

BP 2710 Conflict of Interest

References:

NWCCU Standards 2.A.4 and 2.A.23

ORS 244.010 to ORS 244.047

ORS 341.275

BP 2010 Board Members

Board of Education members and College employees shall adhere to state laws relating to financial conflict of interest and government ethics. Board of Education members shall declare actual and potential conflict of interest on the record prior to participating in or taking any action when an actual or potential conflict of interest exists.

A Board member may not lawfully vote if an actual conflict of interest exists as defined by Oregon law. Abstaining from a vote does not meet the legal requirement of publicly stating a potential or actual conflict of interest.

No person who is an employee of the community college district shall be eligible to serve as a member of the board for the district by which the employee is employed.

Board of Education members are encouraged to seek counsel from the college's legal advisor or the Oregon Government Ethics Commission in every case where any question arises.

END OF POLICY

President's Cabinet Approval Date:	November 27, 2018	April 14, 2020
College Council Approval Date:	November 29, 2018	April 16, 2020
Board Adoption Date:	November 13, 2018	June 9, 2020
Last Revised:		June 9, 2020

Rescinds: 1.310

Revises: BP 2710

AP 2710 Conflict of Interest

References:

ORS 244.010 to 244.047; ORS 244.120 to 244.130; ORS 244.175 to 244.179
OAR 199, Division 5 (Gifts)
Oregon Government Ethics Commission "Guide for Public Officials"

Board of Education members shall publicly announce the nature of a financial conflict of interest on the record prior to taking action on the issue before the Board as required by Oregon law. The type and nature of the conflict shall be recorded in the official minutes of the meeting.

Board of Education members may participate in discussion and may vote on an issue after announcing a potential conflict of interest publicly prior to participating in or taking action. If a Board of Education member announces an actual conflict of interest, the Board of Education member must refrain from any discussion or debate on the issue out of which the actual conflict arises and may not vote on the issue.

Employees of the college who are involved in matters in their official capacity that give rise to a potential or actual financial conflict of interest, must provide written disclosure of the conflict to their supervisor. The college must find another employee to dispose of the matter or direct the employee to address the matter as specified by their supervisor.

"Potential Conflict of Interest" – means any action or any decision or recommendation by a person acting in a capacity as a public official, the effect of which could be to the private financial benefit or detriment of the person or the person's relative, or a business with which the person or the person's relative is associated, unless the financial benefit or detriment arises out of the following:

- a) An interest or membership in a particular business, industry, occupation, or other class required by law as a prerequisite to the holding by the person of the office or position.
- b) Any action in the person's official capacity which would affect to the same degree a class consisting of all inhabitants of the state, or a smaller class consisting of an industry, occupation or other group including one of which or in which the person, or the person's relative or business with which the person or the person's relative is associated, is a member or is engaged.
- c) Membership in or membership on the board of directors of a nonprofit corporation that is tax-exempt under section 501(c) of the Internal Revenue Code.

"Actual Conflict of Interest" – means any action or any decision or recommendation by a person acting in a capacity as a public official, the effect of which would be to the private financial benefit or detriment of the person or the person's relative or any business with

which the person or a relative of the person is associated unless the financial benefit or detriment arises out of circumstances described above.

“Relative” means: spouse, parents, step-parents, children, siblings, step-siblings, sons-in-laws, daughters-in-laws, individuals for whom the employee has a legal support obligation, or anyone for whom the employee provides benefits arising from their employment.

“Business” means any corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, self-employed individual and any other legal entity operated for economic gain but excluding any income-producing not-for-profit corporation that is tax exempt under section 501(c) of the Internal Revenue Code with which a public official or a relative of the public official is associated only as a member or board director or in a nonremunerative capacity.

Gifts

Board of Education members, employees of the college, and their relatives are prohibited from accepting gifts of a value greater than \$50 from a single source during a calendar year from any person that can reasonably be known to have a legislative or administrative interest in a decision before the Board of Education or the individual employee as a public official. Meals (food and beverage) and entertainment are considered gifts and are subject to the annual limitation.

