to survivors of domestic violence, sexual assault, or stalking and the accompanying forms associated with the orders may be accessed at www.courts.oregon.gov/programs/family/domestic-violence/pages/restraining.aspx and www.courts.oregon.gov/programs/family/domestic-violence/Pages/stalking.aspx.

While the College does not issue protection orders, the College complies with Oregon law in recognizing orders of protection and restraining orders and will assist College students and employees who obtain an order of protection from any U.S. State with information and safety planning. Individuals with protection or restraining orders should provide a copy to the Title IX Coordinator in the Human Resources department. The individual with protection or restraining orders may then meet with the College's Threat Assessment team to develop a safety plan.

The safety plan may include, but is not limited to escorts, special parking arrangements, changing classroom location, or allowing a student to complete assignments from home.

Employees who are a reporting party of domestic violence may be eligible to take intermittent or continuous leave in order to secure restraining orders, attend court, etc.

The College cannot apply for a legal order of protection, no-contact order, or restraining order on behalf of a reporting party. Help may be available through the Harbor, Astoria, OR (503-325-5735), Charlotte House – St James Domestic Violence Program, Cathlamet, WA (360-795-6400), SafeNet (814-454-8161) or the Domestic Violence Hotline: (800-799-7233). Please refer to the list of Local Resources on page 7 of this document.

The College may issue an institutional "no contact" order or directive, if deemed appropriate, or at the request of the reporting party or respondent (Accused Student). To the extent of the reporting party's cooperation and consent, College offices will work cooperatively to ensure that the Reporting Party's health, physical safety, work, and academic status are protected, pending the outcome of a formal College investigation of the complaint. For more information, please contact the Dean of Students or designee office at 503-338-2414 or sgeleynse@clatsopcc.edu

The College Counseling Center is a safe and confidential place for persons impacted by sexual or relational violence to receive support and services, including crisis stabilization; understanding of their experience; connections to counseling, medical, or legal assistance; and help with academic support measures. The College Counselor can be reached at 503-338-2409 or aweber@clatsopcc.edu.

How the College Protects Your Confidentiality: The institution will protect the confidentiality of victims, consistent with federal law, and will honor confidentiality requests unless doing so would impede its ability to provide a safe and nondiscriminatory environment for the College community. Under Title IX, the College cannot guarantee complete confidentiality in all instances. For example, disclosures may be required for the purpose of fact-finding or efforts to resolve the complaint. If you are concerned about confidentiality, you can speak to one of the confidential resources at the College.

The Title IX Coordinator will compile and track all reports on a document that will not include names of the victims or reporting parties. The tracking form will include a specific number that corresponds to a relevant file. The tracking document will include the following information including the number:

- Date Reported
- Category (employee, student or public)
- Nature of complaint
- Campus location
- Outcome
- Provide for Clery Report (yes/no)

Personally identifiable information about the reporting party will be shared only with persons who have a specific need to know because they are investigating, adjudicating the complaint, or

delivering resources or support services to the Reporting Party. The College will maintain as confidential any accommodations or protective measures provided to the reporting party to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

The College does not publish the name of the crime reporting party or identifiable information regarding the reporting party. Student reporting parties may request their directory information on file be witheld from public record requests at the Office of the Registrar (503-338-2411 or 503-338-2407). Employee reporting party should contact the Office of Human Resources (503-338-2406) for the same service.

Your Rights and Options

Assistance for survivors: The College will assist survivors of sexual assault, domestic violence, dating violence, and stalking and will provide each survivor with a written explanation of their rights and options. The notification will include options for available assistance with requesting changes to academic, living, transportation, and working situations, as well as available protective measures. The College will make such accommodations or provide such protective measures if the survivor requests them and if they are reasonably available, regardless of whether the survivor chooses to pursue a criminal complaint, or whether the offense is alleged to have occurred on or off campus.

In Oregon, survivors of domestic violence, dating violence, sexual assault, or stalking have rights under state law. These rights include financial assistance for a variety of things, like counseling, medical expenses, loss of earnings, and more. For more information on survivors' rights in the State of Oregon, visit www.doj.state.or.us/victims/pages/compensation.aspx. Information from the State of Oregon regarding the types of orders available to survivors of domestic violence, sexual assault, or stalking and the accompanying forms associated with the orders may be accessed at www.courts.oregon.gov/programs/family/domestic-violence/pages/restraining.aspx and www.courts.oregon.gov/programs/family/domestic-violence/Pages/stalking.aspx.

The College complies with Oregon law in recognizing orders of protection and restraining orders and will assist College students and employees who obtain an order of protection from any U.S. State with information and safety planning. Individuals with protection or restraining orders should provide a copy to the Title IX Coordinator in the Human Resources department. They may then meet with the College's Threat Assessment team to develop a safety plan to reduce their risk of harm while on campus or while coming and going from campus.

This plan may include, but is not limited to escorts, special parking arrangements, changing classroom location, or allowing a student to complete assignments from home. Employees who are survivors of domestic violence may be eligible to take intermittent or continuous leave in order to secure restraining orders, attend court, or the like.

The College cannot apply for a legal order of protection, no-contact order, or restraining order for a survivor from the applicable jurisdiction(s). The survivor is required to apply directly for these services. Help may be available through the Harbor, Astoria, OR (503-325-5735), Charlotte House – St James Domestic Violence Program, Cathlamet, WA (360-795-6400), SafeNet (814-454-8161) or the Domestic Violence Hotline: 800-799-7233. Please refer to the list of resources in this document.

The College may issue an institutional "no contact" order or directive, if deemed appropriate, or at the request of the survivor or Respondent. To the extent of the survivor's cooperation and consent, College offices will work cooperatively to ensure that the Reporting Party's health, physical safety, work, and academic status are protected, pending the outcome of a formal College investigation of the complaint. For more information, please contact the Dean of Students office at 503-338-2414 or sgeleynse@clatsopcc.edu

The College Counseling Center* is a safe and confidential place for persons impacted by sexual or relational violence to receive support and services, including crisis stabilization; understanding of their experience; connections to counseling, medical, or legal assistance; and help with academic support measures. The College Counselor/Campus Victims Advocate* can be reached at 503-338-2409 or aweber@clatsopcc.edu.

Personally identifiable information about the survivor will be shared only with persons who have a specific need to know because they are investigating, adjudicating the complaint, or delivering resources or support services to the reporting party. The College will maintain as confidential any accommodations or protective measures provided to the survivor to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

Student survivors may request their directory information on file be removed from public sources at the Office of the Registrar (503-338-2411 or 503-338-2407). Employee survivors should contact the Office of Human Resources (503-338-2406) for the same service.

Reporting: The College strives to provide members of the campus community with fair and equitable resolution processes that include both formal and informal options. Reporting parties have the right to notify law enforcement of incidents and to receive assistance from campus personnel in doing so. Reporting parties may decline to report to law enforcement if they wish.

Written Notifications

The College is sensitive to those who report sexual assault, domestic violence, dating violence, and stalking and will provide reporting party written notification of existing counseling, health, mental health, survivor advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to reporting parties, both within the institution and in the community. There is a list of these resources in the appendix of this report. The College provides all students and employees information that describes the reporting process for the College, a list of confidential resources available, a description of rights according to Title IX, and a description of confidentiality on campus in annually distributed Student and Employee Handbooks.

Student Conduct Procedure Definitions

Amnesty
A student bystander or Reporting Party acting in good faith who discloses any incident of prohibited conduct under these procedures is not subject to action under the Standards of Student Conduct for violations of alcohol and/or drug use occurring at or near the time of the reported incident, provided use did not place any other person at risk. The College may have an educational discussion with any student regarding personal use of alcohol, marijuana, or other drugs.

Bystander
An individual present at an event or incident who does not take part.

College
The College shall refer to the institution or to a Clatsop Community College designated representative acting in an official capacity.

Committee - Student Discipline Committee
For purposes of this policy, the terms committee and Student Discipline Committee refer to the same body and serve in this capacity with regard to student conduct issues.

Complainant/Reporting Party
For purposes of this policy, the term “Complainant” or “Reporting Party” refers to the alleged victim of sexual misconduct, sexual harassment, domestic violence, dating violence, or stalking, regardless of whether they have filed a complaint.

Days
Unless otherwise provided, day shall mean a day during which the College is in session and regular classes are held, excluding Saturdays and Sundays.

Hearing Administrator
The Hearing Administrator is an employee of the College designated to administer the proceedings of matters related to the Student Conduct Hearing.

Hearing Coordinator
The Hearing Coordinator is the VP/Provost, Office of Instruction Administrative Assistant or other College employee designated to schedule and otherwise coordinate the proceedings of matters related to the Student Discipline Committee.

Notice
Whenever this policy requires giving Notice to any student, sending such Notice to the electronic or physical mailing address most recently provided by the student to the Registrar will give rise to a conclusive presumption that Notice has been given as of the date of the mailing.

Respondent (Accused Student)
The student or any persons claimed to have been responsible for the student's alleged grievance.

Standard of Proof
Clatsop Community College uses a preponderance of the evidence standard in all student misconduct cases. This is the Standard of Proof used in hearings. Using this standard, the College must prove that it is more likely than not that the violation occurred. Standard of Proof as defined in AP 3435 Discrimination & Harassment Complaints.

Student
Any person who is admitted to a degree or certificate program, is registered for any College class, or participates in any pre-admission activities such as College workshops, placement testing, or orientation sessions.

Support Person
A Support Person is any individual accompanying a Respondent (Accused Student) or Reporting Party in a hearing for personal and emotional support (e.g. parent, counselor, attorney, friend, etc.). That person may be present, but may not serve as a witness, and may not speak on behalf of the Reporting Party or Respondent (Accused Student) or otherwise interrupt proceedings at any point during the hearing.

Title IX Coordinator
The Title IX Coordinator is the responsible employee of the recipient with major responsibility for Title IX compliance efforts. The Title IX coordinator's responsibilities are critical to the development, implementation, and monitoring of meaningful efforts to comply with Title IX. As used in this document, Title IX Coordinator also may refer to an appointed representative.

Additional Information

Jurisdiction: The College has jurisdiction over student conduct that occurs on College property, or in connection with official College functions whether on or off College property. The College may, at its sole discretion, exercise jurisdiction over student behavior that occurs off campus and that would violate student conduct policies or regulations when the alleged misconduct indicates the student poses a threat to the safety or security of any member(s) of the College community.

In determining whether or not to exercise off-campus jurisdiction, the College will consider the seriousness of the alleged misconduct; whether an alleged victim is a member of the campus community; the ability of the College to gather information, including the statements of witnesses; and whether the off-campus conduct is part of a series of actions that occurred both on and off campus.

Types of Misconduct: Students may be held accountable for the types of misconduct set out below and in the Clatsop Community College Standards of Student Conduct. The College may take action whether or not such misconduct also violates the law, and whether or not proceedings are, have been, or may be brought in the courts involving the same acts. Because of this, students may be involved in College conduct proceedings before, after, or during court proceedings.

Students may be held accountable for committing or attempting to commit a violation of this policy or for assisting, facilitating, or participating in the planning of an act that violates this policy (or an act that would be in violation of this policy if it were carried out by a student). These procedures will apply to alleged misconduct as referred to in the Standards of Student Conduct.

Conduct that Threatens Health or Safety (BP 5500 – adopted 9/11/2025): Conduct that threatens the health or safety of any person including, but not limited to physical assault, sexual misconduct, domestic violence, dating violence, threats that cause a person reasonably to be in sustained fear for one's own safety or the safety of immediate family, incidents involving the use or display of a weapon likely to cause great bodily harm, and intoxication or impairment through the use of alcohol or controlled substances to the point one is unable to exercise care for one's own safety.

