



**Clatsop
Community
College**

Clatsop Community College NWCCU Ad Hoc Report

Prepared for Northwest Commission on Colleges and Universities

March 2021

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This report is in response to the request from NWCCU, dated February 3, 2020, that Clatsop Community College address Recommendation 1 of the Spring 2014 Year Three *Resources and Capacity* Evaluation:

“The evaluation committee recommends that the College regularly review its policies and procedures (Standard 2.A.6, 2.A.18).”

Response

Clatsop Community College (CCC) subscribes to the Oregon Community College Association (OCCA) Board Policy and Procedure Program. Their website describes their program as follows, “In partnership with the Community College League of California (League) and the law firm of Liebert Cassidy Whitmore, OCCA provides subscribing Oregon community colleges access to the League’s national board policy and procedure program designed for community colleges. The program reflects the community college policy-based governance model and templates provide customizable sample language that can be revised to reflect local practices.”

Clatsop Community College was one of the first Oregon community colleges to subscribe to the OCCA Board Policy and Procedure Program on March 15, 2018. The program provides the resource of more than 360 legally vetted sample board policies and administrative procedures addressing legal requirements and operational needs of Oregon Community Colleges.

The board policies (BPs) and administrative procedures (APs) were developed to align with Oregon Revised Statutes (ORS), NWCCU Accreditation Standards, and federal laws, regulations, and case law. The OCCA subscription service includes annual updates in required and suggested language for BPs and APs based on legislative changes made throughout the year. CCC has been able to develop more efficient and effective policies from the readily available sample BPs and APs.

President Christopher Breitmeyer developed a systematic process of policy and procedure development that assures the opportunity for institution wide input. The BPs and APs that are not legally required are developed by the relevant stakeholders of the BPs and APs. For example, the policies related to Business and

Finance were developed by the members of the Business and Finance Office. Once the policies and procedures have been developed, they are presented to the Board of Education Policy Committee to provide an overview of the policies and procedures that will be going through the shared governance process. The BPs and APs then go to President's Cabinet for discussion and any suggested revisions for 1st reading. These same policies and procedures are presented to College Council for additional discussion and revisions for 1st reading. All revisions are completed, and the policies and procedures go through Cabinet and College Council for a 2nd reading. Cabinet and College Council members are advised to take the policies and procedures presented at 1st reading back to their constituents for any additional input or revisions. If revisions are suggested by the constituents, those revisions are discussed and incorporated in the 2nd reading. In addition, the College's Diversity, Equity, and Inclusion (DEI) Council reviews the policies and procedures on an informal basis using an equity lens. The DEI Council's feedback is incorporated into any revisions. In the 2nd reading, policies and procedures are either approved by consensus for the Cabinet and by vote for the College Council, or they are sent back for additional development.

After the College community has finished the development of the policies and procedures, the final drafts are presented to the Board of Education (BOE) Policy Committee for an executive level review. A "tracked changes" copy of the policies (and accompanying procedures) go to the Board of Education for 1st reading so BOE members can see the changes that were made to the original OCCA template. Once the policies have been approved by the Board for 1st reading, a clean copy goes back to the Board at their next meeting for 2nd reading with a vote to adopt the policies as written. After adoption of the new policies, the BOE votes to rescind relevant previous policies if necessary. The BOE does not approve or adopt the administrative procedures which are the responsibility of the President. However, the corresponding APs are provided to the Board at 1st and 2nd readings of the BPs to provide context and to demonstrate the alignment of policies to procedures.

We have been using the Board Policy and Procedure Program extensively in the past 18 months to review and revise our board policies and administrative procedures. The Oregon Community College Association had a recommended sequence which I understand the College followed when they first started in the program. Student Services had started to work on updating more of their policies and procedures. However, this process was somewhat stalled when the College focused on responding to the pandemic in March 2020. When we resumed our work, we started back with Human Resource (HR) policies. We plan to focus on a

combination of HR and Student Services in the next few months. Occasionally, something will come up that needs emergency adoption, such as the Title IX related board policies and administrative procedures last summer.

The following page has a list of approved BPs and APs. This is followed by the BPs and APs with the entire wording of each policy. The last page has BPs and APs that are in process.

		APPROVED BPs and APs	1st Reading			2nd Reading			Approved		
BP	AP	Title	Cabinet	College Council	BOE	Cabinet	College Council	BOE	Cabinet	College Council	BOE
2710		Conflict of Interest - revised by OCCA 1/2020		2/20/2020	5/12/2020	4/14/2020	4/16/2020	6/9/2020	4/14/2020	4/16/2020	6/9/2020
	2710	Conflict of Interest - revised by OCCA 1/2020		2/20/2020	NA	4/14/2020	4/16/2020	NA	4/14/2020	4/16/2020	NA
	2712	Conflict of Interest (Contracts) - revised by OCCA 1/2020		2/20/2020	NA	4/14/2020	4/16/2020	NA	4/14/2020	4/16/2020	NA
3100		Organizational Structure	9/24/2019	11/7/2019	12/10/2019	11/12/2019	12/5/2019	1/14/2020	11/12/2019	12/5/2019	1/14/2020
	3100	Organizational Structure	9/24/2019	11/7/2019	NA	11/12/2019	12/5/2019	NA	11/12/2019	12/5/2019	NA
3310		Records Retention and Destruction	9/24/2019	10/17/2019	12/10/2019	11/12/2019	12/5/2019	1/14/2020	11/12/2019	12/5/2019	1/14/2020
	3310	Records Retention and Destruction	9/24/2019	10/17/2019	NA	11/12/2019	12/5/2019	NA	11/12/2019	12/5/2019	NA
3430		Prohibition of Harassment - revised by OCCA	8/4/2020	8/4/2020	8/12/2020	8/4/2020	8/4/2020	8/12/2020	8/4/2020	8/4/2020	8/12/2020
	3430	Prohibition of Harassment - revised by OCCA 7/2020 (gender expression, gender identity language added 10/2020)	10/13/2020	10/22/2020	NA	10/27/2020	11/12/2020	NA	10/27/2020	11/12/2020	NA
	3432	Workplace Harassment			NA	2/25/2020	6/18/2020	NA	2/25/2020	6/18/2020	NA
3433		Prohibition of Sexual Harassment under Title IX - revised by OCCA 7/2020	8/4/2020	8/4/2020	8/12/2020	8/4/2020	8/4/2020	8/12/2020	8/4/2020	8/4/2020	8/12/2020
	3433	Prohibition of Sexual Harassment under Title IX - revised by OCCA 7/2020	8/4/2020	8/4/2020	NA	8/4/2020	8/4/2020	NA	8/4/2020	8/4/2020	NA
	3434	Responding to Harassment Based on Sex under Title IX	8/4/2020	8/4/2020	NA	8/4/2020	8/4/2020	NA	8/11/2020	8/4/2020	NA
	3435	Discrimination and Harassment Complaints - revised by OCCA 7/2020	8/4/2020	8/4/2020	NA	8/4/2020	8/4/2020	NA	8/11/2020	8/4/2020	NA
3540		Sexual and Other Assaults on Campus - revised by OCCA 7/2020	8/4/2020	8/4/2020	8/12/2020	8/4/2020	8/4/2020	8/12/2020	8/4/2020	8/4/2020	8/12/2020
	3540	Sexual and Other Assaults on Campus - revised by OCCA 7/2020	8/11/2020	8/4/2020	NA	8/11/2020	8/4/2020	NA	8/4/2020	8/4/2020	NA
4225		Course Repetition	5/7/2019	5/9/2019	7/9/2019	5/14/2019	5/23/2019	10/8/2019	5/14/2019	5/23/2019	10/8/2019
	4225	Course Repetition	5/7/2019	5/9/2019	NA	5/14/2019	5/23/2019	NA	5/14/2019	5/23/2019	NA
4226		Multiple and Overlapping Enrollments	5/7/2019	5/9/2019	7/9/2019	5/14/2019	5/23/2019	10/8/2019	5/14/2019	5/23/2019	10/8/2019
	4226	Multiple and Overlapping Enrollments	5/7/2019	5/9/2019	NA	5/14/2019	5/23/2019	NA	5/14/2019	5/23/2019	NA
	5013	Students in the Military	12/1/2020	12/10/2021	NA	1/12/2021	1/14/2021	NA	1/12/2021	1/14/2021	NA
	5041	Student Names		2/20/2021	NA	4/14/2020	4/16/2020	NA	4/14/2020	4/16/2020	NA
5052		Open Enrollment	10/8/2019	11/7/2019	12/10/2019	10/29/2019	12/5/2019	1/14/2020	10/29/2019	12/5/2019	1/14/2020
	5052	Open Enrollment	10/8/2019	11/7/2019	NA	10/29/2019	12/5/2019	NA	10/29/2019	12/5/2019	NA
	7126	Applicant Background Checks	12/8/2020	12/10/2020	NA	1/26/2021	1/28/2021	NA	1/26/2021	1/28/2021	NA
7135		Faculty Outside Employment	10/13/2020	10/22/2020	12/8/2020	10/27/2020	11/12/2020	1/12/2021	10/27/2020	11/12/2020	1/12/2021
	7135	Faculty Outside Employment	10/13/2020	10/22/2020	NA	10/27/2020	11/12/2020	NA	10/27/2020	11/12/2020	NA
7700		Whistleblower Protection	10/13/2020	10/22/2020	12/8/2020	10/27/2020	11/12/2020	1/12/2021	10/27/2020	11/12/2020	1/12/2021
	7700	Whistleblower Protection	10/13/2020	10/22/2020	NA	10/27/2020	11/12/2020	NA	10/27/2020	11/12/2020	NA

BP = Board Policy

AP = Administrative Procedure

BP 2710 Conflict of Interest

References:

NWCCU Standards 2.D.3
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 (adopted Nov 13, 2018)

AP 2710 Conflict of Interest

References:

NWCCU Standard 2.D.3
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:

NWCCU Standard 2.D.3
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 3100 Organizational Structure

References:

NWCCU Standard 2.A.4

The President shall establish organizational charts that delineate the lines of responsibility and fix the general duties of employees within the College.

