

Board Policy Packet – April 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)		
Proposed change in content	LR SUG	BP 3430 Prohibition of Harassment BP 3500 Campus Safety
New Policy	LR SUG SUG	BP 3420 Equal Employment Opportunity (Rescinds BP 700) BP 3510 Workplace Violence BP 3570 Smoking and Other Tobacco Use and Possession on Campus (Rescinds BP 211)
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 3420 Equal Employment Opportunity

This is a new policy for OCCC, and it rescinds (replaces and eliminates) existing OCCC BP 700

References:

Title VII of the Civil Rights Act of 1964 (Title VII) and 42 U.S. Code Section 2000e
The Age Discrimination in Employment Act of 1967(ADEA) and 29 Code of Federal
Regulations Parts 1625 et seq.;
Americans with Disabilities Act of 1990 (ADA) and 29 Code of Federal Regulations Parts 1630
et seq.; ADA Amendments Act of 2008 (ADAAA);
Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA) and 29 Code of
Federal Regulations Parts 1635.1 et seq.;
29 Code of Federal Regulations Parts 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 Part
1604.10;
ORS 659A

The Board of Education desires to build a community in which opportunity is equalized, and community colleges foster a climate of acceptance, with the inclusion of employees from a wide variety of backgrounds. It agrees that diversity in the academic environment fosters cultural awareness, mutual understanding and respect, harmony and respect, and suitable role models for all students.

An equitable and inclusive hiring process is essential to improve diversity, reduce barriers to employment, and allow potential applicants the opportunity to demonstrate that they meet or exceed the minimum qualifications for employment.

The Board of Education therefore commits itself to promote the total realization of equal employment through a continuing equal employment opportunity program.

The President shall develop, for review and adoption by the Board of Education, a plan for equal employment opportunity that complies with federal and state law as modified or clarified by judicial interpretation from time to time.

DATE OF ADOPTION: xx/xx/xxxx

700 – Equal Employment Opportunity - Rescind

References: ORS 174.100, ORS 192.630, ORS 243.672, ORS 341.290(1), ORS 659.805, ORS 659.850, ORS 659.870, ORS 659A.003, ORS 659A.006, ORS 659A.009, ORS 659A.029, ORS 659A.030, ORS 659A.043, ORS 659A.046, ORS 659A.109, ORS 659A.142, ORS 659A.145, ORS 659A.233, ORS 659A.236, ORS 659A.309, ORS 659A.409, OAR 589-008-0100(1)(j), OAR 589-010-0100, OAR 839-003-0000, Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107, Equal Pay Act of 1963, 29 U.S.C. § 206(d), Rehabilitation Act of 1973, 29 U.S.C. §§ 503, 791, 793-794, Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683, Americans with Disabilities Act of 1990; Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630; 28 C.F.R. Part 35.

Equal employment opportunity and treatment shall be practiced by the College regardless of race, color, national origin, religion, sex, sexual orientation, age, marital status, veteran status, or any other conditions protected by law, if the employee, with or without reasonable accommodation, is able to perform the essential functions of the position. The President will appoint an employee to serve as the officer in charge of compliance with the Americans with Disabilities Act of 1990, the Americans with Disabilities Act Amendments Act of 2008 (ADA), and Section 504 of the Rehabilitation Act of 1973. The President will also designate a Title IX coordinator to comply with the requirements of Title IX of the Education Amendments of 1972. The Title IX coordinator will coordinate the investigation of complaints communicated to the college alleging noncompliance with Title IX. The name, address and telephone number of the Title IX coordinator will be provided to all students and employees.

DATE OF ADOPTION: 12/17/2014

BP 3430 Prohibition of Harassment

Update Reviewed and Renewed on __/__/__

References:

Title VII of the Civil Rights Act of 1964, 42 U.S. Code Section 2000e-2
Title IX of the Education Amendments Act of 1972; 20 U.S. Code Sections 1681 et seq.;
Age Discrimination in Employment Act of 1967 (ADEA);
Americans with Disabilities Act of 1990 (ADA); 34 Code of Federal Regulations Part 106;
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 Oregon Coast Community College will not tolerate harassment. **This policy applies to all members of the Oregon Coast Community College community including Board of Education members, employees, students, volunteers, and interns.**

Oregon Coast Community College is committed to providing an academic and work environment that respects the dignity of individuals and groups. The Oregon Coast Community 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), sexual orientation, **gender identity**, national origin, age, disability, or genetic information. **For Oregon Coast Community**

College's policy regarding sexual harassment under Title IX, see BP 3433 Title IX, Gender-Based and Sexual Misconduct and accompanying procedures.