CCC prohibits sexual harassment and sexual violence as defined by the College Policy and Procedures on Sexual Harassment and Sexual Violence, and the Standards of Student Conduct Policy and Procedures.

Before final determination of alleged misconduct, Summary Suspension (6.212 - revised 7/25/2002) may be imposed by the Dean of Students office when there is reasonable cause to believe that the student's participation in College activities or presence at specified areas of campus will lead to physical abuse, threats of violence, or conduct that threatens the health or safety of any person on College property or at official College functions, or other disruptive activity incompatible with the orderly operation of the campus.

Retaliation is prohibited against a person who reports sexual misconduct or dating or domestic violence, assists someone with a report of sexual misconduct or dating or domestic violence, or participates in any manner in an investigation or resolution of a sexual misconduct or dating or domestic violence report (1.001 - revised 6/24/2015). Retaliation includes threats, intimidation, reprisals, and/or adverse actions related to employment or education.

An individual who participates as a Reporting Party or witness in an investigation of sexual assault, domestic violence, or dating violence will not be subject to disciplinary sanctions for a violation of the College's Standards of Student Conduct at or near the time of the incident, unless the College determines that the violation was egregious (including but not limited to academic dishonesty and conduct that places the health or safety of any person at risk.)

Sexual Harassment: In compliance with College Policy and Procedures (BP/AP 5500 – adopted 9/11/2018; AP 3434 – adopted 8/4/2020; 6.212 - Revised 7/25/2002; 6.215P - Revised 4/19/11; 6.220P - revised 6/7/2005) involving allegations of sexual harassment must be either resolved by the Title IX Coordinator, the Dean of Students, or heard before the Student Discipline Committee within 20 days of the date that the incident or event occurred (6.220P). This deadline may be extended on approval from the College President. This deadline does not supersede the College's responsibility to prevent the reoccurrence, remediate its effects, and provide a timely resolution.

Retaliation against a person who reports sexual harassment, assists someone with a report of sexual harassment; or participates in any manner in an investigation or resolution of a sexual harassment report is prohibited. Retaliation includes threats, intimidation, reprisals, and/or adverse actions related to employment or education.

Stalking: This Policy prohibits retaliation against a person who reports stalking, assists someone with a report of stalking; or participates in any manner in an investigation or resolution of a stalking report. Retaliation includes threats, intimidation, reprisals, and/or adverse actions related to employment or education.

An individual who participates as a Reporting Party or witness in an investigation of stalking will not be subject to disciplinary sanctions for a violation of the College's Standards of Student Conduct at or near the time of the incident, unless the College determines that the violation was egregious (including but not limited to academic dishonesty and conduct that places the health or safety of any person at risk).

Violations of Law: Students may be subject to discipline on the basis of a conviction under any federal, state, or local criminal law, when the conviction constitutes reasonable cause to believe that the student poses a threat to the health or safety of any person, or to the security of any property, on College premises or at official College functions, or to the orderly operation of the campus.

Student Discipline Procedures for Title IX

The procedures described below will be used in addressing student discipline with regards to Title IX and VAWA allegations.

Introduction

The College encourages members of the College community to report sexual harassment. This procedure only applies to conduct defined as sexual harassment under Title IX and applicable federal regulations and that meet Title IX jurisdictional requirements. The College will respond to sexual harassment and sexual misconduct that falls outside that definition and outside the jurisdiction of the Title IX federal regulations using State law and applicable College policies and procedures. In implementing the procedures discussed below, the College will also provide supportive measures, training, and resources in compliance with State law, unless they are preempted by the Title IX regulations.

Title IX Coordinator

Questions concerning Title IX may be referred to the College Title IX Coordinator whose contact information is below:

Anita Jensen
Director, Human Resources
Clatsop Community College
1651 Lexington Ave., Lower Library 102
Astoria, OR 97103
(503) 338-2450
titleIX@clatsopcc.edu

The Title IX Coordinator is required to respond to reports of sexual harassment or misconduct. The Title IX Coordinator will handle information received with the utmost discretion and will share information with others on a need-to-know basis. For example, the Title IX Coordinator may need to address public safety concerns on campus, comply with State and federal legal requirements, or share information to implement supportive measures.

A report of sexual harassment to the Title IX Coordinator does not necessarily lead to a full investigation, as discussed more fully below. However, the Title IX Coordinator will make an assessment to determine if there is a safety risk to the campus. If the Title IX Coordinator finds there is a continued risk, the Title IX Coordinator will file a formal complaint without the Complainant's consent or cooperation.

Title IX Harassment Complaints, Investigations, and Hearings

These Title IX sexual harassment procedures, and the related policy protects students, employees, applicants for employment, and applicants for admission.

Jurisdictional Requirements – Application of Procedures

These procedures apply if the conduct meets the following three jurisdictional requirements:

- The conduct took place in the United States;
- The conduct took place in a College "education program or activity." This includes locations, events, or circumstances over which the College exercised substantial control over both the Respondent and the context in which the harassment occurred, including on-campus and off-campus property and buildings the College owns, or controls or student organizations officially recognized by the College own or control.
- The conduct meets the definition of Title IX "sexual harassment."

Definitions

Advisor: Throughout the grievance process, both the Complainant and Respondent have a right to an Advisor of their choice. If a Party does not have an Advisor at the time of the hearing, the College must provide the Party an Advisor of its choice, free of charge, for the entire hearing so that the Advisor is able to observe the direct examination of all witnesses and thus be better able to conduct cross-examination. The College may establish restrictions regarding the extent to which the Advisor may participate in the proceedings as long as the restrictions apply equally to both Parties.

Complainant: A Complainant is an individual who alleges he/she/they is the victim of conduct that could constitute sexual harassment.

Consent: An affirmative, conscious, and voluntary agreement to engage in sexual activity.

Decision-Maker: The person who will oversee the live hearing and make a determination of responsibility. The Decision-Maker cannot be the Title IX Coordinator or the investigator.

Formal Complaint: A written complaint signed by the Complainant or Title IX Coordinator, alleging sexual harassment and requesting an investigation. If the Title IX Coordinator signs the formal complaint, he/she/they will not become a Party to the complaint.

Parties: As used in this procedure, this means the Complainant and Respondent.

Respondent: A Respondent is an individual reported to be the perpetrator of conduct that could constitute sexual harassment.

Sexual Harassment under Title IX: Conduct that satisfies one or more of the following:

- A College employee conditions the provision of an aid, benefit, or service of the College on an individual's participation in unwelcome sexual conduct (quid pro quo harassment);
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College's education program or activity; ▯ Sexual assault, including the following:
    - **Sex Offenses**. Any sexual act directed against another person without the consent of the victim, including instances where the victim is incapable of giving consent.

- **Rape** (except Statutory Rape). The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental or physical incapacity. There is carnal knowledge if there is the slightest penetration of the genital or anal opening of the body of another person.
- **Sodomy**. Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental or physical incapacity.
- **Sexual Assault with an Object**. To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental or physical incapacity. An "object" or "instrument" is anything the offender uses other than the offender's genitalia, e.g., a finger, bottle, handgun, stick.
- **Fondling**. The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental or physical incapacity.
- **Sex Offenses, Non-Forcible Unlawful, Non-Forcible Sexual Intercourse**.
  - **Incest**. Non-Forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - **Statutory Rape – Non-Forcible**. Sexual intercourse with a person who is under the statutory age of consent. There is no force or coercion used in Statutory Rape; the act is not an attack.
- **Dating violence**. Violence against a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of a relationship will be determined based on the consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- **Domestic Violence**. Violence committed:
  - By a current or former spouse or intimate partner of the victim;
  - By a person with whom the victim shares a child in common;
  - By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
  - By a person similarly situated to a spouse of the victim under the domestic or family violence laws of Oregon; or
  - By any other person against an adult or youth victim protected from that person’s acts under the domestic or family violence laws of Oregon.
- **Stalking**. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his/her/their safety or the safety of others or suffer substantial emotional distress.

Reporting Options
Any individual may report sexual harassment to the College's Title IX Coordinator.

The College strongly encourages prompt reporting of sexual harassment. Prompt reporting allows for the collection and preservation of evidence, including physical evidence, digital media, and witness statements. A delay may limit the College's ability to effectively investigate and respond.

Individuals have the opportunity to decide whether they want to pursue a formal Title IX complaint. Reporting sexual harassment to the Title IX Coordinator does not automatically initiate an investigation under these procedures. A report allows the College to provide a wide variety of support and resources to impacted individuals and to prevent the reoccurrence of the conduct. A Complainant or the Title IX Coordinator filing a formal complaint will initiate an investigation.

If there are parallel criminal and Title IX investigations, the College will cooperate with the external law enforcement agency and will coordinate to ensure that the Title IX process does not hinder legal process or proceedings.

The College will document reports of sexual harassment in compliance with the Clery Act, a federal law requiring data collection of crime within the campus geography. Under the Clery Act, the College does not document personal information; the College reports the type of conduct, and the time, date, and location. (Also see BP/AP 3540 Sexual and Other Assaults on Campus)

College Employees and Officials with Authority

College Officials with Authority are not confidential resources and are required to report allegations of sexual harassment to the Title IX Coordinator promptly. All other employees are encouraged to report allegations to the Title IX Coordinator but are not required to do so.

The College has designated the following employees as Officials with Authority:

- The President
- Vice President
- Assoc. Vice President
- All Deans
- All Directors (with the exception of the Student Access Services Coordinator and the Director, TRIO Student Support Services)

Officials with Authority are required to report to the Title IX Coordinator all relevant information they know about sexual harassment including the name of the Respondent, the Complainant, any other witnesses, and the date, time, and location of the alleged incident.

Intake and Processing of Report

Receipt of Report

After receiving a report of sexual harassment, the Title IX Officer will contact the Complainant and reporting party to explain rights under this policy and procedure and invite the Complainant to an in-person meeting. The Title IX Officer will discuss supportive measures with both Parties.

Timeframe for Reporting

To promote timely and effective review, the College strongly encourages individuals to report sexual harassment as soon possible because a delay in reporting may affect the ability to collect relevant evidence and may affect remedies the College can offer.

Supportive Measures

Supportive measures are non-disciplinary, non-punitive individualized services offered free of charge to the Complainant -and the Respondent regardless of whether a formal complaint has been filed. The College will provide the Complainant and Respondent with supportive measures as appropriate and as reasonably available to restore or preserve equal access to the College's education program or activities. These measures are designed to protect the safety of all Parties, protect the College's educational environment, or deter sexual harassment. The College will provide supportive measures on a confidential basis and will only make disclosures to those with a need to know to enable the College to provide the service. Supportive measures may include counseling, extensions of deadlines, other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the Parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

Removal of Respondent Pending Final Determination

Upon receiving a report regarding sexual harassment, the Title IX Coordinator will make an immediate assessment concerning the health and safety of the Complainant and campus community as a whole. The College has the right to order the emergency removal of a Respondent, or if the Respondent is an employee, place the employee on administrative leave.

Emergency Removal

The College may remove a non-employee Respondent from the College's education program or activity on an emergency basis after it conducts an individualized safety and risk analysis and determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal.

The College may not use emergency removal to address a Respondent's threat of obstructing the sexual harassment investigation or destroying relevant evidence. Emergency removal is only available to address health or safety risks against individuals arising out of sexual harassment allegations, not to address other forms of misconduct that a Respondent might commit pending the processing of a complaint.

The College's Vice President/Provost or designee will conduct the individualized safety and risk analysis.