END OF POLICY

President's Cabinet Approval Date:	November 12, 2019
College Council Approval Date:	December 5, 2019
Board Adoption Date:	January 14, 2020
Last Revised:	January 14, 2020

Rescinds:

AP 3100 Organizational Structure

References:

NWCCU Standard 2.A.4
No State Statutory requirement

The College's organizational structure is available on the College website and will be regularly updated.

Approved: December 5, 2019

BP 3310 Records Retention and Destruction

References:

Federal Rules of Civil Procedure, Rules 16, 26, 33, 34, 37, and 45;
NWCCU Standard 2.C.4
ORS 192.005 – ORS 192.170
OAR 166-450-0000 – OAR 166-450-0125

The President shall establish administrative procedures to assure the retention and destruction of all College records—including electronically stored information as defined by the Federal Rules of Civil Procedure and Oregon law. Such records shall include, but not be limited to student records, employment records, and financial records.

END OF POLICY

President's Cabinet Approval Date:	November 12, 2019
College Council Approval Date:	December 5, 2019
Board Adoption Date:	January 14, 2020
Last Revised:	January 14, 2020

Rescinds:

AP 3310 Records Retention and Destruction

References:

Federal Rules of Civil Procedure, Rules 16, 26, 33, 34, 37, and 45;
NWCCU Standard 2.C.4
ORS 192.005 to 192.170
ORS 357.805 to 357.845
OAR Chapter 166, Division 450

“Records” means all records, maps, books, papers, data processing output, and documents of the College which it must retain, including but not limited to records created originally by computer and “electronically stored information” (“ESI”), as that term is defined by the Federal Rules of Civil Procedure. [Note: See note below about Oregon definition of public record.]

The President or President’s designee shall supervise the classification and destruction of records and ESI. The College must preserve ESI and ESI that is relevant to actual or potential litigation pursuant to the Federal Rules of Civil Procedure. The College shall comply with the Federal Rules of Civil Procedure and produce relevant ESI in the form in which it is ordinarily maintained or readily usable. An annual report shall be made to the Board of Education regarding the classification and destruction of records and ESI.

Records shall be classified as required by applicable statutes, federal and state regulations.

The College shall maintain a public record or accurate copy of a public record in accordance with the retention schedule set out in Oregon Administrative Rule Chapter 166, Division 450, without regard to the technology or medium used to create or communicate the record.

NOTE: *Oregon law defines “Public record” is defined as “any information that:*

- (A) Is prepared, owned, used or retained by a state agency or political subdivision;*
- (B) Relates to an activity, transaction or function of a state agency or political subdivision;*
and
- (C) Is necessary to satisfy the fiscal, legal, administrative or historical policies, requirements or needs of the state agency or political subdivision.”*

It does not include extra copies of a document, preserved only for convenience of reference; a stock of publications; messages on voice mail or on other telephone message storage and retrieval systems; or spoken communication that is not recorded.

Approved: December 5, 2019

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);
ORS 659A
ORS 243

All forms of harassment are contrary to basic standards of conduct between individuals. State and federal law, and this policy prohibit harassment and the *College* will not tolerate harassment. This policy applies to all members of the College community including Board of Education members, employees, students, volunteers and interns.

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), national origin, age, disability, or genetic information. For the College's policy regarding sexual harassment under Title IX, see BP 3433 Prohibition of Sexual Harassment under Title IX and accompanying procedures.

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. The College will investigate all allegations of retaliation swiftly and thoroughly. If the College determines that someone has retaliated, 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 he/she/they has 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 and AP 3432 Workplace Harassment. The College requires supervisors 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 harassment 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. State and federal law and this policy prohibit retaliatory acts by the College, its employees, students, and agents.

The College will publish and publicize this policy and related written procedures (including the procedure for making complaints) to students and employees, particularly when they are new to the institution. The College will make this policy and related written procedures (including the procedure for making complaints) available in all administrative offices and will post them on the College's website.

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:	August 4, 2020
College Council Approval Date:	August 4, 2020
Board Adoption Date:	August 12, 2020
Last Revised:	August 12, 2020

Rescinds: BP 3430 (adopted 9/11/2018)

AP 3430 Prohibition of Harassment

References:

Title VII of the Civil Rights Act of 1964, 42 U.S. Code Annotated Section 2000e-2;
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. AP 3435 Discrimination and Harassment Complaints and Investigations sets forth a procedure for the investigation and resolution of complaints of harassment by or against any staff or faculty member or student within the College. 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's 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), national origin, age, disability, 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/their ability to participate in or to realize the intended benefits of an institutional activity, employment, or resource.

For sexual harassment under Title IX, Complainants must proceed under BP 3433 Prohibition of Sexual Harassment under Title IX, AP 3433 Prohibition of Sexual Harassment under Title IX, and AP 3434 Responding to Harassment Based on Sex under

Title IX. For other forms of sexual harassment or gender-based harassment, Complainants should use this procedure.

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 his/her 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 members, 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 members 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

President's Cabinet Approval Date:	August 4, 2020
College Council Approval Date:	August 4, 2020
Last Revised:	August 4, 2020

Rescinds: AP 3430 (adopted 9/11/2018)

AP 3432 Workplace Harassment

References:

ORS 659A;
ORS 243
BP & AP 3430 Prohibition of Harassment
AP 3435 Discrimination and Harassment Complaints and Investigations

The College is committed to a discrimination, harassment, and intimidation free workplace. Workplace harassment will not be tolerated. This procedure outlines the process for reporting complaints involving workplace harassment and the obligations of College in addressing those complaints.

Any student, employee, volunteer, intern, or other member of the campus community who believes that they have been harassed or retaliated against in the workplace in violation of College's Prohibition of Harassment policy should immediately report such incidents to designated officials by following the procedures described in AP 3435 Discrimination and Harassment Complaints and Investigations.

All college employees are advised to document in writing any incidents of workplace harassment they observe or that are reporting to them.

Prohibited Employment or Settlement Agreements

The College may not require, coerce, or enter into an agreement with an employee or prospective employee, as a condition of employment, continued employment, promotion, compensation or the receipt of benefits, that contains a nondisclosure provision, a non-disparagement provision or any other provision that has the purpose or effect of preventing the employee from disclosing or discussing conduct that:

- a) i) Constitutes discrimination prohibited by ORS 659A.030, including conduct that constitutes sexual assault; or
- ii) Constitutes discrimination prohibited by ORS 659A.082 or 659A.112; and
- b) i) Occurred between employees or between the College and an employee in the workplace or at a work-related event that is off the College premises and coordinated by or through the College; or
- ii) Occurred between the College and an employee off the College premises.

Exceptions: The College may enter into a settlement, separation or severance agreement that includes one or more of the following, only when an employee claiming to be aggrieved by conduct described above as workplace harassment requests to enter into the agreement:

- a) A provision described above;
- b) A provision that prevents the disclosure of factual information relating to a claim of discrimination or conduct that constitutes sexual assault; or

- c) A no-rehire provision that prohibits the employee from seeing re-employment with the College as a term or condition of the agreement.

An agreement entered into under this exception must provide the employee at least seven days after executing the agreement to revoke the agreement. The agreement may not become effective until after the revocation period has expired.

Victims' Rights

Nothing in the policy is intended to prohibit a victim of workplace harassment from voluntarily disclosing information regarding an incident of workplace harassment that involved the victim.

Resources

Individuals who believe they are the victim of workplace harassment should contact Chief Human Resource Officer for information related to legal resources, counseling and support services, including the employee assistance program.

Retaliation

Retaliation against anyone who files a complaint, participated in an investigation, or reported observing workplace harassment, is prohibited. Anyone who believes they have been retaliated against should report this behavior under the process outlined in AP 3435 Discrimination and Harassment Complaints and Investigations. Complaints of retaliation will be investigated promptly.

