

Board Policy Packet – March 2024

First Read Chapter 3 Board Policy Review

Summary of Policy Change Table Chapter 3 – General Institution

Type of Revision	Legal	Board Policy
Moved from another chapter		
No change to body of policy (includes reference change only)	LR	BP 3540 Sexual and Other Assaults on Campus
Proposed change in content		
New Policy	LR	BP 3410 Nondiscrimination (Rescinds BP 301 & 302)
Total BPs Reviewed: 2		

Legal Key: LR = Legally Required LA = Legally Advised SUG = Suggested AR = Accreditation Related

Board Policy Review

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BP 3410 Nondiscrimination

New Policy, Approved on __/__/__

This is a new policy for OCCC, and it rescinds (replaces and eliminates) existing OCCC BPs 301 and 302

References:

Title VI of the Civil Rights Act of 1964 (Title VI) and 42 U.S. Code Section 2000d;
Title VII of the Civil Rights Act of 1964 (Title VII) and 42 U.S. Code Section 2000e
Title IX of the Education Amendments Act of 1972; 20 U.S. Code Sections 1681 et seq.;
The Age Discrimination in Employment Act of 1967(ADEA) and 29 Code of Federal Regulations Sections 1625 et seq.;
Age Discrimination Act of 1975; 42 U.S. Code Sections 6101-6107, 34 Code of Federal Regulations Sections 110 et seq. and 45 Code of Federal Regulations Section 90 et seq.;
Americans with Disabilities Act of 1990 (ADA) and 29 Code of Federal Regulations Sections 1630 et seq.;
ADA Amendments Act of 2008 (ADAAA);
Section 504 of the Rehabilitation Act of 1975, 34 Code of Federal Regulations Sections 104 et seq. and 45 Code of Federal Regulations Sections 84 et seq.;
Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA) and 29 Code of Federal Regulations Sections 1635.1 et seq.;
29 Code of Federal Regulations Sections 1601.1 et seq. – Discrimination based on National Origin;
29 Code of Federal Regulations Parts 1606 et seq. – Religious Discrimination;
Pregnancy Discrimination Act of 1978 (PDA) and 29 Code of Federal Regulations Section 1604.10
34 Code of Federal Regulations Part 106
ORS 659A
ORS 659.850 to 659.860

Oregon Coast Community College is committed to equal opportunity in educational programs, employment, and all access to institutional programs and activities.

The college and each individual who represents the college shall provide access to its services, classes, and programs without regard to the individual's legally protected status.

Legally protected status is defined as: sex or gender, national origin, religion, age, gender identity, race, color, genetic information, sexual orientation, physical or mental disability, and pregnancy. The President shall establish administrative procedures that ensure all members of the college community can present complaints regarding alleged violations of this policy and have their complaints heard in accordance with state and federal laws regarding nondiscrimination.

No college funds shall ever be used for membership, or for any participation involving financial payment or contribution on behalf of the college or any individual employed by or associated with it, to any private organization whose membership practices are discriminatory on the basis of national origin, religion, age, gender, gender identity, race, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, and pregnancy.

DATE OF ADOPTION: xx/xx/xxxx

301 – Non-Discrimination Assurances - Rescind

The College prohibits unlawful discrimination based on race, color, religion, national origin, sex, marital status, disability, veteran status, age, sexual orientation, or any other status protected by federal, state, or local law in any area, activity or operation of the College. The College also prohibits retaliation against an individual for engaging in activity protected under this policy and interfering with rights or privileges granted under anti-discrimination laws. In addition, the College complies with applicable provisions of the Civil Rights Act of 1964 (as amended), related Executive Orders 11246 and 11375, Title IX of the Education Amendments Act of 1972, Section 504 of the Rehabilitation Act of 1973, Americans with Disabilities Act of 1990 (as amended), Uniformed Services Employment and Reemployment Rights Act ("USERRA"), and all local and state civil rights laws. Under this policy, equal opportunity for employment, admission, and participation in the College's programs, services, and activities will be extended to all persons, and the College will promote equal opportunity and treatment through application of this policy and other College efforts designed for that purpose.

DATE OF ADOPTION: 02/28/2018

302 – Compliance Assurances - Rescind

The college adheres to and complies with all applicable standards, regulations, reporting requirements, policies, and processes of the Northwest Commission on Colleges and Universities (NWCCU), other special accrediting bodies for specific College programs, the Oregon Higher Education Coordinating Commission (HECC), the Higher Education Act (HEA) as updated, the Federal Clery Act, and all applicable federal and state laws.

In addition to adherence to the regulations and provisions above, the College will maintain compliance with all policies, processes, procedures, and regulatory and reporting requirements stipulated by Title IV of the Higher Education Act as required for Federal Financial Aid eligibility.

The President will ensure the adherence to and compliance with all related and applicable operating, reporting, and regulatory requirements as stipulated by NWCCU and other specialized accrediting bodies, the Oregon HECC, the federal Higher Education and Clery Acts, Title IV of the Higher Education Act, and federal and state laws. The President will ensure the development and maintenance of all policies, processes, and procedures necessary to comply with said requirements.

DATE OF ADOPTION: 06/19/2019

BP 3540 Sexual and Other Assaults on Campus

No Change, Renewed on __/__/__

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 Oregon Coast Community College property, is a violation of Oregon Coast Community 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 Oregon Coast Community College 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.

DATE OF ADOPTION: 09/18/2019

DATE(S) OF REVISION: xx/xx/xxxx

DATE OF LAST REVIEW: xx/xx/xxxx