If the Dean of Students determines emergency removal is appropriate, he/she/they or designee will provide the person the College is removing from campus on an emergency basis with a notice and opportunity to attend a meeting and challenge the basis of his/her/their removal. The Dean of Students or designee will determine whether the emergency removal from campus order is warranted after considering information provided by the Respondent challenging the emergency removal.

Administrative leave

The College may place a non-student employee Respondent on administrative leave during the pendency of a grievance process described in the formal complaint process below. The College will follow any relevant policies, procedures, collective bargaining agreements, or State law in placing an employee on administrative leave.

Formal Complaint Grievance Process

Notice to Parties

Upon receipt of a formal complaint, the Title IX Coordinator will provide the following notice in writing, to the Parties:

- Notice of the College's Title IX grievance process;
- Notice of the allegations of alleged sexual harassment with sufficient details known at the time and with sufficient time to prepare a response before any initial interview;
- Statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
- Notice that the Parties may have Advisor of their choice, who may be, but is not required to be, an attorney;
- Notice that the Parties may inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the College does not intend to rely in reaching a determination regarding responsibility, and inculpatory or exculpatory evidence whether obtained from a Party or other source; and
- Inform the Parties of any provision in the College's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, during an investigation, the College decides to investigate allegations about the Complainant or Respondent that are not included in the notice provided above, the Title IX Coordinator will provide notice in writing of the additional allegations to the Parties.

Dismissal of Formal Complaint

The College must investigate the allegations in a formal complaint. However, the College must dismiss the formal complaint and will not process the complaint under these procedures if any of the following three circumstances exist:

- If the conduct alleged in the formal complaint would not constitute Title IX sexual harassment as defined in this procedure;
- If the conduct alleged did not occur in the College's education program or activity;
- If the conduct alleged did not occur against a person in the United States.

The College has discretion to dismiss a formal complaint or any allegation under the following circumstances:

- If at any time during the investigation or hearing: a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any allegations;
- If the Respondent is no longer enrolled or employed by the College; or
- If there are specific circumstances that prevent the College from gathering evidence sufficient to reach a determination regarding responsibility as to the formal complaint or allegations.

If the College dismissed the formal complaint or any allegations, the Title IX Coordinator shall simultaneously provide the Parties with written notice of the dismissal and reason. The College will also notify the Parties of their right to appeal.

The College may commence proceedings under other policies and procedures after dismissing a formal complaint.

Consolidation of Formal Complaints

The College may, but is not require to, consolidate formal complaints as to allegations of sexual harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one Party against the other Party, where the allegations of sexual harassment arise out of the same facts or circumstances.

Equitable Treatment of the Parties

The College's determination of responsibility is a neutral, fact-finding process. The College will treat Complainants and Respondents equitably. The procedures will apply equally to both Parties. The College will not discipline a Respondent unless it determines the Respondent was responsible for sexual harassment at the conclusion of the grievance process.

Statement of Presumption of Non-Responsibility

The investigation is a neutral, fact-finding process. The College presumes all reports are in good faith. Further, the College presumes the Respondent is not responsible for the alleged conduct. The College makes its determination regarding responsibility at the conclusion of the grievance process.

Bias or Conflict of Interest

The College's Title IX Coordinator, investigator, Decision-Maker, or any person designated by the College to facilitate an informal resolution process, will not have potential actual bias or conflict of interest in the investigatory, hearing, sanctioning, or appeal process or bias for or against Complainants or Respondents generally. Actual bias is an articulated prejudice in favor of or against one Party or position; it is not a generalized concern about the personal or professional backgrounds, positions, beliefs, or interests of the Decision-Maker in the process. The College will ensure that the Title IX Coordinator, investigator, Decision-Maker, and facilitator receive training on:

- The definition of sexual harassment in this procedure;
- The scope of the College's education program or activity;
- How to conduct an investigation;
- The grievance process including conducting hearings, appeals, and informal resolution processes; and
- How to serve impartially, including avoiding: prejudgment of the facts at issue; conflicts of interest; and bias.

Timeline for Completion

The College will undertake its grievance process promptly and as swiftly as possible. The College will complete the investigation and its determination regarding responsibility or the informal resolution process within 180 calendar days.

When appropriate, the Title IX Coordinator may determine that good cause exists to extend the 180-calendar day period to conduct a fair and complete investigation, to accommodate an investigation by law enforcement, to accommodate the unavailability of witnesses or delays by the Parties, to account for College breaks or vacations, or due to the complexity of the investigation. The College will provide notice of this extension to the Complainant and Respondent in writing and include the reason for the delay and anticipated timing of completion.

A Party may request an extension from the Title IX Coordinator in writing by explaining the reason for the delay and the length of the continuance requested. The Title IX Coordinator will notify the Parties and document the grant or denial of a request for extension or delay as part of the case recordkeeping.

Role of Advisor

The role of the Advisor is to provide support and assistance in understanding and navigating the investigation process.

The Advisor may not testify in or obstruct an interview or disrupt the process. The Title IX Coordinator has the right to determine what constitutes appropriate behavior of an Advisor and take reasonable steps to ensure compliance with this procedure.

A Party does not have a right to self-representation at the hearing; an Advisor must conduct any cross-examination. The College must provide an Advisor of its choice, free of charge to any Party without an Advisor in order to conduct cross-examination. If an Advisor fails to appear at the hearing, the College will provide an Advisor to appear on behalf of the non-appearing Advisor. To limit the number of individuals with confidential information about the issues, each Party may identify one Advisor.

Confidentiality Agreements

To protect the privacy of those involved, the Parties and Advisors are required to sign a confidentiality agreement prior to attending an interview or otherwise participating in the College's grievance process. The confidentiality agreement restricts dissemination of any of the evidence subject to inspection and review or use of this evidence for any purpose unrelated to the Title IX grievance process. The confidentiality agreement will not restrict the ability of either Party to discuss the allegations under investigation.

Use of Privileged Information

The College's formal complaint procedure does not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally-recognized privilege (e.g., attorney-client privilege, doctor-patient privilege, spousal privilege, etc.), unless the person holding the privilege provides voluntary, written consent to waive the privilege.

Investigations

The Title IX Coordinator is responsible for overseeing investigations to ensure timely resolution and compliance with Title IX and this procedure.

Both Parties have the right to have an Advisor present at every meeting described in this section.

Trained investigators

The College will investigate Title IX formal complaints fairly and objectively. Individuals serving as investigators under this procedure will have adequate training on what constitutes sexual harassment and how the College's grievance procedures operate. The College will also ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence and complies with this procedure.

Gathering Evidence and Burden of Proof

The College, not the Parties, has the responsibility to gather information and interview witnesses. When the investigator evaluates the evidence, he/she/they will do so using the preponderance of the evidence standard. After considering all the evidence gathered, the investigator will decide whether it is more likely than not that reported conduct occurred.

Notice of Investigative Interview

The College will provide written notice of the date, time, location, participants, and purpose of all investigative interviews to a Party whose participation is invited or expected, with sufficient time for the Party to prepare to participate.

Evidence Review

Both Parties have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the College does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a Party or other source.

Prior to the investigator preparing an investigative report, the College will send to each Party and the Party's Advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy. The Parties will have at least ten days to submit a written response. The investigator must consider this written response prior to completing the investigative report.

Investigative Report

The results of the investigation of a formal complaint will be set forth in a written report that will include at least all the following information:

- A description of the circumstances giving rise to the formal complaint;
- A description of the procedural steps taken during the investigation, including all individuals contacted and interviewed;
- A summary of the testimony of each witness the investigator interviewed;
- An analysis of relevant evidence collected during the investigation, including a list of relevant documents;
- A specific finding as to whether the allegations occurred using a preponderance of the evidence standard;
- A table of contents if the report exceeds ten pages; and
- Any other information deemed appropriate by the College.

The investigator will not make a determination regarding responsibility.

The investigator may redact information not directly related to the allegations or privileged information. However, the investigator will keep a log of information he/she/they do not produce to the Parties. The investigator will provide this log only to the Title IX Coordinator. The Title IX Coordinator will not disclose the log to the Parties but will maintain the log in the Title IX Coordinator's file, in the event it later becomes relevant.

At least ten days prior to a hearing or other time of determination regarding responsibility, the College will send the investigative report to each Party and their Advisors, if any, the investigative report in an electronic format or a hard copy, for review and written response. The Parties will have at least ten days to submit a written response.

Hearing
After completing an investigation and prior to completing a determination regarding responsibility, the College will hold a live hearing to provide the Complainant and Respondent an opportunity to respond to the evidence gathered before a Decision-Maker. Neither Party may choose to waive the right to a live hearing, but the Parties can choose whether to participate in the hearing or answer some or all cross-examination questions.

Notice
If the College proceeds to a hearing, the College will provide all Parties with written notice of the date, time, location, participants, and purpose of the hearing with sufficient time for the Party to prepare to participate.

Hearing Format
The College may provide a live hearing with all Parties physically present in the same geographic location or, at the College's discretion if either Party requests, the College may provide any or all Parties, witnesses, and other participants the ability to appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other in real time.

The College will make the information reviewed during the Evidence Review available at the hearing for reference and consultation. The College will not restrict the ability of either Party to discuss the allegations under investigation or to gather and present relevant evidence.

The College will create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the Parties for inspection and review.

Decision-Maker
The Decision-Maker will be free from conflict of interest or bias, including bias for or against Complainants or Respondents. In cases where the Complainant or Respondent objects to the Decision-Maker based on a conflict of interest, the Complainant or Respondent may request the Title IX Coordinator select a different Decision-Maker. The Complainant or Respondent must make this request to the Title IX Coordinator in writing at least five business days prior to the hearing.

The Decision-Maker may ask the Parties and the witnesses questions during the hearing. The Decision-Maker must objectively evaluate all relevant evidence both inculpatory and exculpatory and must independently reach a determination regarding responsibility without giving deference to the investigative report. The Decision-Maker must receive training on issues of relevance, how to apply the rape-shield protections for Complainants, and any technology to be used at the hearing.

Presenting Witnesses
The College will provide the Complainant and Respondent an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence. Witnesses, like Parties, are not required to participate in the live hearing process.

Only relevant evidence will be admissible during the hearing. Relevant evidence means evidence, including evidence relevant to the credibility of a Party or witness, having any tendency in reason to prove or disprove any disputed fact material to the allegations under investigation.

Cross-Examination

The College will permit each Party's Advisor to ask the other Party and any witnesses all relevant questions and follow-up questions, including those questions challenging credibility. The Party's Advisor must conduct cross-examination directly, orally, and in real time. A Party may never personally conduct cross-examination.

Advisors may only ask relevant cross-examination and other questions of a Party or witness. Before a Complainant, Respondent, or witness answers a cross-examination or other question, the Decision-Maker must first determine whether the question is relevant and explain any decision to exclude a question as not relevant. The Decision-Maker need not provide a lengthy or complicated explanation in support of a relevance determination. If a Party or witness disagrees with a relevance determination, that individual has the choice of either (1) abiding by the Decision-Maker's determination and answering the question or (2) refusing to answer the question.

If a Party or witness does not submit to cross-examination at the live hearing, the Decision-Maker will not rely on any statement of that Party or witness in reaching a determination regarding responsibility. A Party or witness may also decline to answer a question, and the Decision-Maker cannot rely on any statement on which that Party or witness has declined to answer cross-examination questions. A Decision-Maker cannot draw an inference about the determination regarding responsibility based solely on a Party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

Determinations of Responsibility

When the Decision-Maker makes a determination of responsibility or non-responsibility, the Decision-Maker will issue a written determination regarding responsibility, no later than 20 business days after the date that the hearing ends.