Policy Notification

The College will make this policy and related procedures available to College employees in the workplace; provide a copy of the policy and procedures to each employee at the time of hire; and provide a copy of the policy and procedures to an employee at the time the employee discloses information regarding prohibited workplace harassment.

Definitions

“Non-Disclosure Agreement”: Non-disclosure agreement means an agreement between the employer and employee not to disclose information related to complaints or personal action related to violations of College’s Prohibition of Harassment policy.

“Non-disparagement Agreement”: Non-disparagement agreement means an agreement between the employee and employee not to make negative statements about the other related to complaints or personnel actions related to violations of this policy.

“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.

END OF PROCEDURE

College Council Approval Date:	June 18, 2020
Last Revised:	June 18, 2020

BP 3433 Prohibition of Harassment under Title IX

References:

Title IX of the Education Amendments Act of 1972;
34 Code of Federal Regulations Part 106

All forms of sexual harassment are contrary to basic standards of conduct between individuals. State and federal law and this policy prohibit sexual harassment and the College will not tolerate sexual harassment. 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 sexual harassment and all forms of sexual intimidation and exploitation including acts of sexual violence.

The College seeks to foster an environment in which all employees, students, applicants for employment, and applicants for admission feel free to report incidents of sexual harassment in violation of this policy and Title IX, without fear of retaliation or reprisal. Therefore, the College also strictly prohibits retaliation against any individual for filing a complaint of sexual harassment in violation of this policy and Title IX or for participating, or refusing to participate, in a sexual harassment investigation. The College will investigate all allegations of Title IX retaliation swiftly and thoroughly. If the College determines that someone has retaliated, it will take all reasonable steps within its power to stop such conduct. Individuals who engage in Title IX retaliatory conduct are subject to disciplinary action, up to and including termination or expulsion.

Any employee, student, applicant for employment, or applicant for admission who believes that he/she/they has been harassed or retaliated against in violation of this policy should immediately report such incidents by following the procedures described in AP 3434. The College requires supervisors 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, 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 sexual harassment 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 sexual harassment on campus. The President shall further establish procedures for employees, students, and other members of the campus community that provide for the investigation and resolution of complaints regarding sexual harassment in violation of this policy, and procedures to resolve complaints of sexual harassment in violation of this policy. State and federal law and this policy prohibit retaliatory acts against all participants by the College, its employees, students, and agents.

The College will publish and publicize this policy and related written procedures (including the procedure for making complaints) to administrators, faculty, staff, students, applicants for employment, and applicants for admission, particularly when they are new to the institution. The College will make this policy and related written procedures (including the procedures for making complaints) available in all administrative offices and will post them on the College's website.

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. Volunteers or unpaid interns who violate this policy and related procedures may be subject to disciplinary measure up to and including termination from the volunteer assignment, internship, or other unpaid work experience program.

END OF POLICY

President's Cabinet Approval Date:	August 4, 2020
College Council Approval Date:	August 4, 2020
Board Adoption Date:	August 12, 2020
Last Revised:	August 12, 2020

Rescinds: None

AP 3433 Prohibition of Sexual Harassment under Title IX

References:

Title IX Education Amendments of 1972;
Title VII of the Civil Rights Act of 1964, 42 U.S. Code Annotated Section 2000e

The College is committed to providing an academic and work environment free of unlawful sexual harassment under Title IX. This procedure defines sexual harassment on campus.

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

Definitions

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 a 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.

END OF PROCEDURE

President's Cabinet Approval Date: August 4, 2020
College Council Approval Date: August 4, 2020
Last Revised: August 4, 2020

NEW 7/20

AP 3434 Responding to Harassment Based on Sex under Title IX

References:

- 20 U.S. Code Sections 1681 et seq.;
- 34 Code of Federal Regulations Parts 106.1 et seq.

Introduction

The College encourages members of the College community to report sexual harassment. This procedure only applies to conduct defined 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 these 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

The College's Title IX Coordinator is the Director of Human Resources and the Title IX Coordinator's contact information is:

Naomi Garbutt (through 8/31/2020)
Desiree Noah (effective 9/1/2020)
Clatsop Community College
1651 Lexington Ave., LL103
Astoria, OR 97103
(503) 338-2450
ngarbutt@clatsopcc.edu or dnoah@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 the 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 a 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
- All Vice Presidents
- All Deans
- All Directors (with the exception of the Director, Student Access Services and the Director, TRIO Student Support Services)

Officials with Authority are required to report 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 the 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 or 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 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, Student Success or designee will conduct the individualized safety and risk analysis.

If the Vice President, Student Success 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 Vice President, Student Success 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, in the course of 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 required 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

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 to oversee 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 of 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 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 on the basis of 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 the 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 Policy and Procedures

The College will provide its policy 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.

END OF PROCEDURE

President's Cabinet Approval Date:	August 4, 2020
College Council Approval Date:	August 4, 2020
Last Revised:	August 4, 2020

Rescinds: None

AP 3435 Discrimination and Harassment Complaints and Investigations

References:

Title VII of the Civil Rights Act of 1964; 42 U.S. Code Sections 2000e et seq.;
Equal Employment Opportunity Commission (EEOC) Notice 915.002 (dated June 18, 1999);
ORS 659A;
ORS 659.850 to 659.860, OAR Chapter 715, Div 11 (Student complaints);
Chapter 451, Oregon 2019 Laws (Sexual harassment policies);
ORS 243

For sexual harassment under Title IX, Complainants must proceed under BP 3433 Prohibition of Sexual Harassment under Title IX, AP 3433 Prohibition of Sexual Harassment under Title IX, and AP 3434 Responding to Harassment Based on Sex under Title IX. For other forms of sexual harassment or gender-based harassment, Complainants should use this procedure.

Complaints: Any person who has suffered harassment, discrimination, or retaliation may file a complaint of harassment, discrimination, or retaliation. Complainants are encouraged to report harassment before it becomes severe or pervasive. The College strives to stop harassment before it rises to the level of a violation of state or federal law.

Jurisdiction: College is required under Oregon law to respond to complaints to any complaint received by the college, regardless of whether the incident occurred on the campus or elsewhere, that relates to: (A) Sexual harassment; (B) Sexual assault; (C) Domestic violence; (D) Dating violence; or (E) Stalking.

Retaliation: Persons who make complaints of harassment or provide information related to such complaints will be protected against retaliation. The College will take all reasonable steps to protect the Complainant from further harassment or discrimination.

Employment-Related Complaints: The Title IX Coordinator is the person charged with receiving complaints of discrimination or harassment, and coordinating their investigation. The actual investigation of complaints may be assigned the Title IX Coordinator to other College staff or to outside persons or organizations under contract with the College. At a minimum, the investigation will be assigned to other College staff or outside investigators whenever the Title IX Coordinator is named in the complaint or implicated by the allegations in the complaint.

Who May File a Complaint: Any student, employee, or third party who believes he/she/they has been discriminated against or harassed by a student, employee, or third party in violation of this procedure and the related policy.

Where to File a Complaint: An employee who believes he/she/they has been discriminated against or harassed in violation of these policy and procedures may make a complaint orally or in writing.

A Complainant may file a complaint against the College with any of the following:

- the Title IX Coordinator; or
- the Deputy Title IX Coordinator; or
- the Chief Student Services Officer; or
- the President

Complainants filing employment-related complaints shall be notified that they may file employment discrimination complaints with the U.S. Equal Employment Opportunity Commission (EEOC) or through the Oregon Bureau of Labor and Industries (BOLI) complaint resolution process.

An employee or claimant must provide advance notice of a claim against the employer as required by the Oregon Tort Claims Act (ORS 30.275).

Any College employee who receives a harassment or discrimination complaint shall notify the Title IX Coordinator immediately.

Filing a Timely Complaint: Since failure to report harassment and discrimination impedes the College's ability to stop the behavior, the College strongly encourages anyone who believes they are being harassed or discriminated against, to file a complaint. The College also strongly encourages the filing of such complaints within 30 days of the alleged incident. While all complaints are taken seriously and will be investigated promptly, delay in filing impedes the College's ability to investigate and remediate.

All supervisors and managers have a mandatory duty to report incidents of harassment and discrimination; the existence of a hostile, offensive or intimidating work environment, and acts of retaliation.

The College will investigate complaints involving acts that occur off campus if they are related to an academic or work activity or if the harassing conduct interferes with or limits a student's or employee's ability to participate in or benefit from the school's programs or activities.

Communicating that the Conduct is Unwelcome: The College further encourages, but does not require, students and employees to let the offending person know immediately and firmly that the conduct or behavior is unwelcome, offensive, in poor taste or inappropriate.

