
ADMINISTRATIVE POLICY MANUAL

2025



OREGON COAST
COMMUNITY COLLEGE

Contents

Chapter Three: General Institution	3
3300 Public Records Request	3
3410 Non-Discrimination	5
3430 Prohibition of Harassment.....	7
3432 Workplace Harassment.....	11
3433 Prohibition of Sexual Harassment Under Title IX	14
3434 Responding to Harassment Based on Sex under Title IX	16
3720 Technology and Acceptable Use Policy	34
3900 Freedom of Expression.....	39
Chapter Four: Academic Affairs	41
4010 Academic and Term Calendars	41
4070 Course Auditing and Audit Fees	43
4105 Distance Education	45
4230 Grading and Academic Integrity.....	46
4232 Pass-No Pass	50
4233 Honor Roll	51
Chapter Five: Student Affairs	52
5010 Admissions	52
5015 Residence Determination.....	55
5055 Enrollment Practices.....	56
Chapter Six: Business and Fiscal Affairs	57
6200 Budget Preparation	57
6250 Budget Management.....	60
6255 Request Change in Budget Authority.....	61
6260 Appropriation Transfers	62
6265 Interfund Loan	63
6310 Reserve Funds.....	64
6312 Bond Management.....	65
6315 Tuition Refunds.....	66
6320 Investments	67
6330 Purchasing	68

6400 Financial Audits	70
Chapter Seven: Human Resources.....	71
7111 Conflict of Interest	71
7112 Conflicts of Interest – Contracts	74
7125 Verification of Eligibility of Employment	75
7135 Faculty Outside Employment	76
7140 Telework Policy	80
7140p Telework Request and Agreement.....	83
7145 Personnel Files	92
7310 Nepotism	93
7342 Holidays	95
7500 Volunteers	96
7500p Volunteer Application and Process.....	98

Chapter Three: General Institution

3300 Public Records Request

Administrative Policy:		Public Records Request		Policy Number:	AP 3300
Applicable regulations - Federal/State/Board/College		ORS 192.311 to 192.478			
Accountable Administrator:		Registrar	Position responsible for updates:	Registrar	
Original Date	03/19/2025	Revised & Adopted	N/A	Reviewed & Adopted	N/A

Members of the public may request to inspect or copy public records. A request by a member of the public may be delivered by mail or in person to the Registrar.

Under Oregon law, OCCC must acknowledge receipt of a written request to inspect or receive copies of public records within 5 business days. Once acknowledged, OCCC will complete its response to the request as soon as practicable and without unreasonable delay. "Business day" is defined as "a day other than Saturday, Sunday or a legal holiday and on which at least one paid employee of the public body that received the public records request is scheduled to and does report to work." Further, "business day" does not include any day on which the central administration offices of the OCCC are closed.

Any request shall identify with reasonable specificity the records that are sought. If additional information is needed, the Registrar may request it be provided in writing.

Any request to inspect records shall be made sufficiently in advance of the date of inspection to allow staff members time to assemble the records and identify any records that may be exempt from disclosure.

The College shall provide the requester with an estimate, in writing, if the reasonable costs associated with providing the public records are expected to exceed \$25. Reasonable costs shall include but are not limited to the actual costs of making public records available, including costs of summarizing, compiling, or tailoring public records, either in organization or media, to meet the request, and the cost of time spent reviewing the public records, redacting materials, or segregating the public records into exempt and nonexempt records.

- (a) After receiving the estimate, the requester shall notify the College whether it wants the College to proceed with making the public records available. The College may require written confirmation that the requester wants the College to proceed with making the public records available.
- (b) The college will consider a request expired if the requester fails to pay the fee within 60 days of making the request, or the requester fails to respond to inquiries seeking clarification about how to proceed with the request. A new request is required once a previous request

has expired.

The College requires that the requester make payment to the College for the balance of the reasonable costs over and above the initial \$25 payment prior to the release of the public records.

The requesting party shall be charged at the rate(s) established below.