When making a determination regarding responsibility, a Decision-Maker will objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence. A Decision-Maker may not make credibility determinations based on an individual's status as a Complainant, Respondent, or witness. In evaluating the evidence, the Decision-Maker will use the preponderance of the evidence standard. Thus, after considering all the evidence it has gathered, the College will decide whether it is more likely than not that sexual harassment occurred.

The written determination will include:

- Identification of the allegations potentially constituting Title IX sexual harassment as defined in these procedures;

- A description of the procedural steps taken from the receipt of the formal complaint through the determination, including who conducted the investigation and gave notifications to the Parties. The determination will also state when, where, and the date the investigator interviewed the Parties and witnesses, conducted site visits, the methods used to gather other evidence. The procedural section should also discuss the dates and how the Parties were provided the opportunity to review and inspect evidence and the date of any hearings held and who attended the hearing;
- Findings of fact supporting the determination. In making these findings, the Decision-Maker will focus on analyzing the findings of fact that support the determination of responsibility or non-responsibility;
- Conclusions regarding the application of the College's code of conduct to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility;
- A statement of, and rationale for, any disciplinary sanctions the College imposes on the Respondent;
- A statement of whether the College will provide the Complainant with remedies designed to restore or preserve equal access to the College's education program or activity;
- The College need not disclose to the Respondent remedies that do not affect him/her/them as part of the written determination. The College can inform the Respondent that it will provide remedies to the Complainant. However, the College will inform the Complainant of the sanctions against the Respondent;
- The College's procedures and permissible bases for the Complainant and Respondent to appeal.

The College will provide the written determination to the Parties simultaneously. The determination regarding responsibility becomes final either on the date that the College provides the Parties with the written determination of the result of the appeal, if the Parties file an appeal, or if the Parties do not file an appeal, the date on which an appeal would no longer be timely.

Disciplinary Sanctions and Remedies

The College must have completed the grievance procedures (investigation, hearing, and any appeal, if applicable) before imposing disciplinary sanctions or any other actions that are not supportive measures against a Respondent. If the Decision-Maker determines the Respondent was responsible for conduct that constitutes sexual harassment, the College will take disciplinary action against the Respondent and any other remedial action it determines to be appropriate. The action will be prompt, effective, and commensurate with the severity of the offense.

Remedies for the Complainant might include, but are not limited to:

- Providing an escort to ensure that the Complainant can move safely between classes and activities;
- Ensuring that the Complainant and Respondent do not attend the same classes or work in the same work area;
- Providing counseling services or a referral to counseling services;
- Providing medical services or a referral to medical services;

- Providing academic support services, such as tutoring;
- Arranging for a Complainant, if a student, to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the Complainant's academic record; and
- Reviewing any disciplinary actions taken against the Complainant to see if there is a causal connection between the harassment and the misconduct that may have resulted in the Complainant's discipline.

Possible disciplinary sanctions for Student Respondents include written or verbal reprimand, required training or counseling, non-academic probation, suspension, and expulsion. Possible disciplinary sanctions for Employee Respondents include written or verbal reprimand, required training or counseling, reduction in pay, demotion, suspension, or discharge.

Appeal of Dismissal of a Formal Complaint or of the Determination of Responsibility

A Complainant or Respondent may appeal the College's determination regarding responsibility or the dismissal of a formal complaint or any allegations. A Complainant or Respondent must submit a written appeal within 5 business days from the date of the notice of determination regarding responsibility or from the date of the College's notice of dismissal of a formal complaint or any allegations.

Grounds for Appeal

The College President will serve as the Decision-Maker on Appeal. In filing an appeal of the College's determination regarding responsibility or the College's dismissal of a formal complaint, the Party must state the grounds for appeal and a statement of facts supporting those grounds. The grounds for appeal are as follows:

- A procedural irregularity affected the outcome;
- New evidence was not reasonably available at the time the College's determination regarding responsibility or dismissal was made, and this new evidence could affect the outcome; or
- The College's Title IX Coordinator, investigator, or Decision-Maker had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome.

Appeal Procedure

If the Complainant or Respondent submit an appeal to the College, the College will:

- Notify the other Party in writing within five business days of receiving a Party's appeal;
- Allow the non-appealing Parties at least ten business days from the date of receipt of the appeal to submit a written statement in support of, or challenging, the outcome;

The appeal Decision-Maker will issue a written decision on whether to grant or deny the appeal, and the rationale for the decision, within 45 business days after the Decision-Maker on appeal receives the response to the appeal or the last day to provide a response. The College will provide the written decision simultaneously to both Parties.

The Decision-Maker on appeal may extend or otherwise modify the deadlines provided above. Either Party may seek an extension by submitting a written request to the appeal Decision-Maker explaining the need for the extension and the proposed length of the extension. The

Decision-Maker will respond to the request within 48 hours in writing and will inform the Parties simultaneously whether the extension is granted.

Informal Resolution

If the College determines that a formal complaint is appropriate for informal resolution, it may provide the Parties with the opportunity to participate in an informal resolution process, including mediation, at any time prior to reaching a determination regarding responsibility. The College will provide the Complainant and Respondent written disclosure of the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the Parties from resuming a formal complaint arising from the same allegations, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

The College must obtain the Parties' voluntary, written consent to the informal resolution process. If the Parties reach an agreement, the College does not have to complete a full investigation and adjudication of a report of sexual harassment. At any time prior to agreeing to a resolution, any Party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint.

The informal resolution process is not available to resolve allegations that an employee sexually harassed a student.

Retaliation Prohibited

The College prohibits any intimidation, threats, coercion, or discrimination against any individual who made a report or complaint of sexual harassment, testified, assisted, or participated or refused to participate in any manner in a Title IX investigation, proceeding, or hearing. Individuals who experience retaliation may file a complaint using the formal complaint process described above.

Dissemination of Policies and Procedures

The College will provide its policies and procedures related to Title IX on its website and in each handbook or catalog provided to applicants for admission and employment, students, employees, and all unions or professional organizations holding collective bargaining with the College.

When hired, employees are required to sign acknowledging that they have received the policy and procedures. The College will place the signed acknowledgment of receipt in each employee's personnel file.

Training

The College will provide training to Title IX Coordinators, investigators, Decision-Makers, and any individual who facilitates an informal resolution process, on the definition of sexual harassment, the scope of the College's education program or activities, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including avoiding prejudgment of the

facts at issue, conflicts of interest, and bias. Any materials used to train the College's Title IX Coordinator, investigators, Decision-Makers, and any person who facilitates an informal resolution process, will not rely on sex stereotypes, and must promote impartial investigations and adjudications of formal complaints of sexual harassment.

File Retention

The College will retain on file for a period of at least seven years after closing the case copies of:

- The original report or complaint;
- Any actions taken in response to the complaint, including supportive measures;
- The investigative report including all evidence gathered and any responses from the Parties;
- The College's determination regarding responsibility;
- Audio or audiovisual recording or transcript from a hearing;
- Records of any disciplinary sanctions imposed on the Respondent;
- Records of any remedies provided to the Complainant;
- Any appeal and the result;
- Any informal resolution and the result; and
- All materials used to train Title IX Coordinators, investigators, Decision-Makers, and any person who facilitates an informal resolution process. The College will make these training materials publicly available on its website.

The College will make these documents available to the U.S. Department of Education Office for Civil Rights upon request.

Student Discipline Procedures for Conduct Not Covered Under Title IX

****All parties have equal opportunities to have a support person of their choosing or offered by the institution present throughout all resolution proceedings (including intake, interviews, hearings, etc.). This person can be an advisor, advocate, attorney, family member, friend, faculty member, etc. The institution may apply restrictions regarding the extent to which the support person may participate.***

The College strives to be fair in the handling of student conduct cases and has established these procedures for the handling of student conduct cases involving matters of alleged sexual harassment, sexual misconduct, domestic violence, dating violence, and stalking.
Questions concerning these procedures may be addressed to the Title IX Coordinator, Dean of Students, or the College Counselor.

Reports of sexual harassment or sexual violence should be brought forward as soon as possible after the alleged conduct occurs. While there is no stated timeframe for reporting, prompt reporting will better enable the College to respond to the report, determine the issues, and provide an appropriate remedy and/or action. All incidents should be reported even if a significant amount of time has passed.

A College official will assist the reporting party with making choices and accessing resources. Assuming the reporting party chooses to move forward with a campus resolution, the next step is a preliminary inquiry.

All resolutions will be conducted by campus officials who receive annual training on issues related to domestic violence, dating violence, sexual assault, and stalking, and on how to conduct an investigation and hearing process that protects the safety of reporting party and promotes accountability.

The resolution process is confidential. The institution will protect the confidentiality of the reporting party, consistent with federal law. Title IX-related resolutions are not subject to publicly available record-keeping provisions. Any release of information about a resolution will be accomplished without the inclusion of identifying information about the reporting party, to the extent permissible by law.

A reporting party will be provided a written explanation of available rights and options, including procedures to follow, when the College receives a report that the student or employee has been a victim of domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on- or off-campus or in connection with any College program. The written information given to reporting parties shall include:

1. to whom the alleged offense should be reported;
2. options for reporting to law enforcement and campus authorities, including the option to notify local or on-campus law enforcement authorities; the right to be assisted by campus authorities in notifying law enforcement authorities if the Reporting Party so chooses and the right to decline to notify such authorities;
3. the rights of Complainants regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by criminal or civil courts and the College's responsibilities regarding such orders;
4. the importance of preserving evidence as may be necessary to prove criminal domestic violence, dating violence, sexual assault, or stalking, or to obtain a protection order;
5. existing campus and community services available for victims;
6. options for, and available assistance to, change academic and working situations, if requested by the Reporting Party and if reasonably available, regardless of whether the victim chooses to report the crime to local law enforcement

In addition, a student may be directed to act or refrain from acting in a specified manner. These directions may include directing students not to contact intentionally, telephone, or otherwise disturb the peace of others specifically named for a specified period of time. These directions will not terminate the student’s status as a student and will not be construed as a finding of responsibility on the part of any student. Violation of these directions may be a violation of BP 5500, Standards of Student Conduct.

Initial Review: Upon receiving a report regarding alleged violation(s) from any responsible employee (see definitions), the Title IX Coordinator will consider information acquired from the reporting party.

An initial determination is made about the allegations and whether to move them forward to a formal investigation. This decision is made by the Title IX Coordinator, taking into account the nature of the allegations and the reporting party's wishes. If the decision is made to move forward, the coordinator refers the allegations to investigators.
When a determination is made that there is sufficient information to proceed with the student conduct process, Notice will be communicated on the same date to both the reporting party and the respondent (Accused Student).

Investigation: An investigative model is used to resolve allegations. Trained investigators will provide an investigation that is prompt, thorough, reliable, equitable, fair, and impartial. They will interview reporting and responding parties and witnesses, and prepare reports with their findings and sanctioning recommendations. Information about all the steps in the investigative process is available at in the *Student Conduct Procedures of Allegations of Sexual Harassment, Sexual Misconduct, Domestic and Dating Violence, and Stalking* section of this document.