Intake and Processing of the Complaint: Upon receiving notification of a harassment or discrimination complaint, the Title IX Coordinator shall:

- Undertake efforts to informally resolve the charges, including but not limited to mediation, rearrangement of work or academic schedules, obtaining apologies, providing informal counseling, training, etc.
- Advise all parties that he/she/they need not participate in an informal resolution of the complaint, as described above, and they have the right to end the informal resolution process at any time.
- Advise student Complainants that they may file a complaint with the Office for Civil Rights of the U.S. Department of Education and employee Complainants may file a complaint with the Oregon Bureau of Labor and Industries (BOLI) or the Equal Employment Opportunity Commission (EEOC). All Complainants should be advised that they have a right to file a complaint with local law enforcement, if the act complained of is also a criminal act. The College must investigate even if the complainant files a complaint with local law enforcement. In addition, the College should ensure that Complainants are aware of any available resources, such as counseling, health, and mental health services.
- Take interim steps to protect a Complainant from coming into contact with the alleged perpetrator, especially if the Complainant is a victim of sexual violence. The Title IX Coordinator or designee should notify the complainant of his/her options to avoid contact with the alleged perpetrator. For instance, the College may prohibit the alleged perpetrator from having any contact with the Complainant pending the results of the investigation. When taking steps to separate the Complainant and the alleged perpetrator, the College shall minimize the burden on the Complainant.

Investigation of the Complaint: The College shall conduct a prompt, thorough, and impartial investigation into every complaint and claim of harassment or discrimination. No claim of workplace or academic harassment or discrimination shall remain unexamined. This includes complaints involving activities that occur off campus and in connection with all the academic, educational, extracurricular, athletic, and other programs of the College whether those programs take place in the College's facilities, on a College bus, or at a class or training program sponsored by the College at another location. The College shall promptly investigate complaints of harassment or discrimination that occur off campus if the alleged conduct creates a hostile environment on campus.

The College will keep the investigation confidential to the extent possible, but cannot guarantee absolute confidentiality because release of some information on a “need-to-know-basis” is essential to a thorough investigation. When determining whether to maintain confidentiality, the College may weigh the request for confidentiality against the seriousness of the alleged harassment, the Complainant’s age, whether there have been other harassment complaints about the same individual, and the alleged perpetrator’s rights to receive information about the allegations if the information is maintained by the College as an “education record” under the Family Educational Rights and Privacy Act (FERPA), 20 U.S. Code Section 1232g; 34 Code Federal Regulations Part 99.15. The College will inform the Complainant if it cannot maintain confidentiality.

Investigation Steps: the College will fairly and objectively investigate harassment and discrimination complaints. Employees designated to serve as investigators under this policy shall have adequate training on what constitutes sexual harassment, including sexual violence, and that they understand how the College’s grievance procedures operate. The investigator cannot have any real or perceived conflicts of interest and must be able to investigate the allegations impartially.

Investigators will use the following steps: interviewing the Complainant(s); interviewing the accused individual(s); identifying and interviewing witnesses and evidence identified by each Party; identifying and interviewing any other witnesses, if needed; reminding all individuals interviewed of the College’s no-retaliation policy; considering whether any involved person should be removed from the campus pending completion of the investigation; reviewing personnel/academic files of all involved Parties; reach a conclusion as to the allegations and any appropriate disciplinary and remedial action; and see that all recommended action is carried out in a timely fashion. When the College evaluates the complaint, it shall do so using a 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 discrimination or harassment has occurred.

If there are conflicting versions of relevant events, the College’s investigator will weigh each Party’s credibility. Factors that will be considered in determining credibility include: inherent plausibility; demeanor; motive to falsify; corroboration; and past record.

Timeline for Completion: The College will undertake its investigation as promptly and swiftly as possible. To that end, the investigator shall complete the above steps, and prepare a written report within 90 days of the College receiving the complaint. The Title IX Coordinator may extend this time period upon notification of all parties if it is deemed necessary.

Cooperation Encouraged: All employees will cooperate with a College investigation into allegations of harassment or discrimination. Lack of cooperation impedes the ability of the College to investigate thoroughly and respond effectively. However, lack of cooperation by a Complainant or witnesses does not relieve the College of its obligation

to investigate. The College will conduct an investigation if it is discovered that harassment is, or may be occurring, with or without the cooperation of the alleged victim(s) and regardless of whether a complaint is filed.

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

- A description of the circumstances giving rise to the complaint;
- A description of the procedural steps taken during the investigation, including all individuals contacted and interviewed;
- A summary of the testimony provided by each witness the investigator interviewed;
- An analysis of relevant evidence collected during the course of the investigation including a list of relevant documents;
- A specific finding as to whether there is probable cause to believe that discrimination, harassment, or retaliation occurred with respect to each allegation in the complaint;
- A table of contents if the report exceeds ten pages; and
- Any other information deemed appropriate by the College.

Reaching a Determination: Once the Hearing Officer/Adjudicator receives the investigative report, he/she/they, will make a determination as to whether harassment or discrimination occurred.

Discipline and Corrective Action

If harassment, discrimination or retaliation occurred in violation of the policy or procedure, the College shall take disciplinary action against the alleged perpetrator and any other remedial action it determines to be appropriate consistent with State and federal law. The action will be prompt, effective, and commensurate with the severity of the conduct. Remedies for the Complainant might include, but are not limited to:

- providing an escort for the Complainant between the parking lot and his/her/their workplace or classroom office;
- ensuring that the Complainant and alleged perpetrator do not attend the same classes or work in the same work area;

- preventing offending third parties from entering campus;
- 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 student-Complainant 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 being disciplined.

If the College imposes discipline, the nature of the discipline will not be communicated to the Complainant. However, the College may disclose information about the sanction imposed on an individual who was found to have engaged in harassment when the sanction directly relates to the Complainant; for example, the College may inform the Complainant that the harasser must stay away from the Complainant.

In the case of a crime of violence or a non-forcible sex offense, and the alleged perpetrator is a student, the final results of any disciplinary proceeding conducted by the College against the alleged perpetrator may be disclosed to the complainant, if the College determines as a result of the disciplinary proceedings, the student violated the College's rules or policies. The final results of any disciplinary proceeding include only the name of the student, the violation committed, and any sanction imposed by the institution on that student.

Disciplinary actions against faculty, staff, and students will conform to all relevant statutes, regulations, personnel policies and procedures, including the provisions of any applicable collective bargaining agreement.

The College will ensure that Complainants and witnesses know how to report any subsequent problems, and the Title IX Coordinator should follow-up with complainants to determine whether any retaliation or new incidents of harassment have occurred.

If the College cannot take disciplinary action against the accused individual because the Complainant refuses to participate in the investigation, it should pursue other steps to limit the effects of the alleged harassment and prevent its recurrence.

Appeals

If the College imposes discipline against a student or employee as a result of the findings in its investigation, the student or employee may appeal the decision using the procedure for appealing a disciplinary decision.

If the Complainant is not satisfied with the results of the administrative determination, he/she/they may, within 15 days, submit a written appeal to the Board of Education. The Board of Education shall review the original complaint, the investigative report, the administrative decision, and the appeal. The Board of Education shall issue a final *College* decision in the matter within 45 days after receiving the appeal. A copy of the decision rendered by the Board of Education shall be forwarded to the Complainant. The complainant shall also be notified of his/her right to appeal this decision.

File Retention

The College will retain on file for a period of at least three (3) years after closing the case copies of:

- the original complaint;
- the investigatory report;
- the summary of the report if one is prepared;
- the notice provided to the Parties, of the College's administrative determination and the right to appeal;
- any appeal; and
- the College's final decision.

Dissemination of Policy and Procedures

The College's board policy and administrative procedures related to harassment will include information that specifically addresses sexual violence. The College's board policy and administrative procedures will be provided to all students, faculty members, members of the administrative staff, and members of the support staff, and will be posted conspicuously around campus and on the College's website.

When hired, employees are required to sign that they have received the policy and procedures, and the signed acknowledgment of receipt is placed in each employee's personnel file. In addition, these policies and procedures are incorporated into the College's course catalogs and orientation materials for new students.

Training

The College will provide training to all employees. This includes counselors, faculty, officers, coaches, and all staff who regularly interact with students. Training for academic staff should emphasize environmental harassment in the classroom. The College will also provide training to students who lead student organizations.

In years in which a substantive policy or procedural change has occurred, all College employees will attend a training update or receive a copy of the revised policies and procedures.

Participants in training programs will be required to sign a statement that they have either understood the policies and procedures, their responsibilities, and their own and the College's potential liability, or that they did not understand the policy and desire further training.

Education and Prevention for Students

In order to take proactive measures to prevent sexual harassment and violence toward students, the College will provide preventive education programs and make victim resources, including comprehensive victim services, available. The College will include such programs in their orientation programs for new students, and in training for student athletes and coaches. These programs will include discussion of what constitutes sexual harassment and sexual violence, the College's policies and disciplinary procedures, and the consequences of violating these policies. A training program or informational services will be made available to all students at least once annually.

The education programs will also include information aimed at encouraging students to report incidents of sexual violence to the appropriate College and law enforcement authorities. Since victims or third parties may be deterred from reporting incidents if alcohol, drugs, or other violations of College or campus rules were involved, the College will inform students that the primary concern is for student safety and that use of alcohol or drugs never makes the victim at fault for sexual violence. If other rules are violated, the College will address such violations separately from an allegation of sexual violence.