The following are not considered gifts:

- a) Campaign contributions.
- b) Gifts from relatives or members of the public official's household.
- c) Unsolicited tokens or awards of appreciation if value is less than \$25.
- d) Admission and meals provided to a public official when they are invited to attend a reception, meal or meeting held by organization when the public official is attending as representative of the college. This exception does not apply to “private meals with small numbers of participants.”
- e) Informational material, publications or subscriptions related to the public official's position.
- f) Expenses paid by a government entity, membership organization to which the college pays dues, or a non-profit corporation for attendance at a convention, fact-finding trip, or other meeting if the public official is delivering a speech, making a presentation, participating in a panel, or representing the college.
 - i. “Representing” the college means that the public official is participating in an event on behalf of the college in their capacity as a public official.
- g) Food, travel or lodging expenses paid to a public official, a relative, member of the household, or staff when the public official is representing the college on an

“officially sanctioned” trade-promotion or fact-finding mission, or in official negotiations or economic development activities.

- i. “Officially sanctioned” means written approval given by a person authorized by the public body to give approval such as a supervisor or the college’s Board of Education.
- h) Expenses provided by a public official to another public official for travel in state to and from an event that is related to the person’s official office and in which that person participates in their official capacity.
- i) Food and beverage provided at a reception (e.g. social gathering) where the food and beverage are an incidental part of the reception.
- j) Entertainment that is an incidental part of another event or in which the public official has been invited to participate in their official capacity (i.e., throwing out the first ball at a baseball game).
- k) Gifts offered as part of the usual and customary practice of a person’s private business, employment or volunteer position that bears no relationship to the public official’s official position.

“Gift” means something of economic value that is offered to a public official or to relatives or members of the household of a public official or candidate without cost or at a discount or as forgiven debt and the same offer is not made or available to the general public who are not public officials.

“Legislative or administrative interest” means an economic interest, distinct from that of the general public, in any matter subject to the decision or vote of the public official acting in the public official’s capacity as a public official.

Nepotism

A Board of Education member is prohibited from participating in any personnel action taken by the College that would impact the employment of a relative or member of the public official’s household and must follow the conflict of interest requirements above. A Board of Education member may not participate in the following personnel actions: appointing, employing or promoting; discharging, firing or demoting; interviewing; discussing or debating the appointment, employment, promotion, discharge, firing or demotion of a relative or member of the household. This prohibition does not apply to relatives or members of the household who serve the College as an unpaid volunteer.

END OF PROCEDURE

Approved: April 16, 2020

AP 2712 Conflict of Interest – Contracts (Federal)

References:

2 Federal Code of Regulations Part 200.318(c)(1)
ORS 244.047

Public Contracts

Board of Education members who are no longer serving as a public official of College may not have a direct financial interest in a public contract authorized by the Board of Education for a period of two years after the date of the contract was authorized.

Contracts Supported by Federal Funds (2 Code of Federal Regulations Part 200.318(c)(1))

No employee, Board of Education member, or agent of the College may participate in the selection, award, or administration of a contract supported by a federal award if they have a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, Board member, or agent, any member of their immediate family, their partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The Board members, employees, and agents of the College may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. Disciplinary action will be taken for violations of such standards by Board members, employees, or agents of the College.

END OF PROCEDURE

Approved: April 16, 2020

BP 3430 Prohibition of Harassment

References:

Title VII of the Civil Rights Act of 1964, 42 U.S. Code Section 2000e-2
Age Discrimination in Employment Act of 1967 (ADEA);
Americans with Disabilities Act of 1990 (ADA);
29 Code of Federal Regulations Part 1604.11 – Sexual Harassment Title IX of
the Education Amendments of 1972 – 20 U.S. Code Sections 1681, et seq.;
34 Code of Federal Regulations Parts 106.1 et seq. ORS 659A

All forms of harassment are contrary to basic standards of conduct between individuals and are prohibited by state and federal law, as well as this policy, and will not be tolerated.

