



E. a. Board of Education First Read August 19, 2020

BP 3433 Prohibition of Sexual Harassment under Title IX

References:

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

NOTE: *This policy is legally required.*

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 **Oregon Coast Community College (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



E. a. Board of Education First Read August 19, 2020

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.

Approved: DRAFT (not reviewed)



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BP 5040 Education Records, Directory Information, and Privacy

References:

The Family Educational Rights and Privacy Act (FERPA) (20 U.S. Code Section 1232g);
34 Code of Federal Regulations Part 99);
NWCCU Standard 2.C.4
ORS 341.290(17) and OAR 589-004-0100 to -0750

NOTE: This policy is legally required.

Student records will be managed according to all requirements set forth by the US Department of Education including the Family Education Right to Privacy Act (FERPA).

The President shall assure that student records are maintained in compliance with applicable federal and state laws relating to the privacy of student records.

The President or their designee may direct the implementation of appropriate safeguards to assure that student records cannot be accessed or modified by any person not authorized to do so.

Any currently enrolled or former student of Oregon Coast Community College (OCCC) has a right of access to any and all student records relating to them maintained by OCCC.

No representative of OCCC shall release the contents of a student record to any member of the public without the prior written consent of the student, other than directory information as defined in this policy and information sought pursuant to a court order or lawfully issued subpoena, or as otherwise authorized by applicable federal and state laws. Student information may be shared among college faculty and staff on an official "need to know" basis.

Students shall be notified of their rights with respect to student records, including the definition of directory information contained herein, and that they may limit the information.

In recognition of its responsibility to protect both the family privacy and the safety of students, OCCC defines and limits directory information to include only the following student information:

- Name
- Dates of attendance;
- Major field of study;
- Enrollment status (e.g. undergraduate, full-time or part-time);
- Honors awarded
- Certificate(s) and degree(s) conferred.

Directory information does not include a student's social security number or immigration status.