President's Cabinet Approval Date:	August 4, 2020
College Council Approval Date:	August 4, 2020
Last Revised:	August 4, 2020

Rescinds: AP 3435 (Approved 09/11/2018)

BP 3430 Prohibition of Harassment

References:

20 U.S. Code Section 1092 subdivision (f);
34 Code of Federal Regulations Part 668.46 subdivision (b)(11)
ORS 350.255

Any sexual assault or physical abuse, including, but not limited to rape as defined by State law, whether committed by an employee, student, or member of the public, that occurs on College property, is a violation of College policies and procedures, and is subject to all applicable punishment, including criminal procedures, and employee or student discipline procedures consistent with State and federal law. Students, employees, and campus visitors who may be victims of sexual and other assaults shall be treated with dignity and provided comprehensive assistance.

The *President* shall establish administrative procedures that ensure that students, employees, and campus visitors who are victims of sexual and other assaults receive appropriate information and treatment. The President will make educational information about preventing sexual violence is widely available on campus.

The procedures shall meet the criteria contained in 34 Code of Federal Regulations Part 668.46 and ORS 350.255.

END OF POLICY

President's Cabinet Approval Date:	August 4, 2020
College Council Approval Date:	August 4, 2020
Board Adoption Date:	August 12, 2020
Last Revised:	August 12, 2020

Rescinds: BP 3540 (adopted 9/11/2018)

AP 3540 Sexual and Other Assaults on Campus

References:

- 20 U.S. Code Section 1092 subdivision(f);
- 34 Code of Federal Regulations Part 668.46 subdivision (b)(11);
- 42 U.S. Code Section 13925 subdivision (a)
- ORS 350.255 to 350.257

Any sexual assault or physical abuse, including, but not limited to, rape, domestic violence, dating violence, sexual assault, or stalking, whether committed by an employee, student, or member of the public, occurring on College property, in connection with all the academic, educational, extracurricular, athletic, and other programs of the College, whether those programs take place in the College's facilities or at another location, or on an off-campus site or facility maintained by the College, or on grounds or facilities maintained by a student organization, is a violation of College policies and regulations, and is subject to all applicable punishment, including criminal procedures and employee or student discipline procedures. (Also see AP 5500 Standards of Student Conduct.)

"Sexual assault," "dating violence," "domestic violence," and "stalking" are defined in Administrative Procedure 3434 – Responding to Harassment Based on Sex under Title IX.

These written procedures and protocols are designed to ensure victims of domestic violence, dating violence, sexual assault, or stalking receive treatment and information. (For physical assaults/violence, also see AP 3500 Campus Safety, AP 3510 Workplace Violence, and AP 3515 Reporting of Crimes.)

All students, faculty members or staff members who allege they are the victims of domestic violence, dating violence, sexual assault or stalking on College property shall be provided with information regarding options and assistance available to them. Information shall be available from the Office of the Vice President, Student Success or Human Resources which shall maintain the identity and other information about alleged sexual assault victims as confidential unless and until the Title IX Coordinator is authorized to release such information.

The Title IX Coordinator shall provide all alleged victims of domestic violence, dating violence referral to an external counseling center; , sexual assault, or stalking with the following:

- A copy of the College's policy and procedure regarding domestic violence, dating violence, sexual assault, or stalking;
- A list of personnel on campus who should be notified and procedures for such notification, if the alleged victim consents; Vice President, Finance and Operations, Vice President, Student Success, Vice President, Academic Affairs, Director, Physical Plant, Director, Communications and Marketing, and College Counselor.

- Information about the importance of preserving evidence and the identification and location of witnesses;
- A description of available services, and the persons on campus available to provide those services if requested. Services and those responsible for provided or arranging them include:
 - transportation to a hospital, if necessary, by the Student Services Office;
 - counseling by the College Counseling Center, or
 - a list of other available campus resources or appropriate off-campus resources from the Office of Human Resources or Student Services Office;
- The victim's option to: (Office of Human Resources or Student Services Office)
 - notify proper law enforcement authorities, including local police;
 - be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and
 - decline to notify such authorities;
- The rights of victims and the institution's responsibilities regarding orders of protection, no contact orders, or similar lawful orders issued by a court (Office of Human Resources or Student Services Office);
- Information about how the College will protect the confidentiality of victims (Office of Human Resources or Student Services Office); and
- Written notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations, if requested and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement. (Office of Human Resources or Student Services Office)
- A description of each of the following procedures (Office of Human Resources or Student Services Office):
 - criminal prosecution;
 - civil prosecution (i.e., lawsuit);
 - College disciplinary procedures, both student and employee;
 - modification of class schedules;
 - tutoring, if necessary.

The College will investigate all complaints alleging sexual assault under the procedures for sexual harassment investigations described in AP 3434 – Responding to Harassment Based on Sex under Title IX, regardless of whether a complaint is filed with local law enforcement.

All alleged victims of domestic violence, dating violence, sexual assault, or stalking on College property shall be kept informed, through the Title IX Coordinator of any ongoing investigation. Information shall include the status of any student or employee disciplinary proceedings or appeal; alleged victims of domestic violence, dating violence, sexual assault, or stalking are required to maintain any such information in confidence, unless the alleged assailant has waived rights to confidentiality consistent with State and federal law.

A Complainant or witness who participates in an investigation of sexual assault, domestic violence, dating violence, or stalking will not be subject to disciplinary sanctions for a violation of the College's student conduct policy at or near the time of the incident, unless the College determines that the violation was egregious, including but not limited to, an action that places the health or safety of any other person at risk or involves plagiarism, cheating, or academic honesty.

The College shall maintain the identity of any alleged victim, witness, or third-party reporter of domestic violence, dating violence, sexual assault, or stalking on College property, as defined above, in confidence consistent with State and federal law, unless the alleged victim, witness, or third-party reporter specifically waives that right to confidentiality. All inquiries from reporters or other media representatives about alleged domestic violence, dating violence, sexual assaults, or stalking on College property shall be referred to the College's Communications and Marketing office which shall work with the Title IX Coordinator and the Vice President, Student Services as appropriate to assure that all confidentiality rights are maintained consistent with State and federal law.

Additionally, the Annual Security Report will include a statement regarding the College's programs to prevent sexual assault, domestic violence, dating violence, and stalking and procedures that should be followed after an incident of domestic violence, dating violence, sexual assault, or stalking has been reported, including a statement of the standard of evidence that will be used during any in any College proceeding arising from such a report. The statement must include the following:

- A description of educational programs to promote the awareness of rape, acquaintance rape, other forcible and non-forcible sex offenses, domestic violence, dating violence, or stalking;
- Procedures to follow if a domestic violence, dating violence, sex offense, or stalking occurs, including who should be contacted, the importance of preserving evidence to prove a criminal offense, and to whom the alleged offense should be reported;
- Information on a student's right to notify appropriate law enforcement authorities, including on-campus and local police, and a statement that campus personnel will assist the student in notifying these authorities, if the student so requests, and the right to decline to notify these authorities;
- Information about how the College will protect the confidentiality of victims;
- Information for students about existing on- and off-campus counseling, mental health, victim advocacy, legal assistance, or other services for victims;
- Written notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations, if requested and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement;

- Procedures for campus disciplinary action in cases of an alleged domestic violence, dating violence, sexual assault, or stalking including a clear statement that:
 - Such proceedings shall provide a prompt, fair, and impartial resolution;
 - Such proceedings 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 accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding; and
 - Both the accuser and the accused 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.
- A description of the sanctions the campus may impose 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.

Education and Prevention Information

The Director of Advising and Success (for students) and the Director of Human Resources (for employees) shall:

- Provide, as part of each campus' established on-campus orientation program, education and prevention information about domestic violence, dating violence, sexual assault, and stalking. The information shall be developed in collaboration with campus-based and community-based victim advocacy organizations, and shall include the College's sexual assault policy and prevention strategies including empowerment programming for victim prevention, awareness raising campaigns, primary prevention, bystander intervention, and risk reduction.
- Post sexual violence prevention and education information on the campus internet website regarding domestic violence, dating violence, sexual assault and stalking.

President's Cabinet Approval Date: August 4, 2020

College Council Approval Date: August 4, 2020

Last Revised: August 4, 2020

Rescinds: AP 3540 (approved 09/11/2018)



BP 4225 Course Repetition

References:

No Oregon statutory requirement

The President shall establish procedures to ensure that students are allowed the opportunity for course repetition.

END OF POLICY

President's Cabinet Approval Date:	May 14, 2019
College Council Approval Date:	May 23, 2019
Board Adoption Date:	October 8, 2019
Last Revised:	October 8, 2019

AP 4225 Course Repetition

References:

A student may retake any course on their transcript, regardless of grade earned. When retaking a variable credit course, the student must enroll for the same number of credits originally taken. When the grade for the subsequent enrollment in the course has been reported, the credits and grade points for that course count in the cumulative grade point average in place of the grade and credits for the previous enrollment in the course.