The College is committed to providing an academic and work environment that respects the dignity of individuals and groups. The College shall be free of all forms of unlawful harassment. Harassment is unlawful if it is based on any of the following statuses: race, color, religion, sex (including pregnancy), gender, gender identity, gender expression, sexual orientation, national origin, marital status, age (under 18 and 40 or older), disability, familial, or genetic information.

The College seeks to foster an environment in which employees, students, and other members of the campus community feel free to report incidents of harassment without fear of retaliation or reprisal. Therefore, the College also strictly prohibits retaliation against any individual for filing a complaint of harassment or for participating in a harassment investigation. Such conduct is illegal and constitutes a violation of this policy. All allegations of retaliation will be swiftly and thoroughly investigated. If the College determines that retaliation has occurred, it will take all reasonable steps within its power to stop such conduct. Individuals who engage in retaliatory conduct are subject to disciplinary action, up to and including termination or expulsion.

Any student, employee, or other member of the campus community who believes that they have been harassed or retaliated against in violation of this policy should immediately report such incidents by following the procedures described in AP 3435 Discrimination and Harassment Complaints and Investigations. Supervisors are mandated to report all incidents of harassment and retaliation that come to their attention.

This policy applies to all aspects of the academic environment, including but not limited to classroom conditions, grades, academic standing, employment opportunities, scholarships, recommendations, disciplinary actions, and participation in any community college activity. In addition, this policy applies to all terms and conditions of employment,



including but not limited to hiring, placement, promotion, evaluation, disciplinary action, layoff, recall, transfer, leave of absence, training opportunities and compensation.

To this end the President shall ensure that the institution undertakes education and training activities to counter discrimination and to prevent, minimize, or eliminate any hostile environment that impairs access to equal education opportunity or impacts the terms and conditions of employment.

The President shall establish procedures that define harassment on campus. The President shall further establish procedures for employees and students, and other members of the campus community that provide for the investigation and resolution of complaints regarding harassment and discrimination, and procedures for students to resolve complaints of harassment and discrimination. All participants are protected from retaliatory acts by the College, its employees, students, and agents.

This policy and related written procedures (including the procedure for making complaints) shall be widely published and publicized to students and employees, particularly when they are new to the institution. They shall be available for students and employees in all administrative offices.

Employees who violate the policy and procedures may be subject to disciplinary action up to and including termination. Students who violate this policy and related procedures may be subject to disciplinary measures up to and including expulsion.

END OF POLICY

President's Cabinet Approval Date:	November 27, 2018	April 14, 2020
College Council Approval Date:	November 29, 2018	April 16, 2020
Board Adoption Date:	September 11, 2018	
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AP 3430 Prohibition of Harassment

References:

Title IX, Education Amendments of 1972; 20 U.S. Code Sections 1681 et seq.;
Title VII of the Civil Rights Act of 1964, 42 U.S. Code Annotated Section 2000e-2;
29 Code of Federal Regulations Part 1604.11;
Age Discrimination in Employment Act of 1967 (ADEA); 29 U.S. Code Sections 621 et seq.;
Americans with Disabilities Act of 1990 (ADA) 42 U.S. Code Sections 12101 et seq.;
ORS 659A;
OAR 839-005-0030 (Sexual harassment);
ORS 243

The College is committed to providing an academic and work environment free of unlawful harassment. This procedure defines sexual harassment and other forms of harassment on campus. Procedures for the investigation and resolution of complaints of harassment by or against any staff or faculty member or student within the College are outlined in AP 3435 Discrimination and Harassment Complaints and Investigations. Procedures related to Workplace Harassment are found in AP 3432.

This procedure and the related policy and procedures protects students, employees, unpaid interns, and volunteers in connection with all the academic, educational, extracurricular, athletic, and other programs of the College, whether those programs take place in the College facilities, a College bus, or at a class or training program sponsored by the College at another location.