Oregon Coast Community 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 Oregon Coast Community 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. Oregon Coast Community College will investigate all allegations of retaliation swiftly and thoroughly. If the Oregon Coast Community 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, applicant for employment, or applicant for admission 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 procedures described in AP 3435 Discrimination and Harassment Complaints and Investigations and AP 3432 Workplace Harassment. Oregon Coast Community 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 Oregon Coast Community College, its employees, students, and agents.

The Oregon Coast Community College will publish and publicize this policy and related written procedures (including the procedure for making complaints) to administrators, faculty, students, and staff, applicants for employment, and applicants for admission, particularly when they are new to the institution. Oregon Coast Community 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 Oregon Coast Community 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.

DATE OF ADOPTION: 01/05/2020

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

DATE OF LAST REVIEW: xx/xx/xxxx

BP 3500 Campus Safety

Update Reviewed and Renewed on __/__/__

References: NWCCU Standard 2-D-2, No Oregon statutory requirement

The Board of Education is committed to a safe and secure work and learning environment. To that end, the President shall establish a campus safety plan and ensure that it is posted or otherwise made available to students and other members of the campus community.

Replaces Previous Content:

The Board of Education is committed to a safe and secure work and learning environment. To that end, the President will ensure the development and maintenance of a plan(s) specifying procedures to be used in emergencies including, but not limited to natural disasters, fire, illness or injury of a student or staff member. The President will ensure community and county agencies are consulted in developing this plan. Safety plans will be widely available to students and other members of the campus community.

DATE OF ADOPTION: 09/18/2019

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

DATE OF LAST REVIEW: xx/xx/xxxx

BP 3510 Workplace Violence

New Policy, Approved on __/__/__

References:

Occupational Safety and Health Act of 1970 – 29 U.S. Code Sections 651 et seq.

Oregon Safe Employment Act, ORS 654

The Board of Education is committed to providing a work and learning environment that is free of violence and the threat of violence. The Board of Education's priority is the effective handling of critical workplace violence incidents, including those dealing with actual or potential violence.

The President shall establish administrative procedures that assure that employees are informed regarding what actions will be considered violent acts, and requiring any employee who is the victim of any violent conduct in the workplace or is a witness to violent conduct to report the incident, and that employees are informed that there will be no retaliation for such reporting.

DATE OF ADOPTION: xx/xx/xxxx

BP 3570 Smoking and Other Tobacco Use and Possession on Campus

This is a new policy for OCCC, and it rescinds (replaces and eliminates) existing OCCC BP 211

References:

ORS 433.835 to ORS 433.875 – Oregon Indoor Clean Air Act

ORS 431A.175

ORS 339.883 (Tobacco 21)

Possession of tobacco products and inhalant delivery systems by any persons is prohibited on all Oregon Coast Community College grounds and property. This includes, but is not limited to: in facility buildings, at facility-sponsored activities, in vehicles on facility grounds on all campuses, including satellite properties.

This policy applies to all Oregon Coast Community College employees, volunteers, clients, students, visitors, vendors and contractors.

Exceptions to this policy are made for a person for whom a tobacco or nicotine product or a substance to be used with an inhalant delivery system has been lawfully prescribed.

DATE OF ADOPTION: xx/xx/xxxx

211 – Tobacco Free Campus - Rescind

References: No Oregon Statutory Requirement

Oregon Coast Community College Board of Education is committed to providing a safe and healthy environment for its employees, students and visitors by designating and maintaining each OCCC facility as tobacco-free environment. In light of U.S. Surgeon General findings, OCCC will communicate to its employees and students that exposure to secondhand tobacco smoke and use of tobacco products are significant health hazards. Consequently, use, distribution, or sale of all tobacco and nicotine products except those approved by the FDA for smoking cessation, in College buildings or on College premises, including in parking lots or outdoor spaces, without exception, or in College-owned, rented or leased vehicles, is prohibited. For the purpose of this policy, “tobacco” is defined to include any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette, and any other smoking product; and smokeless or spit tobacco, also known as dip, chew, snuff or snus, in any form, vaporizing, electronic and any other form of device used for the purposes of smoking, vaporizing, dissolving, inhaling or ingesting any form of tobacco or nicotine product not approved by the FDA for smoking cessation.

DATE OF ADOPTION: 04/16/2014