Students may not register, without prior approval of the Office of the Registrar, for non-repeatable courses in which they are currently enrolled or for which they have already earned a C or a Pass (P/P*) or better at the College or from a transferring institution.

Students may register, without prior approval by the Office of the Registrar, for a non-repeatable course for which they have already earned a D or below or a No Pass at the College or from a transferring institution.

Approved: October 8, 2019

BP 4226 Multiple and Overlapping Enrollments

References:

The President shall establish procedures related to multiple and overlapping enrollment.

END OF POLICY

President's Cabinet Approval Date:	May 14, 2019
College Council Approval Date:	May 23, 2019
Board Adoption Date:	October 8, 2019
Last Revised:	October 8, 2019

AP 4226 Multiple and Overlapping Enrollments

References:

A student may not enroll in two or more sections of the same credit course during the same term unless the length of the course provides that the student is not enrolled in more than one section at any given time. Exceptions may be made for specific CTE or transfer programs.

A student may not enroll in two or more courses where the meeting times for the courses overlap, unless:

- The student provides a valid justification, other than scheduling convenience of the need for an overlapping schedule.
- Chief Academic Officer or CAO designee approves the schedule.
- The student makes up the overlapping hours at some other time during the same week under the supervision of the instructor of the course.

Approved: October 8, 2019

AP 5013 Students in the Military

Reference:

38 U.S. Code Section 3679
ORS 341.499

Withdrawal Policies for Members of the Military

In no case may a college require a student who is required to report for military duty to withdraw from a course by a specified date in order to receive a full refund of the tuition and fees the student paid to the college for the academic term in which the student was required to report for military service.

Requests for withdrawal should be submitted to the Clatsop Community College Welcome Center or via e-mail at registration@clatsopcc.edu.

Rights of Student Called to Active Duty

A student who is a member of the military (including the Reserves and U.S. and Oregon National Guard), a member of the commissioned corps of the National Oceanic and Atmospheric Administration, or a member of the Public Health Service of the U.S. Department of Health and Human Services detailed by proper authority for duty with the Army or Navy of the United States, and is called to federal or state active duty for more than 30 consecutive days has the following rights:

- 1) With regard to a course in which the student is enrolled and for which the student has paid tuition and fees, the right to:
 - Withdraw from the course;
 - Receive a grade of incomplete and, upon release from active duty, complete the course in accordance with Clatsop Community College's practice for completion of incomplete courses; or
 - Continue and complete the course for full credit;
- 2) The right to a credit for all amounts paid for room, board, tuition and fees;

If the student elects to withdraw from the College, the student has the right to be readmitted and reenrolled within one year after release from active duty without a requirement of redetermination of admission eligibility. In addition, the student has the right to the continuation of scholarships and grants awarded to the student that were funded by the College or the Office of Student Access and Completion before the student was ordered to active duty.

If the student elects to withdraw from a course in which they were enrolled, the College will not:

- Give the student academic credit for the course from which the student withdraws;
- Give the student a failing grade or a grade of incomplete or make any other negative annotation on the student's record; or
- Alter the student's grade point average due to the student's withdrawal from the course.

A student who elects to continue and complete a course for full credit is subject to the following conditions:

- Course sessions the student misses due to active duty shall be counted as excused absences and may not adversely impact the student's grade for the course or rank in the student's class.
- The student may not be automatically excused from completing course assignments due during the period the student serves on active duty.
- A letter grade or a grade of pass may be awarded only if, in the opinion of the faculty member teaching the course, the student completes sufficient work and demonstrates sufficient progress toward meeting course requirements to justify the grade.

END OF PROCEDURE

President's Cabinet Approval Date:	January 12, 2021
College Council Approval Date:	January 14, 2021
Last Revised:	January 14, 2021

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

President's Cabinet Approval Date: April 14, 2020

College Council Approval Date: April 16, 2020

Last Revised: April 16, 2020

Rescinds 6.030

BP 5052 Open Enrollment

References:

NWCCU Standard 2.D.3

No Oregon statutory requirement

All courses, course sections, and classes of the College shall be open for enrollment to any person who has been admitted to the College. Enrollment may be subject to any priority system that has been established. Enrollment may also be limited to students meeting properly validated prerequisites and co-requisites or due to other practical considerations such as exemptions set out in statute or regulation.

The President shall assure that this policy is published in the catalog(s) and schedule(s) of classes.

END OF POLICY

President's Cabinet Approval Date:	November 12, 2019
College Council Approval Date:	December 5, 2019
Board Adoption Date:	January 14, 2020
Last Revised:	January 14, 2020

AP 5052 Open Enrollment

References:

NWCCU Standard 2.D.3

No Oregon statutory requirement

All courses of the College shall be open to enrollment in accordance with BP 5052 Open Enrollment and a priority system consistent with AP 5055 Enrollment Priorities. Enrollment may be limited to students meeting properly validated prerequisites and co-requisites, or due to other non-evaluative, practical considerations as determined by the Chief Student Officer's office.

Approved: December 5, 2019

AP 7126 Applicant Background Checks

References:

U.S. Code Sections 1681 et seq. (Fair Credit Reporting Act)
ORS 659A.360

In a continuing effort to further ensure the safety and welfare of students and staff, Clatsop Community College requires criminal records check, and reference checks for the following:

- All newly hired full-time and part-time employees, including faculty, student and temporary employees;
- All employees rehired after a break in service of 12 months or more;
- All employees moving into a new position; and
- Volunteers assigned to positions involving handling of money, access to confidential/sensitive information, or working without on-going, direct supervision.

Final candidates are required to complete a criminal background check after a contingent offer of employment is made and prior to being issued an office offer of employment. Final candidates for positions with substantial financial access and authority may also be required to complete a credit check after a contingent offer of employment is made and prior to being issued an office offer of employment. Candidates must sign a release form or online certification and release as part of the online application process, authorizing the College to conduct a background check.

The College will use the information from the criminal background report in conjunction with the following factors to determine an applicant's eligibility for employment:

1. The passage of time since the commission of the crime(s);
2. Nature of crime(s);
3. Relationship between the job to be performed and the crime(s) committed;
4. Number of convictions; and
5. Rehabilitation efforts

Factors to be considered in reviewing the relationship between the job to be performed and the crime committed include, but are not limited to, the following:

- Handling money;
- Authorization to use college purchasing/credit cards;
- Direct unsupervised contact with minors under the age of 18 or persons with developmental disabilities;
- Working with data-sensitive information;

- Working in security-sensitive positions such as information technology positions or any position issued master keys to College facilities; and
 - Working in safety-sensitive positions such as operating dangerous equipment or machinery.
1. Direct unsupervised contact means contact with children (under age 18) or developmentally disabled persons that provides the employee opportunity and probability for personal communication or touch.
 2. Data-sensitive information means employees' or students' social security numbers, dates of birth, driver's license numbers, medical information, personal financial information, or criminal background information.
 3. Safety-sensitive means a hazardous or dangerous position, such as a position requiring the operation of equipment or machinery.

Approval of candidates with criminal records shall be made by the Human Resources Director. Approval of candidates with criminal records involving sexual misconduct or crimes related to minors shall require additional approval from the President.

Generally, the applicant may not begin work or be unconditionally hired before completion and approval of the criminal background check. The opportunity to become employed or transfer into a qualified position will terminate immediately for all prospective employees considered ineligible according to the criteria set forth above.

If an applicant is determined to be preliminarily disqualified based on the above guidelines, the College will provide written notice to the applicant of the disqualifying information in compliance with the FCRA, and will provide the applicant five days from delivery, or attempted delivery of such notice, to dispute the information contained in the report or submit information regarding mitigating circumstances that should be considered before a final decision is made.

Any false statements made by an applicant during the interview process, or at any other time during the application process, or refusal to submit or consent to a criminal background check will disqualify the applicant from any employment consideration. In such cases, applicants are eligible to reapply and be reconsidered after one year. Similarly, a current employee must report criminal convictions (other than minor traffic infractions) immediately to the employee's supervisor and or the Director of Human Resources.

The decision of the Director of Human Resources to disqualify a prospective or current employee from employment may be appealed to the College President.

END OF PROCEDURE

President's Cabinet Approval Date:	January 26, 2021
College Council Approval Date:	January 28, 2021
Last Revised:	January 28, 2021

BP 7135 Faculty Outside Employment

References:

ORS 341.556

AP 7210 Academic Employees

Clatsop Community College encourages faculty members to engage in outside activities that advance the mission of the College with the expectation that those activities be proactively disclosed, when required by this policy and related procedure, if they would or could present a conflict of interest so they can be managed in a manner that protects integrity, ensures legal compliance, and promotes good stewardship of public resources. Faculty members must avoid outside activities that result in a conflict of commitment to their job duties.