Definitions

General Harassment: Harassment is unwelcome conduct that is based on race, color, religion, sex (including pregnancy), gender, gender identity, gender expression, sexual orientation, national origin, marital status, age (under 18 and 40 or older), disability, familial, or genetic information. Harassment becomes unlawful where enduring the offensive conduct becomes a condition of continued employment or the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. Harassment shall be found where, in aggregate, the incidents are sufficiently pervasive, persistent, or severe that a reasonable person with the same characteristics as the victim of the harassing conduct would be adversely affected to a degree that interferes with his/her ability to participate in or to realize the intended benefits of an institutional activity, employment, or resource.

Gender-based harassment does not necessarily involve conduct that is sexual. Any hostile or offensive conduct based on gender can constitute prohibited harassment if it

meets the definition above. For example, repeated derisive comments about a person's competency to do the job, when based on that person's gender, could constitute gender-based harassment. Harassment comes in many forms, including but not limited to the following conduct that could, depending on the circumstances, meet the definition above, or could contribute to a set of circumstances that meets the definition:

Verbal: Inappropriate or offensive remarks, slurs, jokes or innuendoes based on a person's race gender, sexual orientation, or other protected status. This may include, but is not limited to, inappropriate comments regarding an individual's body, physical appearance, attire, sexual prowess, marital status or sexual orientation; unwelcome flirting or propositions; demands for sexual favors; verbal abuse, threats or intimidation; or sexist, patronizing or ridiculing statements that convey derogatory attitudes based on gender, race nationality, sexual orientation or other protected status.

Physical: Inappropriate or offensive touching, assault, or physical interference with free movement. This may include, but is not limited to, kissing, patting, lingering or intimate touches, grabbing, pinching, leering, staring, unnecessarily brushing against or blocking another person, whistling or sexual gestures. It also includes any physical assault or intimidation directed at an individual due to that person's gender, race, national origin, sexual orientation, or other protected status. Physical sexual harassment includes acts of sexual violence, such as rape, sexual assault, sexual battery, and sexual coercion. Sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol. An individual also may be unable to give consent due to an intellectual or other disability.

Visual or Written: The display or circulation of visual or written material that degrades an individual or group based on gender, race, nationality, sexual orientation, or other protected status. This may include, but is not limited to, posters, cartoons, drawings, graffiti, reading materials, computer graphics, or electronic media transmissions.

Environmental: A hostile academic or work environment may exist where it is permeated by sexual innuendo; insults or abusive comments directed at an individual or group based on gender, race, nationality, sexual orientation or other protected status; or gratuitous comments regarding gender, race, sexual orientation, or other protected status that are not relevant to the subject matter of the class or activities on the job. A hostile environment can arise from an unwarranted focus on sexual topics or sexually suggestive statements in the classroom or work environment. It can also be created by an unwarranted focus on, or stereotyping of, particular racial or ethnic groups, sexual orientations, genders, or other protected statuses. An environment may also be hostile toward anyone who merely witnesses unlawful harassment in their immediate surroundings, although the conduct is

directed at others. The determination of whether an environment is hostile is based on the totality of the circumstances, including such factors as the frequency of the conduct, the severity of the conduct, whether the conduct is humiliating or physically threatening, and whether the conduct unreasonably interferes with an individual's learning or work.

Sexual Harassment: Sexual harassment is unwelcome conduct of a sexual nature. Sexual harassment can include unwelcome sexual advances, requests for sexual favors, or other verbal, nonverbal or physical conduct of a sexual nature where such conduct is sufficiently severe or pervasive that it has the effect, intended or unintended, of unreasonably interfering with an individual's work or academic performance or it has created an intimidating, hostile or offensive environment and would have such an effect on a reasonable person

This definition encompasses two kinds of sexual harassment:

"Quid pro quo" sexual harassment occurs when a person in a position of authority makes educational or employment benefits conditional upon an individual's willingness to engage in or tolerate unwanted sexual conduct.

"Hostile environment" sexual harassment occurs when unwelcome conduct based on a person's gender is sufficiently severe or pervasive so as to alter the conditions of an individual's learning or work environment, unreasonably interfere with an individual's academic or work performance, or create an intimidating, hostile, or abusive learning or work environment. The victim must subjectively perceive the environment as hostile, and the harassment must be such that a reasonable person of the same gender would perceive the environment as hostile. A single or isolated incident of sexual harassment may be sufficient to create a hostile environment if it is severe, i.e. a sexual assault.