Notice to the Reporting Party and Respondent (Accused Student)
Notice to the Respondent (Accused Student) shall include the following:

1. The nature of the conduct in question and the basis for the allegation, including a brief statement of the basis of the charges, the date or period of time and the location of the alleged incident.
2. The College policy(s) and/or campus regulation(s) allegedly violated;
3. That the student has five days from the date Notice was given to contact the Dean of Students office for the purpose of scheduling an initial meeting;
4. That if the student does not contact the Dean of Students office within the five-day period, or fails to keep any scheduled appointment, a Hold may be placed on the student's College records and the student will be notified that this action has been taken. The placement of a Hold on the student's College records may, for example, prevent the student from registering and from obtaining transcripts, verifications, or a degree from the College. The Hold will be removed only when the student either attends a scheduled meeting at Dean of Students office, or requests in writing that the case be referred to the Student Discipline Committee for a hearing; and,
5. That no degree may be conferred on a student until any pending allegations against a student and any assigned sanctions and conditions have been completed. Dean of Students office may place a Hold on that student's College records to prevent them from receiving a degree.

In addition, the Dean of Students may include language directing the student to act or refrain from acting in a manner specified by the Dean of Students. These directions may include directing the student not to contact intentionally, telephone, or otherwise disturb the peace of others specifically named until the matter is resolved. Violation of these directions is misconduct under section BP/AP 5500 – adopted 9/11/2018 (Failure to Comply) of the Clatsop Community College Standards of Student Conduct.

Cases involving allegations of sexual harassment may be resolved by the Title IX Coordinator or their designee. The Title IX Coordinator may decide that an administrative hearing be conducted. Associated deadlines may be extended on approval from the President of the College to ensure all parties are represented.

In cases involving an active police investigation, if the Dean of Students in consultation with the Title IX Coordinator determines that Notice to the student may interfere with the criminal investigation, the Dean of Students may delay Notice to the student for a reasonable period of time, for example when the investigation involves the safety of a member of the campus community.

Meeting(s) with the Dean of Students

Meeting with the Dean of Students provides the student an opportunity to resolve the matter. At the initial meeting with the student, the Dean of Students will:

1. Ensure that the student has been provided information on how to access this policy;
2. Discuss confidentiality; inform the student that the content of this and all subsequent communication with the Office regarding information not relevant to the case will, insofar as allowed by law, be treated confidentially, unless such confidentiality is waived by the student; and that information relevant to the case may be divulged to those who have a legitimate educational interest, including but not limited to the Student Discipline Committee; Confidential in this context is different from the "Confidential Reporting" of Title IX violations as defined in the *Resource Guide for Students on Sexual Misconduct: Campus Policies, Procedures, and Victim Services.*
3. Describe to the Respondent (Accused Student) the nature of the conduct in question, and the College policy(s) and/or campus regulation(s) allegedly violated, hear the student's response to such allegations, and counsel the student as appropriate; and
4. Provide the student with information about the right to inspect all documents relevant to the case which are in the possession of the Dean of Students office; (Note: all documents will be redacted to comply with state and federal laws and regulations and College policies.)
5. Provide the student with copies of the documents relevant to the case, at the student's written request. (Note: all documents will be redacted to comply with state and federal laws and regulations and College policies.)
6. If a student believes that they will require reasonable accommodations to assist in meeting with the Dean of Students, the Student must contact and register with Student Access Services. Student Access Services will provide the Dean of Students with recommended accommodations. The Dean of Students will either provide the recommended accommodation or work directly with Student Access Services to discuss alternatives to the recommended accommodation.

Decisions in Absentia: If a student fails to participate in the disciplinary process or has withdrawn from the College while subject to pending disciplinary action, the Dean of Students may move forward to resolve the matter without the student's participation.

Resolution by the Title IX Coordinator: At the conclusion of the investigation, the Title IX Coordinator may take one of several actions listed below. Additionally, the Reporting Party and the Respondent will receive written notification of the outcome and any disciplinary action by the College from the Title IX Coordinator, in accordance with the Privacy provisions in BP 5500 – adopted 9/11/2025; BP 3433 – adopted 9/11/2025; and BP 3540 – revised 8/12/2020.

Letter of Admonition: The Dean of Students may provide Notice to a student that their alleged behavior may have violated College policy or campus regulations and that, if repeated, such behavior may be subject to the disciplinary process.

Imposing Sanctions: If the student acknowledges behavior that is prohibited by this policy, the Dean of Students may impose one or more of the sanctions listed in this handbook. These sanctions range from a written reprimand to expulsion.

Referral to Student Discipline Committee: A case is referred for an Administrative Hearing when the Title IX Coordinator concludes the evidence warrants a sanction, but the student does not acknowledge engaging in behavior prohibited by this policy.

At any time before the hearing occurs, if the Title IX Coordinator receives new information that leads to the conclusion that a violation of this policy has not occurred, the case may be withdrawn from the Committee. This disposition is binding and terminates the Student Discipline Committee proceeding.

Insufficient Information: If the Title IX Coordinator concludes there is insufficient information on the basis of a preponderance of the evidence to issue a finding of responsibility for the alleged policy violation(s), then the matter will be closed with no further action taken unless additional substantive information is obtained which justifies, in the College's sole discretion, re-opening of the case.

Sanctions and Additional College Actions: When it is determined that a student's behavior is in violation of College policy(s), the Title IX Coordinator will consider the context and seriousness of the violation in determining the appropriate sanction(s).

Failure to comply with the conditions of imposed sanctions may subject the student to additional disciplinary action. In addition, a hold may be placed on the student's College records for either a stated period or until the student satisfies the conditions imposed as part of a sanction. The placement of a hold on the student's College records may prevent the student from registering and from obtaining transcripts, College services, or a degree from the University.

Limits on Sanctions: The loss of College employment will not be a form of sanction under this policy. However, when student status is a condition of employment, the loss of student status will result in the termination of the student's employment. This section is not intended to preclude the disclosure to other appropriate College officials of information relating to any student's conduct records if that information may be reasonably construed to have a bearing

on the student's suitability for a specific employment situation. This section is also not intended to preclude an employer from terminating a student's employment outside the disciplinary process.

Student Discipline Committee

When a case is referred to the Student Discipline Committee, the following will be provided to the Respondent (Accused Student) to ensure a fair hearing:

1. The Respondent (Accused Student) will be provided written Notice within a reasonable time before the hearing; this Notice will include a brief statement of the basis of the charges, the College policy(s) or campus regulations allegedly violated, and the time and place of the hearing.
2. The Respondent (Accused Student) will be provided with the opportunity for a prompt hearing.
3. The Respondent (Accused Student) will be given the opportunity to present documents and to propose questions to be asked of any witnesses or about any information presented in the hearing.
4. The Hearing Committee will evaluate information presented in the hearing to determine if it is more likely or not that the Respondent (Accused Student) has violated this policy.
5. Within ten Days following the conclusion of the hearing, the Respondent (Accused Student) will receive a written report including a summary of the findings of fact, unless a longer period of time is warranted and approved by the Title IX coordinator [or something like that].
6. The Respondent (Accused Student) will be provided an opportunity to respond to the hearing report; at the request of the student, access to a copy of the recording of the hearing will be made available for use in preparation of a response to the hearing report.

Referral of Cases to the Hearing Committee: A hearing will be provided for all cases referred to the Hearing Committee by the Title IX Coordinator.

Composition of the Hearing Committee: The Committee, also referred to in College Policy as the Student Discipline Committee, will consist of the following required and optional members (at least five members are required for a hearing):

1. Chair(s): Title IX Coordinator, or designee (required)
2. VP/Provost (proposed title) (required)
3. Dean of Students, or designee (required)
4. Faculty members (2-3) (two required, one optional)
5. One to two appointees by the Title IX Coordinator (optional). Selection preference may be given for individuals who have either training in a relevant subject area or experience with the hearing process. Depending on the circumstances, a student may be asked to serve as a voting member of the hearing committee.

Training of the Committee: The Title IX Coordinator and the Dean of Students are responsible for providing all members with orientation and training on College Policies (including the

Clatsop Community College Student Standards of Student Conduct, this policy, and the College Policy on Sexual Harassment); on issues related to domestic violence, dating violence, sexual assault, and stalking; and on how to conduct a hearing in a way that protects the safety of all participants, promotes accountability, and assures a fair, unbiased hearing for the Respondent (Accused Student).

Assignment of Members: Membership of faculty members is determined in fall of each year. The Hearing Committee will consist of at least two faculty members, who may also be members of the Student Issues Committee.

The Respondent (Accused Student) or reporting party may, for good cause, challenge the assignment of any particular faculty or student member serving on the Committee. The Hearing Coordinator will adjudicate all challenges to committee members.

Scheduling of Hearing: It is the intention of this policy that hearings be set as soon as reasonably possible after referral to the Committee. Allegations of sexual harassment must be either resolved or heard before the Student Discipline Committee within sixty Days of the referral of the complaint. This deadline may be extended on approval from the President of the College.

The Hearing Coordinator will schedule a hearing of the case to be conducted no sooner than five Days after the date of Notice that the case was being referred to the Student Discipline Committee. Hearings are typically held on normal business days, with mutual consent of the Respondent (Accused Student), Reporting Party, and the Chair of the Committee.

The Hearing Coordinator will give Notice of the time and place of the hearing and other relevant hearing information to the Respondent (Accused Student) and reporting party at least five Days prior to the date of the hearing.

The Title IX Coordinator, the respondent (Accused Student), and reporting party must provide the Hearing Coordinator with relevant material, including the identities of all witnesses as well as copies of any documents which the parties intend to produce at the hearing at least three days prior to the hearing. To the extent feasible, the Hearing Coordinator will make available any materials to the other parties in the matter two Days prior to the hearing. Any witnesses or materials not submitted to the Hearing Coordinator at least three Days prior to the hearing may be introduced in the hearing at the discretion of the Student Discipline Committee Chair.

Hearing Procedures: The respondent (Accused Student) and reporting party will have the opportunity to present documents and witnesses, and to address all information being presented in the hearing. Specifically, the respondent (Accused Student), and reporting party will have the opportunity to propose questions to be asked of witnesses who appear at the hearing in person, or by telephone or other electronic means, and to propose questions to be asked about documents and written statements presented in the hearing.

The respondent (Accused Student) and reporting party may challenge the admission of any documents or written statements on the grounds that the documents are not relevant to the topic. The Student Discipline Committee Chair will determine the appropriateness of all questions and the admissibility of documents and written statements.

The respondent (Accused Student), and reporting party are responsible for presenting information and may choose to be assisted by a Campus Advocate. Either party may identify their own Campus Advocate or may request to be assisted at no cost by a Campus Advocate assigned by the Title IX Coordinator.

Options for assistance may be discussed with the Hearing Coordinator.

The past sexual history or character of an individual is not considered unless it is determined to be highly relevant. All such information ought to be entered for consideration by a party, or the College will be presumed irrelevant until evidence of its relevance is offered. The existence of a pattern of behavior by a responding party may be relevant to the finding and sanction imposed. Both parties will be notified in advance if such information has been deemed relevant and will be considered during the process.

If the respondent (Accused Student) does not speak in the hearing, no inferences can be drawn as a direct result of that silence.

The Committee Chair is responsible for the secure and orderly operation and administration of the hearing and has the right to exclude persons from the hearing room if deemed necessary. All procedural questions are subject to the final decision of the Student Discipline Committee Chair.

A student who believes they will require a reasonable accommodation in the hearing must contact Student Access Services. Student Access Services will provide the Hearing Coordinator with recommended accommodations. The Hearing Coordinator will either provide the recommended accommodations or work directly with Student Access Services to discuss alternatives to the recommended accommodations.

If a student does not attend the hearing, the case may proceed to disposition without the student's participation.

Information regarding the Reporting Party's past sexual history or the Respondent's (Accused Student's) past sexual history will not be admissible unless the Student Discipline Committee Chair makes a specific finding of relevance after an offer of proof has been submitted. The offer of proof must be submitted to and resolved by the Student Discipline Committee Chair before the Reporting Party testifies.