The College authorizes faculty members to receive outside compensation from private or public resources, including, but not limited to, income from:

- a) Consulting;
- b) Appearances and speeches;
- c) Intellectual property conceived, reduced to practice or originated and therefore owned within the community college;
- d) Providing services or other valuable consideration for a private corporation, individual or entity, whether paid in cash or in-kind, stock or other equity interest or anything of value regardless of whether there is a licensing agreement between the community college and the private entity; and
- e) Performing public duties paid by private organizations, including institution corporate affiliates that augments a faculty member's publicly funded salary.

The Board of Education delegates authority to the President to develop standards governing faculty outside employment and activities consistent with current collective bargaining agreements, including disclosure of potential conflicts of interest as required by Oregon ethics law, and procedures for reporting and hearing potential or actual conflict of interest complaints. See also BP/AP 2710.

END OF POLICY

President's Cabinet Approval Date:	October 28, 2020
College Council Approval Date:	November 12, 2020
Board Adoption Date:	January 12, 2021
Last Revised:	January 12, 2021

AP 7135 Faculty Outside Employment

References:

ORS 342.556

The Board of Education of Clatsop Community College authorizes faculty members to receive outside compensation as described in BP 7135. Oregon law prohibits the Board from authorizing outside compensation that, in the Board's judgment, "does not comport with the mission of the community college or that substantially interferes with a faculty member's duties to the community college." This procedure provides standards the College will consider when authorizing outside employment and activities while also complying with applicable state laws.

Definitions

"Conflict of Commitment": A situation where an individual faculty member engages in outside activities, either paid or unpaid, that substantially interfere with the individual's duties to **the College**.

"Conflict of interest": Any action, decision, or recommendation by a person acting in their capacity as a College faculty member that would (for actual conflicts) or could (for potential conflicts) have a private financial impact on the person or their relative, or any business with which either is associated.

"Consulting": Providing expert knowledge or advice to an entity or person. It does not include conducting research and development or the creation of technological improvements, inventions, or software.

"Consulting entity": Any business, company, or other organization, including (but not limited to) any partnership, corporation, limited liability corporation, or other institution whether public, for-profit, or not-for-profit that provides expert knowledge or advice to an *entity* or person.

"Entity": Any business, company, or other organization, including (but not limited to) any partnership, corporation, limited liability corporation, foreign government or agent, or other institution whether public, for-profit, or not-for-profit.

"Duties": Responsibilities expected and performed on behalf of the College, as described in a position description, unit-level workload policy, assigned by a supervisor, or otherwise required of a faculty member by the College.

"Outside activities": Things that a faculty member does which are not duties and are not performed on behalf of the College.

General Guidelines

Faculty members are encouraged to engage in outside activities that comport with the mission of the College. Faculty members generally may not:

- a) Make private, commercial use, without permission, of College supplies, facilities, equipment, employees, records, intellectual property, or any other College resources.
- b) Use non-public information accessed as a College employee to obtain a private financial benefit for the employee.
- c) Engage in activities that substantially interfere with the faculty member's duties to the College (conflict of commitment). The following are examples of instances in which outside activities are presumed not to substantially interfere with a faculty member's duties:
 - 1. Time commitments while faculty members are on leave and during College holidays are presumed not to substantially interfere with the individual's to the College.
 - 2. For full-time 9-month faculty, time commitments that do not exceed one day in each seven-day week, generally averaged over a quarter, are presumed not to substantially interfere with the faculty member's duties to the College. For part-time 9-month faculty, the same principle applies but is prorated by FTE.
 - 3. For both full- and part-time 9-month faculty, any time commitments during the summer months are presumed not to substantially interfere with the faculty member's duties to the College unless they have a paid position with the College during the summer, in which case the one-day-in-seven principle above applies during this time.

Prior approval is generally not required for outside activities identified below. However, if any of these outside activities create an actual or potential conflict of interest or conflict of commitment, the faculty member must disclose the outside activity. The President or designee is charged with deciding whether outside activities constitute a conflict of interest and need to be actively managed consistent with the College's Conflict of Interest policy.

Faculty members are generally not expected to disclose outside activities unrelated to their College employment. If there is any doubt whether the outside activity may interfere with the faculty member's duties to the College or may be related to the faculty member's College employment, the employee must disclose the outside activity pursuant to this procedure. Faculty members are not expected to disclose:

- a) Reimbursement for travel related to a faculty member's official position and duties;
- b) Appearances, performances, exhibits, or publications;
- c) Consulting as an individual or sole proprietor; or
- d) Uncompensated outside activities.

A faculty member must seek prior approval for all outside activities that may give rise to actual or potential conflicts of interest as required by Oregon law and consistent with the College's Conflict of Interest policy. (See also BP/AP 2710). Even when the general guidelines above are followed, faculty members must seek prior approval for the following:

- a) Ownership of equity in an entity, including a consulting entity, that carries on activities closely related to the College faculty member's duties and/or field of expertise. This excludes consulting as an individual or sole proprietor.
- b) Outside activities performed in exchange for equity in an entity that carries on activities closely related to the College faculty member's duties and/or field of expertise. This excludes publicly-traded equity unless the faculty member has a majority ownership in that entity.
- c) Outside activities closely related to the College faculty member's duties and/or field of expertise that involve the creation of technological improvements, inventions, or software.
- d) Managing or significant participation in the day-to-day operations of an entity that carries on activity closely related to the faculty member's duties and/or field of expertise.

Outside Activity Disclosure and Approval Process

If they have something to disclose, faculty members must submit a written disclosure each calendar year. When completing the disclosure, faculty members should err on the side of caution and provide advance disclosure when they are unsure whether an outside activity is exempt or requires prior approval. Faculty members are not expected to disclose exempt activities. In addition, if a faculty member would like to engage in an outside activity that requires prior approval during the year, the faculty member must amend their written disclosure and seek approval prior to engaging in the outside activity.

Review and Approval

The President or designee will create procedures for the review of faculty member's disclosures, and decisions about whether an outside activity is approved. An outside activity that creates an actual or potential conflict of interest may not be authorized and



must be publicly disclosed consistent with Oregon ethics law and College Conflict of Interest policies.

Reporting Concerns About A Faculty Member

Any College employee who has concerns about the permissibility of an activity on the part of a faculty member should discuss those concerns with their supervisor or the President or designee.

Appeals

Decisions under this policy may be appealed in writing to the President or designee. Appeals will be considered consistent with faculty grievance procedures.

END OF PROCEDURE

President's Cabinet Approval Date:	October 28, 2020
College Council Approval Date:	November 12, 2020
Last Revised:	November 12, 2020

BP 7700 Whistleblower Protection

References:

Affordable Care Act (29 U.S. Code Section 218C);
ORS 659A.199 to ORS 659.236

The Clatsop Community College Board of Education strictly prohibits discrimination or retaliation against any employee for engaging in whistleblowing activities as defined in ORS 659A.200 to 659A.229, including disclosure of information otherwise protected under Oregon's public records law (ORS 192.311 to 192.478).

An employee who in good faith has an objectively reasonable belief that the actions of the college or its employees violates federal, state or local law and who, in the process of reporting the alleged violation, discloses information that is exempt from disclosure under Oregon's Public Records law has an affirmative defense against civil or criminal charges arising out of such disclosure if the protected information was disclosed to:

1. A state or federal regulatory agency;
2. A law enforcement agency;
3. A manager employed by the college; or
4. An attorney, when the communication is in connection with the alleged violation and the communication is subject to Oregon's attorney-client privilege protection under ORS 40.225.

The affirmative defense provided for herein applies to an employee's disclosure of information related to an alleged violation by a coworker or supervisor acting within the course and scope of employment of the coworker or supervisor.

The affirmative defense does *not* apply to information that:

1. Is disclosed or redisclosed by the employee or at the employee's direction to a party other than the parties listed above; or
2. Is stated in an agreement that is not related to the employee's employment with the employer and is either:
 - a. a commercial exclusive negotiating agreement, or
 - b. a commercial nondisclosure agreement;
3. Is disclosed by an attorney or his/her employee if the information disclosed is related to the representation of a client; or
4. Is protected from disclosure under federal law, including but not limited to Health Insurance Portability and Accountability Act (HIPAA) and Family Educational Rights and Privacy Act (FERPA) and under these circumstances may only be disclosed in accordance with federal law.

Any employee who invokes his or her rights under this policy has the right to file a complaint under the College's harassment complaint procedure; and, is entitled to all



remedies available under Oregon’s unlawful employment practices law, ORS 659A.200 to 659A.224.

The President shall establish procedures regarding the reporting and investigation of suspected unlawful activities by College employees, and the protection from retaliation of those who make such reports in good faith or assist in the investigation of such reports. For the purposes of this policy and any implementing procedures, “unlawful activity” refers to any activity — intentional or negligent — that violates state or federal law, local ordinances, or College policy.

The procedures shall provide that individuals are encouraged to report suspected incidents of unlawful activities without fear of retaliation, that such reports are investigated thoroughly and promptly, remedies are applied for any unlawful practices and protections are provided to those employees who, in good faith, report these activities or assist the College in its investigation.