Sexually harassing conduct can occur between people of the same or different genders. The standard for determining whether conduct constitutes sexual harassment is whether a reasonable person of the same gender as the victim would perceive the conduct as harassment based on sex.

Sexual Assault: Sexual assault means unwanted conduct of a sexual nature that is inflicted upon a person or compelled through the use of physical force, manipulation, threat, or intimidation.

Workplace Harassment: Workplace harassment means conduct that constitutes discrimination prohibited by ORS 659A.030, including conduct that constitutes sexual assault or that constitutes conduct prohibited by ORS 659A.082 or 659A.112.

Consensual Relationships

Romantic or sexual relationships between supervisors and employees, or between administrators, faculty, or staff members and students are discouraged. There is an inherent imbalance of power and potential for exploitation in such relationships. A conflict of interest may arise if the administrator, faculty, or staff member must evaluate the student's or employee's work or make decisions affecting the employee or student. The relationship may create an appearance of impropriety and lead to charges of favoritism by other students or employees. A consensual sexual relationship may change, with the result that sexual conduct that was once welcome becomes unwelcome and harassing. In the event that such relationships do occur, the College has the authority to transfer any involved employee to eliminate or attenuate the supervisory authority of one over the other, or of a teacher over a student. Such action by the College is a proactive and preventive measure to avoid possible charges of harassment and does not constitute discipline against any affected employee.

Academic Freedom

No provision of this Administrative Procedure shall be interpreted to prohibit conduct that is legitimately related to the course content, teaching methods, scholarship, or public commentary of an individual faculty member or the educational, political, artistic, or literary expression of students in classrooms and public forums. Freedom of speech and academic freedom are, however, not limitless and this procedure will not protect speech or expressive conduct that violates federal or state anti-discrimination laws.

END OF PROCEDURE

Approved: April 16, 2020

Revised OCCA 11/19

AP 3515 Reporting of Crimes

References:

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998;
20 United States Code Section 1232g;
34 Code of Federal Regulations Parts 99.31(a)(13), (14) and 668.46;
Campus Security Act of 1990;
NWCCU Standard 2.D.2

Members of Clatsop Community College who are witnesses or victims of a crime should immediately report the crime to Local Law Enforcement at 911.

The College shall publish warnings to the campus community through the Annual Security Report, campus alert system, or other appropriate methods about the following crimes:

- Criminal homicide – murder and non-negligent manslaughter;
- Criminal homicide – negligent manslaughter;
- Sex offenses – forcible and non-forcible sex offenses;
- Domestic violence, dating violence and stalking;
- Robbery;
- Aggravated assault;
- Burglary;
- Motor vehicle theft;
- Arson;
- Arrests for liquor law violations, drug law violations, and illegal weapons possession;
- Persons who were not arrested for liquor law violations, drug law violations, and illegal weapons possession, but who were referred for campus disciplinary action for same;
- Crimes that manifest evidence that the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability and involve larceny-theft, simple assault, intimidation, destruction/damage/vandalism of property, or any other crime involving bodily injury;
- Those reported to Astoria Police Department, Seaside Police Department, and Clatsop County Sheriff Office; and
- Those that are considered to represent a continuing threat to other students and employees.

In the event that a situation arises, either on or off campus, that, in the judgment of the Chief Financial Officer, or their designee, constitutes an ongoing or continuing threat, a

campus wide “timely warning” will be issued. The warning will be issued through the college e-mail system to students, faculty, staff. The information shall be disseminated by the Chief Technology Officer and the Public Information Officer in a manner that aids the prevention of similar crimes.

Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the community and individuals, the Public Information Officer or their designee may also post a notice on the College web site at: www.clatsopcc.edu, providing the community with more immediate notification. Anyone with information warranting a timely warning should report the circumstances to the local law enforcement by phone 911 or in person to Chief Financial Officer or designee at 1651 Lexington Avenue, Astoria, OR 97103, Building Lower Library, Office 110.