At the Title IX Coordinator's discretion, video may be used to separate the Respondent (Accused Student) and the Reporting Party. The screen shall be placed so that the Respondent (Accused Student) and the Reporting Party cannot see each other. As possible, the Student

Discipline Committee members may see both the Respondent (Accused Student) and the Reporting Party.

Standard of Proof: The Standard of Proof which will be used in hearings is that the College must prove that it is more likely than not that the Respondent (Accused Student) committed the misconduct of which they are accused.

Clatsop Community College uses a preponderance of the evidence standard in all student misconduct cases. This is the Standard of Proof used in hearings.

Record of Hearing: The Hearing Coordinator will make a single verbatim recording, such as a tape recording, of the hearing. (Deliberations shall not be recorded). This recording shall be the property of the College and will be maintained with Title IX and student Discipline records.
The documents submitted by the parties and accepted by the Committee will constitute the official record of the hearing and will become part of the student's conduct record.

A respondent (Accused Student) or reporting party who is considering submitting a response to the hearing report will, upon request, be granted post-hearing access to review (but not copy) the recording. This access will be provided on the College campus, during regular business hours; the recording may not be removed from the premises or reproduced. The respondent (Accused Student) or reporting party may be accompanied by the Support Person(s) who accompanied the respondent (Accused Student) or reporting party at the hearing. When the respondent (Accused Student) or reporting party is unable to be present on the College campus during regular business hours, the student will be provided reasonable accommodations which may include access to review the recording either on campus on Saturdays, Sundays, or days on which the campus is closed, or at an alternate location.

Spectators: To protect the privacy of persons participating in the student conduct process, the hearing will be closed to spectators, including witnesses. Witnesses may only be present in the hearing when answering questions from the Student Discipline Committee.
The Respondent (Accused Student) and the Reporting Party will each be entitled to have a Support Person of their choice accompany them to the hearing. A Support Person may not be called as a witness. The Student Discipline Committee Chair has the right to exclude Support Persons from the hearing room if deemed necessary for the secure or orderly conduct of the hearing.

The Reporting Party will have the right to be present during the entire hearing, notwithstanding the fact that the Reporting Party is to be called as a witness.

Continuing Resolution between the Student and the Dean of Students: Until the Committee makes its final report, the respondent (Accused Student) may make an admission of responsibility to the Chair assigned to the case. This disposition of the matter will bind all parties and terminate all proceedings.

Final Report:
At the conclusion of a hearing, the Committee Chair will file a final report with:

1. A summary of the allegations;
2. A summary of the information presented; and
3. Whether, in the opinion of a majority of the Committee, the Respondent (Accused Student) has violated one or more of the College policies or campus regulations the Respondent (Accused Student) has been charged with violating, or whether there has been insufficient evidence to sustain such a finding and the basis for that opinion.

If it is the opinion of a majority of the Committee Panel that the Respondent (Accused Student) has violated one or more of the College policies or campus regulations which the student has been charged with violating, the Dean of Students will provide a recommendation of sanction(s). Within ten days of the conclusion of the hearing, a final report will be prepared.

The identity of the Reporting Party will be disclosed to the Respondent (Accused Student) and used in the hearing, but reports will not include identifying information about the Reporting Party.

Copies of Reports: A copy of the final report will be sent to the respondent (Accused Student), reporting party, and the Title IX Coordinator. Notifications will be mailed on the same day. The Title IX Coordinator may exempt portions of the report deemed to violate the student's privacy or to place a student at risk. Both parties shall be made aware of the excluded portions.

Response to the Report by the Respondent (Accused Student): The respondent (Accused Student) will have five days from the date of the letter forwarding the hearing report in which the respondent (Accused Student) may submit a written response challenging the findings and recommendations included in the report.

Such response shall be in writing and shall state on which of the following grounds it is being submitted. Responses may be submitted directly to the Title IX Coordinator via e-mail.

The three grounds on which a student may respond are:

1. The hearing was not conducted in accordance with the Clatsop Community College procedures. Deviations from designated procedures will not be a basis for sustaining a challenge unless the procedural error substantially impacted the finding or sanction.
2. There is new information, or other relevant facts, potentially sufficient to alter the findings, but that could not have been known to the student at the time of the hearing.
3. The Respondent believes the sanction(s) recommended by the Committee are substantially disproportionate to the severity of the violation of the Clatsop Community College Standards of Student Conduct which the student was found to have committed.

Response to the Report by the Reporting Party: The reporting party will have five days from the date of the letter forwarding the Hearing report in which they may submit a written response challenging the findings included in the report.

Such response shall be in writing; shall state on which of the following three grounds it is being submitted and shall be signed by the student. Responses may be submitted directly to the Title IX Coordinator by e-mail sent from the student's official College e-mail account or may be submitted in writing.

The grounds on which a reporting party may respond are:

1. The hearing was not conducted in accordance with this policy. Deviations from designated procedures will not be a basis for sustaining a challenge unless the procedural error substantially impacted the finding.
2. There is new information, or other relevant facts, potentially sufficient to alter the findings, but that could not have been known to the Reporting Party at the time of the hearing.
3. The Reporting Party believes the sanction(s) recommended by the Student Discipline Committee are substantially disproportionate to the severity of the violation of the Clatsop Community College Standards of Student Conduct which the student was found to have committed.

Review by the President

Decision by the President: The President may review the committee's decision only when findings or recommendations are challenged on valid grounds as stated above. If reviewed, a decision regarding a case that has been heard by the Committee may be made by the President of the College.

Basis for Decision: The President of the College will base their decision upon:

1. The report submitted by the Hearing Administrator including the findings and recommended sanction of the Student Discipline Committee;
2. Counsel solicited from the Dean of Students and Dean of Transfer Ed – VP/Provost (proposed title) regarding sanction(s) imposed in similar cases and any previous cases of misconduct by the student on file with the Dean of Students; and,
3. The content of any written response submitted by the respondent (Accused Student) or reporting party. In order to verify any statement submitted by a respondent (Accused Student) or by a reporting party, the Dean of Students may contact persons reasonably expected to have knowledge of such matters.

Sanctions: The College President may decide to impose one or more of the sanctions listed in the College's Standards of Student Conduct. The College President is not limited to those sanctions recommended by the Committee, even though such decision may result in the imposition of more severe disciplinary action.

When a response based on new information or other relevant facts that could not have been known to the respondent (Accused Student) and/or reporting party at the time of the hearing and which are deemed sufficient to alter a decision is successful, the College President may opt to send the case back to the Committee to be reheard.

Notice of Decision: The College President will have ten days after the receipt of the report of the Committee, or the written response by the respondent (Accused Student) and/or reporting party, whichever is latest, to deliver their written decision.

The written decision will be delivered to the Accused Student, the reporting party by the Title IX Coordinator, and the Dean of Students.

The College President also may notify other parties of the decision or may direct the Dean of Students office to do so, if there is an institutional interest in doing so, and if such parties are authorized to receive such information in accordance with state and federal law.

Summary Suspension

Before final determination of alleged misconduct, Summary Suspension may be imposed by the Dean of Students office. Interim Suspension may include exclusion from classes or from other specified activities or areas of the campus.

A student will be restricted only to the minimum extent necessary when there is reasonable cause to believe that the student's participation in College activities or presence at specified areas of the campus will lead to physical abuse, threats of violence, or conduct that threatens the health or safety of any person on College property or at official College functions, or other disruptive activity incompatible with the orderly operation of the campus.

1. Within twenty-four hours of the imposition of the Interim Suspension, the Title IX Coordinator or designee will review the information upon which the Interim Suspension was based. If the Title IX Coordinator or designee does not affirm the Interim Suspension within twenty-four hours of its imposition, the Interim Suspension will be deemed void, and a reasonable effort will be made to inform the student who was suspended that the Interim Suspension is void. Should the Interim Suspension be voided, that will have no bearing on the College's disciplinary proceedings arising from the conduct which gave rise to the Interim Suspension. Any such disciplinary proceedings will be conducted under the normal procedures provided by this policy.
2. Upon imposition of the Interim Suspension, the Dean of Students will notify the student under the Interim Suspension of the charges against them, the length and conditions of the Interim Suspension, and the opportunity for a hearing with the Dean of Students, or designee to challenge the Interim Suspension.
3. Hearings to review Interim Suspensions will have scheduling priority. The student may be assisted at the hearing by an assistant of the student's choosing and at the student's expense. The student may present information in support of the contention that the Interim Suspension is unnecessary or that its conditions should be modified. The Dean of Students, or designee is authorized to investigate the facts which gave rise to the Interim Suspension and may lift the Interim Suspension or modify its conditions. Within three Days of the conclusion of the hearing, the Dean of Students, or designee will determine a) if the Interim Suspension is necessary; and b) if its conditions should be modified. The result of this hearing will have no bearing on other College disciplinary proceedings arising from the conduct which gave rise to the Interim Suspension. Any

such disciplinary proceedings will be conducted under the normal procedures provided in this policy.

4. Disciplinary proceedings involving students on Interim Suspension will follow the normal procedures provided in this policy, however, at each step of the proceedings, they will have scheduling priority.

Emergency Suspension

During a state of emergency, the Dean of Students may impose Emergency Suspension on a student when there is reasonable cause to believe:

1. The individual has participated in a disturbance of the peace or unlawful assembly, or has acted in violation of the campus emergency orders, has committed an act of physical violence, or has threatened to commit such an act, or has committed a theft or has damaged property; or
2. The individual's presence on campus will lead to a violation of campus emergency orders, violence, intimidation, damage to property, or other disruptive activity incompatible with the orderly operation of the campus.
    a. Any student placed on Emergency Suspension will not, during the period of Emergency Suspension, enter specified areas of the campus or engage in specified activities, as set forth in the Notice of Emergency Suspension.
    b. The exclusion or restriction will be limited to the minimum extent necessary to protect the health and safety of persons or property, or to maintain the orderly operation of the campus.
    c. Violation of any condition set forth in the Notice of Emergency Suspension will subject the individual to disciplinary proceedings based upon such violation.

Privacy and Records Retention

Student conduct records are confidential.

In cases where the final disposition is Dismissal, the Dean of Students office retains student conduct records for fifty years from the date of the Notice of final disposition.

For cases that do not result in dismissal, but which are required to be included in the Clatsop Community College Jeanne Clery Crime Statistics Report, the Dean of Students office retains student conduct records for seven years from the date of the Notice of final disposition. Student conduct records in all other cases are retained for five years from the date of the Notice of final disposition.

When there have been repeated violations of the Clatsop Community College Standards of Student Conduct, all student conduct records pertaining to an individual student will be retained for five years (seven years for cases which are required to be included in the Clatsop Community College Jeanne Clery Crime Statistics Report) from the date of the final disposition in the most recent case.

Upon receipt of a request from professional schools, graduate programs, employers, or others, for the disciplinary records of a student, after the student provides an appropriate confidentiality waiver (where applicable), the Dean of Students office is obligated to report violations which resulted in the revocation of a degree, or in a sanction of suspension and/or dismissal, either imposed and deferred.

Sanctions for Violation of College Standards of Conduct

Sanctions for violation(s) of the Student Code of Conduct may include, but are not limited to, the following:

Written Reprimand: Written warning that a student's conduct does not meet College standards, and that continuation of such misconduct may result in further disciplinary action.

Disciplinary Probation: Imposition of a probationary status, for which further violations may result in additional disciplinary action, including suspension. Disciplinary probation may be imposed for any length of time up to one calendar year. The terms of the probation and conditions for ending it will be specified in a letter to the student. Disciplinary probation may include referral for intervention, screening, and treatment in cases where use of alcohol or other controlled substances have impaired safety and judgment.