Furthermore, College employees shall not:

- 1) retaliate against an employee or applicant for employment who has made a protected disclosure, assisted in an investigation, or refused to obey an illegal order;
- 2) retaliate against an employee or applicant for employment because the employee or applicant is a family member of a person who has made a protected disclosure, assisted in an investigation, or refused to obey an illegal order; or
- 3) directly or indirectly use or attempt to use the official authority or influence of his/her position for the purpose of interfering with the right of an applicant or an employee to make a protected disclosure to the College. The College will not tolerate retaliation, and will take whatever action may be needed to prevent and correct activities that violate this policy, including discipline of those who violate it up to and including termination.

END OF POLICY

President’s Cabinet Approval Date:	October 28, 2020
College Council Approval Date:	November 12, 2020
Board Adoption Date:	January 12, 2021
Last Revised:	January 12, 2021

Rescinds: 4_050

AP 7700 Whistleblower Protection

References:

29 U.S. Code Section 218C (Affordable Care Act)
ORS 659A.199 to 659.236
OAR Chapter 839, Division 10

Individuals are encouraged to report suspected incidents of unlawful activities by Clatsop Community College employees in the performance of their duties. Reports will be investigated promptly and appropriate remedies applied. Employees who, in good faith, reported such activities or assist the College in the investigation will be protected from retaliation.

This procedure sets out the processes for responding to and investigating reports of unlawful activities, as defined in BP 7700 Whistleblower Protection, and addressing complaints of retaliation for making such reports.

Filing a Report of Suspected Unlawful Activities

Any person may report allegations of suspected unlawful activities. Knowledge or suspicion of such unlawful activities may originate from academic personnel, staff, or administrators carrying out their assigned duties, internal or external auditors, law enforcement, regulatory agencies, customers, vendors, students, or other third parties.

Anonymous reports will be investigated to the extent possible. However, employees are strongly encouraged not to report anonymously because doing so impedes the College's ability to thoroughly investigate the claim and take appropriate remedial measures. As set forth fully below, retaliation against individuals who report suspected unlawful activities will not be tolerated.

Normally, a report by a College employee of allegations of a suspected unlawful activity should be made to the reporting employee's immediate supervisor or other appropriate administrator or supervisor within the operating unit. However, if the report involves or implicates the direct supervisor or others in the operating unit, the report may be made to any another College official whom the reporting employee believes to have either responsibility over the affected area or the authority to review the alleged unlawful activity on behalf of the College. When the alleged unlawful activity involves the President, the report should be made to the Chair of the Board of Education. When the alleged unlawful activity involves the Board of Education or one of its members, the report should be made to the President who will confer with the Chair of the Board of Education or legal counsel on how to proceed.

Allegations of suspected unlawful activities should be made in writing so as to assure a clear understanding of the issues raised, but may be made orally. Such reports should be factual and contain as much specific information as possible. The receiving supervisor

or administrator should elicit as much information as possible. If the report is made orally, the receiving supervisor or administrator shall reduce it to writing and make every attempt to get the reporter to confirm by his/her signature that it is accurate and complete.

Once the receiving supervisor or administrator has received or prepared a written report of the alleged unlawful activity, he/she must immediately forward it to the president of the college where the alleged activity has occurred. However, if this process would require submitting the report to an employee implicated in the report, the receiving supervisor or administrator should follow the reporting options outlined, above. The high-level administrator or Board of Education member who receives the written report pursuant to this paragraph is responsible for ensuring that a prompt and complete investigation is made by an individual with the competence and objectivity to conduct the investigation, and that the assistance of counsel or an outside investigator is secured if deemed necessary.

In the course of investigating allegations of unlawful conduct, all individuals who are contacted or interviewed shall be advised of the College's no-retaliation policy. Each individual shall be: a) warned that retaliation against the reporter(s) or others participating in the investigation will subject the employee to discipline up to and including termination; and b) advised that if he/she experiences retaliation for cooperating in the investigation, then it must be reported immediately.

In the event that an investigation into alleged unlawful activity determines that the allegations are accurate, prompt and appropriate corrective action shall be taken.

Protection from Retaliation

When a person makes a good-faith report of suspected unlawful activities to an appropriate authority, the report is known as a protected disclosure. College employees and applicants for employment who make a protected disclosure are protected from retaliation. A College employee or applicant whose family member makes a protected disclosure is also protected from retaliation.

Any employee who believes he/she has been (1) subjected to or affected by retaliatory conduct for reporting suspected unlawful activity, or (2) for refusing to engage in activity that would result in a violation of law, should report such conduct to the appropriate supervisory personnel (if such supervisory personnel is not the source of or otherwise involved in the retaliatory conduct). Any supervisory employee who receives such a report, or who otherwise is aware of retaliatory conduct, is required to advise their college president. If the allegations of retaliation, or the underlying allegations of unlawful conduct involve the President, the supervisor shall report to the highest level administrator or Board of Education member who is not implicated in the reports of unlawful activity and retaliation.



All allegations of retaliation shall be investigated promptly and with discretion, and all information obtained will be handled on a "need to know" basis. At the conclusion of an investigation, as appropriate, remedial or disciplinary action will be taken where the allegations are verified or otherwise substantiated.

Whistleblower Contact Information

Employees who have information regarding possible violations of state or federal statutes, rules, or regulations, or violations of fiduciary responsibility by a corporation or limited liability company to its shareholders, investors, or employees should contact the Director of Human Resources at dnoah@clatsopcc.edu.

Other Remedies and Appropriate Agencies

In addition to the internal complaint process set forth above, any employee who has information concerning allegedly unlawful conduct may contact the appropriate government agency.

END OF PROCEDURE

President's Cabinet Approval Date:	October 28, 2020
College Council Approval Date:	November 12, 2020
Last Revised:	November 12, 2020

		BPs and APs in Process	1st Reading			2nd Reading			Approved		
BP	AP	Title	Cabinet	College Council	BOE	Cabinet	College Council	BOE	Cabinet	College Council	BOE
3515		Reporting of Crimes - revised by OCCA 1/2020 (correction of typos)		2/20/2020		4/14/2020	4/16/2020		4/14/2020	4/16/2020	
	3515	Reporting of Crimes - revised by OCCA 1/2020 (correction of typos)		2/20/2020	NA	4/14/2020	4/16/2020	NA	4/14/2020	4/16/2020	NA
3550		Drug Free Environment and Drug Prevention Program - revised by OCCA 1/2020	2/28/2020	2/20/2020							
	3550	Drug Free Environment and Drug Prevention Program - revised by OCCA 1/2020	2/28/2020	2/20/2020	NA						
3820		Gifts									
	3820	Gifts									
5400		Associated Students Organization									
	5400	Associated Students Organization									
5410		Associated Students Elections									
	5410	Associated Students Elections									
	5530	Student Rights and Grievances									
6300		Fiscal Management - revised by OCCA 1/2020		5/21/2020	3/9/2021		6/18/2020			6/18/2020	
	6300	Fiscal Management - revised by OCCA 1/2020		5/21/2020	NA		6/18/2020	NA		6/18/2020	NA
6340		Bids and Contracts - revised by OCCA 1/2020		5/21/2020	3/9/2021		6/18/2020			6/18/2020	
	6340	Bids and Contracts - revised by OCCA 1/2020		5/21/2020	NA		6/18/2020	NA		6/18/2020	NA
7110		Delegation of Authority, Human Resources	12/8/2020	12/10/2020	2/9/2021	1/12/2021	2/25/2021	3/9/2021	1/12/2021	2/25/2021	3/9/2021
	7110	Delegation of Authority, Human Resources	12/8/2020	12/10/2020	NA	1/12/2021	2/25/2021	NA	1/12/2021	2/25/2021	NA
7120		Recruitment and Hiring	12/8/2020	12/10/2020							
	7120	Recruitment and Hiring	12/8/2020	12/10/2020							
7130		Employee Compensation - revised by OCCA 1/2020	12/1/2020	10/22/2020	3/9/2021	10/27/2020	12/10/2020		10/27/2020	12/10/2020	
	7130	Employee Compensation - revised by OCCA 1/2020	12/1/2020	10/22/2020	NA	10/27/2020	12/10/2020	NA	10/27/2020	12/10/2020	NA
7140		Collective Bargaining									
	7140	Collective Bargaining									
7145		Personnel Files									
	7145	Personnel Files									
7150		Evaluations									
	7150	Evaluations									
7160		Professional Development									
	7160	Professional Development									
7335		Health Examinations	1/26/2021	1/28/2021							
	7335	Health Examinations	1/26/2021	1/28/2021							
7350		Resignations	10/13/2020	10/22/2020	2/9/2021	1/26/2021	1/28/2021	3/9/2021	1/26/2021	1/28/2021	3/9/2021
	7350	Resignations	10/13/2020	10/22/2020	NA	1/26/2021	1/28/2021	NA	1/26/2021	1/28/2021	NA

BP = Board Policy

AP = Administrative Procedure