The College shall not be required to provide a timely warning with respect to crimes reported to a pastoral or professional counselor.

If there is an immediate threat to the health or safety of students or employees occurring on campus, the College shall follow its emergency notification procedures.

The College shall annually collect and distribute statistics concerns crimes on campus. All college staff with significant responsibility for student and campus activities shall report crimes about which they receive information.

The College shall publish an Annual Security Report every year by October 1 that contains statistics regarding crimes committed on campus and at affiliated locations for the previous three years. The Annual Security Report shall also include policies pertaining to campus security, alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, victims’ assistance program, student discipline, campus resources and other matters. The College shall make the report available to all current students and employees. The College will also provide prospective students and employees with a copy of the Annual Security Report upon request. A copy of the Annual Security Report can be obtained by contacting Chief Financial Officer at 1651 Lexington Avenue, Astoria, OR 97103, Building Lower Library, Office 110. or at the Website address published at <https://www.clatsopcc.edu/safety-report/>.

To Report a Crime:

Contact local law enforcement at Astoria Police Department at 503-325-4411 or Seaside Police Department at 503-738-6311 (*non-emergencies*) and dial 911 (emergencies only). Any suspicious activity or person seen in the parking lots or loitering around vehicles or inside buildings should be reported to the physical plant at 503-791-3320 or 503-338-2489. In addition, students, employees, and members of the campus community may report a crime to the following areas:

- **Vice President, Finance and Operations**
JoAnn Zahn
Location: 1651 Lexington Avenue, Astoria, OR 97103
Building: Lower Library, office 110
(503) 338-2421
reportcrime@clatsopcc.edu
- **Director, Physical Plant**
Shaun Martin
Location: 1651 Lexington Avenue, Astoria, OR 97103
Building: Library 105
(503) 338-2393
reportcrime@clatsopcc.edu
- **Director Human Resources, Title IX Coordinator**
Naomi Garbutt
Location: 1651 Lexington Avenue, Astoria, OR 97103
Building: Towler Hall, room 110B
503-338-2450
title9@clatsopcc.edu
- **Vice President Student Success, Title IX Deputy Coordinator**
Jerad Sorber
Location: 1651 Lexington Avenue, Astoria, OR 97103
Building: Columbia Hall, room 115B
503-338-2326
studentsuccess@clatsopcc.edu

If you are the victim of a crime and do not want to pursue action within the College's System or the criminal justice system, you may still want to consider making a confidential report. With your permission, the College Counseling Office can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the College can keep an accurate record of the number of incidents involving students, determine where there is

a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution.

The Chief Student Affairs Officer encourages anyone who is the victim or witness to any crime to promptly report the incident to the police. Because police reports are public records under state law, the police cannot hold reports of crime in confidence. Confidential reports for purposes of inclusion in the annual disclosure of crime statistics can generally be made to other campus security authorities as identified below. Confidential reports of crime may also be made to Counseling (Confidential), Victims Advocate, 1651 Lexington Avenue, Astoria, OR 97103, Building: Towler Hall Room 104B, at 503-338-2409 or counseling@clatsopcc.edu.

The College may disclose the final results of disciplinary proceeding to a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, regardless of the outcome. The College may also disclose to anyone, the final results of a disciplinary proceeding in which it concludes that a student violated College policy with respect to a crime of violence or non-forcible sex offense. The offenses that apply to this permissible disclosure are:

- Arson;
- Assault offenses;
- Burglary;
- Criminal homicide – manslaughter by negligence;
- Criminal homicide – murder and non-negligent manslaughter;
- Destruction, damage, or vandalism of property;
- Kidnapping or abduction;
- Robbery; and
- Forcible sex offenses.

The disclosure may only include the final result of the disciplinary proceeding with respect to the alleged criminal offense. The College shall not disclose the name of any other student, including a victim or witness, unless the victim or witness has waived his/her right to confidentiality.