Personal Mental Health Referral: A sanction which may be invoked in circumstances where the student's behavior poses a potential threat to the campus community.

Bar Against Re-Enrollment: May be imposed on a student who has a disciplinary case pending or who fails to pay a debt to the College.

Restitution: Reimbursement for costs of damage to a person or property or for a misappropriation of property. Restitution may take the form of appropriate services to repair or otherwise compensate for damages. Restitution may be imposed in combination with any other penalty.

Withholding of an Official Transcript: May be imposed upon a student who fails to pay a debt to the College.

Suspension of Rights or Privileges: Imposes specific limitations on, or restrictions to, the status of a student's enrollment at the College.

Suspension of Eligibility for Extracurricular Activities: Prohibited from joining a recognized student organization and participating in its activities or attending its meetings and/or from participating in official athletic or other extracurricular activities for any length of time up to one calendar year.

Temporary Exclusion: An instructor or supervisory staff member may remove a student from class, a service area, or a College-sponsored event when in the judgment of the instructor or supervisor the student is disrupting the educational or administrative processes of the College or poses a danger to other staff or students. Prior to removal, the instructor or supervisor must inform the student of the nature of the disruptive behavior and request that the student ceases the behavior. If the student does not comply, the instructor or supervisor has the authority to ask the student to leave the service area or College-sponsored event for the remainder of the class session, service day, or event.

Suspension: A student may be suspended for a defined period of time. During a period of suspension, the student is prohibited from registering for one or more credit or non-credit classes sponsored by the College and may be barred from entering the College campus except with the permission of the President or Dean of Students. The conditions of re-enrollment shall be stated in the letter of suspension.

Summary Suspension: Summary suspension may be used to protect the College from potential disruption of instructional or other College activities, or to protect the safety of students, faculty, staff, or College property. Summary suspension, for the purpose of investigating the event or events in which the student or students were allegedly involved, shall be for no more than five (5) school days; however, it may be continued pending final disposition of the case if it is deemed necessary for the safety of students, faculty, staff, or College property or in cases where the student's presence is considered to be disruptive to the orderly functioning of the College.

The President or Dean of Students, or their designees may summarily suspend a student within the stated guidelines. Such suspension shall remain in effect until the outcome of a formal hearing is determined. The formal hearing shall be held no more than ten (10) working days from the first day of suspension. This timeline may be modified with the agreement of both parties.

Readmission after Suspension: When a student is suspended, the conditions for re-enrollment that must be met will be outlined in the letter the student receives at the time of suspension. In the case of a long-term suspension, (more than one week), the student will be required to meet with the Dean of Students prior to re-enrollment, and to request re-enrollment in writing. The Dean of Students will be responsible for determining if the conditions for re-enrollment have been met. The Dean of Students will provide the student, in writing, with their decision regarding the student's reentry into the College and the reasons for the decision.

Expulsion: A permanent separation from the College. A student may be expelled from the College only on approval of the decision by the College's Board of Education.

Note: The parents or guardian of any dependent student under age 18 years of age who is placed on disciplinary probation, suspended, or expelled shall be notified.

Procedures for the Discipline and Dismissal of Personnel

Procedures for campus disciplinary action in cases of an alleged domestic violence, dating violence, sexual assault, or stalking are outlined below. Such proceedings:

- shall provide a prompt, fair, and impartial resolution; and
- shall be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

The Complainant and the Respondent are entitled to the same opportunities to have others present during a disciplinary proceeding. Both the Complainant and the Respondent must be informed of the outcome of any institutional disciplinary proceeding resulting from an alleged domestic violence, dating violence, sexual assault, or stalking, the procedures for the accused and victim to appeal the results of the disciplinary proceeding, of any changes to the results that occurs prior to the time that such results become final, and when such results become final. Compliance with this paragraph does not violate the Family Educational Rights and Privacy Act (FERPA). For the purposes of this paragraph, the outcome of a disciplinary proceeding means the final determination with respect to the alleged domestic violence, dating violence, sex offense, or stalking and any sanction that is imposed against the accused.

Under Title IX (Reference AP 3434 which applies to Service & Supervisory and Confidential Classified employees), the College must have completed the grievance procedures (investigation, hearing, and any appeal, if applicable) before imposing disciplinary sanctions or any other actions that are not supportive measures against a Respondent. If the Decision-Maker determines the Respondent was responsible for conduct that constitutes sexual harassment, the College will take disciplinary action against the Respondent and any other remedial action it determines to be appropriate. The action will be prompt, effective, and commensurate with the severity of the offense.

<u>Remedies for the Complainant might include, but are not limited to:</u>

- Providing an escort to ensure that the Complainant can move safely between buildings and activities;
- Ensuring that the Complainant and Respondent do not work in the same work area;
- Providing counseling services or a referral to counseling services;
- Providing medical services or a referral to medical services;
- Providing academic support services, such as tutoring;
- Arranging for a Complainant, if a student, to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the Complainant's academic record; and
- Reviewing any disciplinary actions taken against the Complainant to see if there is a causal connection between the harassment and the misconduct that may have resulted in the Complainant's discipline.

Staff who obtain restraining orders that list College campuses or facilities as protected areas should provide Human Resources with a copy of the signed order. Possible disciplinary sanctions for employee Respondents include written or verbal reprimand, required training or counseling, demotion, suspension, or discharge.

The procedures described below will be used in addressing employee discipline with regards to Title IX and VAWA allegations. These procedures are intended to assist a supervisor through the process of the discipline and dismissal of an employee. They may be imposed following a final determination by a campus disciplinary proceeding regarding rape, acquaintance rape, or other forcible or non-forcible sex offenses, domestic violence, dating violence, or stalking.

Application: These guidelines apply to employees who are regular, non-probationary employees, typically called Administrative, Service and Supervisory or Confidential. These procedures do not apply to any temporary or student employees, nor to the College President. The full text of the procedure (4.505P - revised 12/14/2010) includes examples of misconduct, including abuse, violence, and sexual harassment.

Discipline for Title IX violation(s) may include, but are not limited to, the following:

Written Reprimand: Written warning that an employee's conduct does not meet College standards, and that continuation of such misconduct may result in further disciplinary action.

Disciplinary Probation: Imposition of a probationary status, for which further violations may result in additional disciplinary action, including termination of employment. Disciplinary probation may be imposed for any length of time up to one calendar year. The terms of the probation and conditions for ending it will be specified in a letter to the employee. Disciplinary probation may include referral for intervention, screening, and treatment in cases where use of alcohol or other controlled substances have impaired safety and judgment.

Personal Mental Health Referral: A sanction which may be invoked in circumstances where the employee's behavior poses a potential threat to the campus community.

Restitution: Reimbursement for costs of damage to a person or property or for a misappropriation of property. Restitution may take the form of appropriate services to repair or otherwise compensate for damages. Restitution may be imposed in combination with any other penalty.

Suspension of Rights or Privileges: Imposes specific limitations on, or restrictions to, the status of an employee's privileges at the College.

Supervisors must consult with their supervisors and the Human Resources Director prior to initiating action for the discipline or dismissal of an employee. Based upon the severity of the action, any of the following steps may be bypassed or repeated.

Initial Warning: The supervisor meets with the employee and verbally informs the employee of (1) the nature of the problem; (2) the specific violation alleged; (3) the improvement required of the employee; (4) a timeline for improvement, which may include a performance review; and (5) the consequences if improvement is not made.

The supervisor will keep notes of the discussion and follow the discussion up with a memo to the employee that includes the date and content of the meeting. A copy of this memo will be kept by the supervisor in the event that supporting documentation is needed for any future disciplinary issues of a similar nature.

A follow-up session should be scheduled at the time of the initial warning meeting after the specified length of time to determine if there has been satisfactory improvement or if there is a need for further action. Notes will be made by the supervisor at this follow-up session and will be attached to the initial meeting memo, with a copy to the employee as to whether there will be next steps, or whether the improvement has been adequate.

Formal Written Reprimand: A formal written reprimand may be issued for subsequent violations, lack of improvement or on other occasions when deemed appropriate by the supervisor after consultation with the Human Resource Director. The supervisor shall meet with the employee to gather facts and information before a formal written reprimand is issued.

The supervisor shall inform the employee that the written reprimand will be placed in the employee's personnel file. The written reprimand should contain a signature line where the employee can sign that they are aware that the letter will be placed in their personnel file. The formal written reprimand shall refer to previous violations, memos, and meetings if any. The "initial warning" memo may be attached to the written reprimand.

Employees may respond in writing to the supervisor's memo, and this should be kept with the written reprimand.

If after the formal written reprimand there are subsequent violations, lack of improvement or on other occasions deemed appropriate by the supervisor and further discipline may be warranted; the supervisor will consult with their supervisor, the Human Resources director and will forward facts and circumstances, and recommendations for further disciplinary action to the College President.

Suspension/Dismissal: At their discretion, the College President may order an investigation into possible misconduct or objectionable behavior by an employee. In connection with such an investigation, the College President may place the employee on paid or unpaid administrative leave during the term of the investigation. The employee will be notified that an investigation is in progress, the substance of the allegations, and the duration of the administrative leave, if known.

The College President may engage in discussion with the employee, the supervisor, and others who are involved or who may have relevant information. The employee will be given an opportunity to respond to the allegations in writing.

The College President may take actions which include, but are not limited to:

1. Return of the employee (if they were placed on administrative leave); or
2. Suspension without pay; or
3. Termination.

The employee will be notified in writing of the findings of fact and the action taken.

Appeals: Discipline and dismissal actions are not subject to the College Grievance Procedure and may not be appealed.

Procedures for the Discipline and Dismissal of Classified Employees

(Reference, Classified Association Agreement, Article 22 which applies to Classified Bargaining Unit Employees)

The procedures described below will be used in addressing employee discipline with regards to Title IX and VAWA allegations.

ARTICLE 22: Disciplinary and Dismissal Procedures

1. During the probationary period, bargaining unit employees whose performance is unsatisfactory may be terminated at any time.
2. Bargaining unit employees beyond probation may be disciplined or discharged only for just cause. Employees have the right to have a dismissal, suspension or demotion reviewed under the provisions of the formal grievance procedure.
3. Each employee shall have the right to be represented, at no cost to the College, at any conference, the purpose of which is disciplinary action, including written reprimand, suspension and/or demotion, and termination. This will not preclude relieving an employee from duty with pay temporarily when such is deemed necessary by the supervisor.

Procedures for the Discipline and Dismissal of Full-Time Faculty

(*Reference, Full-Time Faculty Association Agreement, Article 4 which applies to Full-Time Faculty Bargaining Unit Employees)*

The procedures described below will be used in addressing employee discipline with regards to Title IX and VAWA allegations.

ARTICLE 4: Faculty Rights

Just Cause: No faculty member shall be reprimanded, disciplined or reduced in compensation without just cause. Any formal charges which are made against a faculty member shall be reduced to writing and made available to the member. A faculty member shall have the right to have an individual of their choice present when being formally reprimanded or disciplined.

Nothing herein shall be construed to preclude the Dean of Students or any other appropriate administrative person from informally meeting, counseling, and consulting with a faculty member in confidence. This section does not apply to actions taken in accordance with Article 11 (Employment Status), Article 12 (Early Retirement), and Article 16 (Layoff and Recall).

1. Excluding layoff of faculty members, termination of employment for members with continuing contract status shall be for just cause.
2. No continuing contract member shall be dismissed without at least thirty (30) calendar day's written notice of such dismissal.

Procedures for the Discipline and Dismissal of Part-Time Faculty

(Reference, Part-Time Faculty Association Agreement, Article 6 which applies to Part-Time Faculty Bargaining Unit employees)

The procedures described below will be used in addressing employee discipline with regards to Title IX and VAWA allegations.

ARTICLE 6: Personnel Relations

Complaints: Complaints lodged by students against a member shall follow the procedures below as provided for in College procedure 6.220P or the currently adopted procedure.

1. Informal:
   Before any formal complaint the student shall be provided with the opportunity to meet with the member to seek resolution.
2. Formal:
   In the event that resolution is unsuccessful the student may file a written complaint utilizing the College provided form. Valid complaints shall be signed and dated. Complaints filed more than 20 days after the events alleged shall be dismissed as untimely. The member shall be provided with a copy of the written complaint. In addition, the member shall be provided with any material collected during the investigation of the complaint by the College.
3. Outcome:
   A decision by the College about the complaint shall be sent to the member no later than 20 days from the date the complaint form was filed with the College. Prior to the final report being issued the College shall meet with the member to review the matter. Only complaints regarding misconduct may lead to discipline. In the event the College determines that misconduct rises to the level of discipline, it shall provide notice to the employee pursuant to section D of this Article within five days from the date the report is issued by the College.
4. Invalid Complaints:
   Invalid or dismissed complaints shall not become part of a member's personnel file or evaluation. The member may grieve any formal finding of fault found by the College pursuant to the complaint procedure.
5. Faculty shall have the right to representation at any formal stage of the complaint process.
6. The parties agree that this procedure is minimum standards. The College may adopt policies and procedures on student complaints through existing processes of shared

governance and mutual agreement with the Association that does not violate terms of this section.

Remedies

The College informs reporting parties of remedies, if reasonably available, to prevent contact with respondents (Accused Student), such as academic, transportation, and working accommodations. The College will make such accommodations regardless of whether the reporting party chooses to report the crime to the Oregon State Police, or local law enforcement agencies. These support measures can be offered to students and staff through the Title IX Coordinator, or College Counselor if they choose to not report to law enforcement.

Survivors of domestic violence, dating violence, sexual assault, or stalking should report the incident promptly to the Title IX Coordinator for investigation.

Title IX Coordinator
Anita Jensen
Director, Human Resources
Location: 1651 Lexington Avenue, Astoria
Building: Library, room 103
503-338-2450
titleIX@clatsopcc.edu

All reports of domestic violence, dating violence, sexual assault, and stalking are referred to the Title IX Coordinator for investigation regardless of whether the reporting party chooses to pursue criminal charges.

***Fairness:**

- All members of the campus community have the right to have reported incidents addressed according to the published College procedures.
- All parties have equal opportunities to have a support person of their choosing or offered by the institution present throughout all resolution proceedings (including intake, interviews, hearings, etc.). This person can be an advisor, advocate, attorney, family member, friend, faculty member, etc. The institution may apply restrictions regarding the extent to which the support person may participate.
- All parties have the right to written notice of the outcome of sexual misconduct resolution proceedings.
- Reporting parties and witnesses will receive amnesty for minor infractions (e.g., alcohol and drug violations) that are secondary to incidents of sexual misconduct.
- Reporting parties, their supporters, and witnesses have a right to be free from retaliation.

Support:

- Students have a right to be notified of their ability to access campus counseling.

- Students and employees have a right to be notified of on- and off-campus supportive resources.
- All parties involved in sexual misconduct allegations will receive the information and assistance needed to effectively participate in all proceedings.
- Reporting parties have the right to seek orders of protection, “no contact” orders, restraining orders, or similar lawful orders issues by criminal, civil, or tribal courts, and may seek the help of the Dean of Students office in requesting and/or enforcing.

The College may take whatever steps are deemed necessary to appropriately respond to allegations of sexual misconduct, protect students’ rights, and keep members of the campus community safe from further harm. Measures include, but are not limited to:

- Issuing interim suspensions pending a hearing.
- Reporting incidents to local police and/or prosecutors.
- Assisting with orders of protection, no-contact orders, and similar lawful orders
- Referring to counseling and health services.
- Referring to the Employee Assistance Program.
- Providing education to the community.
- Altering work arrangements for College employees.
- Providing campus escorts.
- Providing transportation assistance.
- Implementing contact limitations between the parties.
- Offering adjustments to academic deadlines, course schedules, etc.

These measures are available regardless of whether a reporting party seeks formal resolution or makes a crime report.

Procedures for Disciplinary Action

Intake: A College official will assist the reporting party with making choices and accessing resources. Assuming the reporting party chooses to move forward with a campus resolution, the next step is a preliminary inquiry.

All resolutions will be conducted by campus officials who receive annual training on issues related to domestic violence, dating violence, sexual assault, and stalking, and on how to conduct an investigation and hearing process that protects the safety of reporting party and promotes accountability.

The resolution process is confidential. The institution will protect the confidentiality of the reporting party, consistent with federal law. Any release of information about a resolution will be accomplished without the inclusion of identifying information about the reporting party, to the extent permissible by law.

Preliminary Inquiry: An initial determination is made about the allegations and whether to move them forward to a formal investigation. This decision is made by the Title IX Coordinator,

taking into account the nature of the allegations and the reporting party's wishes. If the decision is made to move forward, the coordinator refers the allegations to investigators.

Investigations: An investigative model is used to resolve allegations. Trained investigators will provide an investigation that is prompt, thorough, reliable, equitable, fair, and impartial. They will interview reporting and responding parties and witnesses and prepare reports with their findings and sanctioning recommendations. Information about all the steps in the investigative process is available at in the *Student Conduct Procedures of Allegations of Sexual Harassment, Sexual Misconduct, Domestic and Dating Violence, and Stalking* section of this document.

Hearings: A case is referred for an Administrative Hearing when the Title IX Coordinator concludes the evidence warrants a sanction, but the student does not acknowledge engaging in behavior prohibited by this policy.

At any time before the hearing occurs, if the Title IX Coordinator receives new information that leads to the conclusion that a violation of this policy has not occurred, the case may be withdrawn from the Student Discipline Committee. This disposition is binding and terminates the Committee proceedings. Additional information on hearings may be found in the College *Student Conduct Procedures for Allegations for Sexual Harassment, Sexual Misconduct, Domestic and Dating Violence, and Stalking*.

Standard of Proof: The Standard of Proof which will be used in hearings is that the College must prove that it is more likely than not that the Accused Student committed the misconduct of which they are accused.

Clatsop Community College uses a preponderance of the evidence standard in all student misconduct cases. This is the Standard of Proof used in hearings.

Past History: The past sexual history or character of an individual is not considered unless it is determined to be highly relevant. All such information sought to be entered for consideration by a party, or the College will be presumed irrelevant until evidence of its relevance is offered. The existence of a pattern of behavior by a responding party may be relevant to the finding and sanction imposed. Both parties will be notified in advance if such information has been deemed relevant and will be considered during the process.

Final Determination: The parties will be informed in writing of the outcome of the resolution, without significant delay between the notifications to each party. This notice will include grounds for responding to the decision, any change to the results that occurs prior to the time that such results become final, and when results are considered to be final.

Review by the President: The President may review the committee's decision only when findings or recommendations are challenged. If reviewed, a decision regarding a case that has been heard by the Committee may be made by the College President.

Title IX and Student Conduct

The Student Conduct Procedures for Allegations of Sexual Harassment, Sexual Misconduct, Domestic and Dating Violence, and Stalking is employed by the Clatsop Community College in compliance with the Office of Civil Rights' Title IX.

This document was based on advisement from the Association of Title IX Administrators (ATIXA), Oregon Revised Statutes, and content used with permission from the University of California at Los Angeles Dean of Students Office.

Key CCC and community contacts for Title IX are located on pages 5-7 of this document.

Inquiries about Title IX procedures may be made to:
Coordinator, Title IX
Director, Human Resources
Location: 1651 Lexington Avenue, Astoria
Building: Library, room 103
503-338-2450
titleIX@clatsopcc.edu

Inquiries outside the College may be made to:
Office for Civil Rights (OCR)
U.S. Department of Education
400 Maryland Avenue, SW, Washington, DC 20202-1100
Customer Service Hotline #: (800) 421-3481
TDD#: (877) 521-2172
Email: OCR@ed.gov
Web: http://www.ed.gov/ocr

Amendment and Modification

Amendments to this procedure may be made to ensure consistency with state and federal law.

Sex Offender Registration

The Clery Act requires CCC to advise the campus community about how to access information about registered sex offenders. In Oregon, the Oregon State Police maintain the sex offender registry that can be accessed at https://sexoffenders.oregon.gov/. The Registry cautions that information found in the registry "is provided for general public safety. Users are authorized to use the information only to protect themselves or children who may be at risk. The release of the information to the public is meant to assure public protection, **not** to punish an offender or harass an offender's family. Anyone who uses the information to commit a criminal act against another person is subject to criminal prosecution and civil action."

The College does not have residential housing facilities, on or off-campus. CCC does not recognize any off-campus fraternity or sorority houses or off-campus student organizations.

Appendix

Resources

Clery Compliance Annual Security Report: https://www.clatsopcc.edu/campus-safety/

Clatsop County Sheriff's office: www.co.clatsop.or.us/sheriff

Astoria Police Department: http://astoria.or.us/dept/Police_Department

Seaside Police Department: http://police.cityofseaside.us/

Office of the District Attorney of Clatsop County: www.co.clatsop.or.us/da

The Harbor (Domestic Violence and Sexual Assault Shelter/Services): www.harbornw.org/

Crisis Support Network- Long Beach, WA (Domestic Violence and Sexual Assault Services)
http://crisis-support.org/

The Charlotte House– Cathlamet, WA (Domestic Violence and Sexual Assault Services)
www.stjamesfc.org/The-Charlotte-House.html

The Northwest Network (for LGBTQ survivors): www.nwnetwork.org/
PO Box 18436, Seattle, WA 98118
206-568-7777

Oregon Department of Justice Compensation for Victims of Crime
www.doj.state.or.us/victims/pages/compensation.aspx
(Easing Financial Burdens for Victims and Their Families)

U.S. Citizenship and Immigration Services
www.uscis.gov/news/fact-sheets/information-legal-rights-available-immigrant-victims-domestic-violence-united-states-and-facts-about-immigrating-marriage-based-visa-fact-sheet
(Legal rights available to Immigrant Victims of Domestic Violence)

Oregon Judicial Department – Protective Orders
www.courts.oregon.gov/programs/family/domestic-violence/pages/restraining.aspx
www.courts.oregon.gov/programs/family/domestic-violence/Pages/stalking.aspx

Oregon Revised Statutes: www.oregonlegislature.gov/bills_laws/Pages/ORS.aspx

Oregon Sex Offender Inquiry System: http://sexoffenders.oregon.gov/

U.S. Department of Education – Office of Civil Rights
www2.ed.gov/about/offices/list/ocr/index.html

U.S. Department of Education offices
www2.ed.gov/about/offices/list/ocr/index.html

U.S. Department of Justice – Office on Violence Against Women
www.justice.gov/ovw

National Domestic Violence Hotline: www.ndvh.org

National Sexual Assault Hotline of the Rape, Abuse, and Incest National Network (RAINN)
www.rainn.org
1-800-656-HOPE (1-800-656-4673)
National Center for Missing and Exploited Children: www.missingkids.com
1-800-THE-LOST (1-800-843-5678)

The National Center for Victims of Crime: 1-800-FYI-CALL (1-800-394-2255)
https://victimsofcrime.org/
1-800-211-7996 (TTY)