END OF PROCEDURE

Approved: April 16, 2020

Revised OCCA 1/19

AP 5041 Student Name(s)

References:

Title IX, Education Amendments of 1972, 42 U.S.C. 1681

Clatsop Community College is committed to providing an inclusive, supportive and non-discriminatory learning environment for all students and to ensuring that every student has equal access to the College's educational programs and activities. The College recognizes that some students may prefer to use names other than their legal names to identify themselves. The College further recognizes that students may wish to identify by a preferred gender other than their sex assigned at birth.

A "lived name" and "preferred gender" may be used when possible on certain documents and unofficial records maintained by the College, and in situations where a legal name and gender are not required by state or federal law. The College retains the right to deny requested lived names or preferred gender when appropriate. Clatsop Community College allows more flexibility to list students with their lived names and preferred genders whenever possible.

The following guidelines and procedures have been established to help clarify the use of lived names and gender at the College. Students may not use a lived name or gender for inappropriate purposes, such as fraud or misrepresentation.

A. Definitions

For purposes of this Administrative Procedure, the following definitions apply:

Legal Name: A name designated on official government issued documents including but not limited to birth certificates, passports, social security cards, immigration documents and identification cards or permits. In order to change a person's legal name, a court order is required.

Lived Name: A name that a person can designate on college-related unofficial documents and records, as defined below, in place of the person's legal name and in furtherance of their preferred gender, **familial status, or personal choice**. It is the name that the person wishes to be known or identified by and is different from the person's legal name.

Sex Assigned at Birth: This refers to the sex designation recorded on an infant's birth certificate, should such a record be provided at birth.

Gender Identity: This refers to an individual's internal sense of gender. A person's gender identity may be different from or the same as the person's sex assigned at birth.

Preferred Gender: The gender identity that a person wishes to designate on College related documents and unofficial records.

Official Records: Official records are those records the College is required to maintain as part of a student's permanent record and which are required, by state or federal law or college policy or practice, to contain a student's legal name.

Official records include, but are not limited to, registration documents, official and unofficial transcripts, diplomas, financial aid documents, payroll records and federal immigration documents.

Unofficial Records: Unofficial records are those records which do not require a legal name. These records include but are not limited to academic and extracurricular rosters, identification badges, and college email addresses.

B. Official Records

The College will change a student's name on official records when the name of the student is changed by court action, such as by a change of name proceedings. Once the College receives notice of an order changing a student's legal name, it will use the new legal name in all College records going forward to reflect the change.

C. Unofficial Records

The College **shall recognize a student's** lived name and preferred gender on College-related unofficial documents and records where the use of the legal name is not required by state or federal law or College policy. Students may change their preferred name by submitting the appropriate form to the Welcome Center or the registrar directly.

The College shall input the student's lived name and preferred gender, if applicable, in the appropriate fields in the College's electronic data system to indicate how the student's name and gender will appear on unofficial records.

D. Names and Pronouns

Every effort should be made to use the lived names and pronouns consistent with a student's preferences on the Request Form.

END OF PROCEDURE

Approved: April 16, 2020
Rescinds 6.030

Old Policy Number	Title	Procedure Number/Title	Ready to rescind	Rescind Date	New Policy Number	Title	Procedure Number/Title
2710	Conflict of Interest	none	X		2710	Conflict of Interest <i>*revised to include employees</i> <i>*added reference to BP 2010</i> <i>Board Membership</i> legally required	2710 Conflict of Interest <i>new legally advised</i> 2712 Conflict of Interest-Contracts (Federal <i>new suggested</i>
3430	Prohibition of Harassment	3430 Prohibition of Harassment	X		3430	Prohibition of Harassment <i>* revised to include workplace and sexual harassment</i> legally required	3430 Prohibition of Harassment * revised to include workplace and sexual harassment legally required 3432 Workplace Harrassment new legally required
	no change to BP	3515 Reporting of Crimes	N/A			no change	3515 Reporting of Crimes <i>*revised to correct typo</i> <i>legally required</i>
6.03	Legal Names of Students		X			none	5041 Student Names (will be housed under 6.025 Student Records) <i>suggested</i>