- (a) If the public records request requires a nominal amount of staff time (less than 30 minutes), up to 10 copies or digital conversions can be made for \$25.
- (b) If the public records request requires more than a nominal amount of staff time (30 minutes or more) and the number of copies exceeds 10 pages, then the requester shall be charged for the actual cost of staff time, including fringe benefits, plus copying/delivering charges, charges for summarizing, compiling and tailoring, preparation and release of a condensed version of significant facts that are not otherwise exempt from disclosure, and the cost of time spent by an attorney for the College in reviewing with public records, time to review and complete redacting of nonpublic information, or segregating the public records into exempt and nonexempt records. Charges for copying or converting documents into a digital format shall be at the rate of \$.10 (ten cents) per page.
- (c) Personnel costs shall be computed based on 30-minute increments rounded up, for time expended by college staff at the hourly rate of the employee(s) involved in fulfilling the request.
- (d) Fees may be waived if the furnishing of the copies is determined by the College to be in the public's best interest as set forth in the Oregon Revised Statutes.
- (e) The College may charge for search time even if the custodian of the record fails to locate any records in response to the request, or if the records are subsequently determined to be exempt from disclosure.

Records that are exempt from disclosure may not be inspected or copied by members of the public. Social security numbers must be redacted from records before they are disclosed to the public.

3410 Non-Discrimination

Administrative Policy:		Non-Discrimination		Policy Number:	AP 3410
Applicable regulations - Federal/State/Board/College		<p>Nondiscrimination References for Education Programs: Title VI of the Civil Rights Act of 1964; 42 U.S. Code Sections 2000d et seq.; Title IX of the Education Amendments of 1972; 20 U.S. Code Sections 1681 et seq.; Section 504 of the Rehabilitation Act of 1973; 29 U.S. Code Section 794; Age Discrimination Act of 1975; 42 U.S. Code Sections 6101-6107; Title II of the Americans with Disabilities Act, 28 Code of Federal Regulations Part 35; 34 Code of Federal Regulations Section 100.6 subd. (d), 106.9, 104.8, and 110.25 ORS 659.850 to 659.860 OAR Chapter 715, Division 11</p> <p>Nondiscrimination References for Employment: 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</p>			
Accountable Administrator:		Director of Human Resources	Position responsible for updates:		Director of Human Resources
Original Date	04/01/2024	Revised & Adopted	08/06/2024	Reviewed & Adopted	N/A

Education Programs

Oregon Coast Community College shall provide access to its services, classes and programs without regard to race, color, national origin, religion, sex, age, disability, veterans' status, sexual orientation, gender identity, or marital status.

All courses, including noncredit classes, shall be conducted without regard to the gender of the student enrolled in the classes.

Oregon Coast Community College shall not prohibit any student from enrolling in any class or course on the basis of gender.

Academic staff, including but not limited to counselors, instructors and administrators shall not offer program guidance to students which differs on the basis of gender.

Insofar as practicable, Oregon Coast Community College shall offer opportunities for participation in athletics equally to male and female students.

Employment

Oregon Coast Community College shall provide equal employment opportunities to all applicants and employees regardless of race, religion, color, national origin, physical disability, mental disability, genetic information, sex, gender, gender identity, age, sexual orientation, or pregnancy.

All employment decisions, including but not limited to hiring, retention, assignment, transfer, evaluation, dismissal, compensation, and advancement for all position classifications shall be based on job-related criteria as well as be responsive to Oregon Coast Community College needs.

Oregon Coast Community College shall from time to time as necessary provide professional and staff development activities and training to promote understanding of diversity.

Statement of Non-Retaliation

Oregon Coast Community College prohibits retaliation, including intimidation, threatening, harassing, coercing, or any way discriminating against the individual(s) or subjecting the individual to a materially adverse action because of the individual's complaint or participation in the grievance process.

Anyone who is aware of possible retaliation or has other concerns regarding the response to a complaint should report such concerns to:

Bruce Clemetsen, 541-867 8511, bruce.clemetsen@oregoncoast.edu or
Joy Gutknecht, 541-867-8515, joy.gutknecht@oregoncoast.edu
400 SE College Way, Newport, OR 97366

The College is prepared to take any appropriate steps to protect individuals who have been subjected to or fear that they may be subject to retaliation. Students or employees who retaliate will face disciplinary action.

3430 Prohibition of Harassment

Administrative Policy:		Prohibition of Harassment		Policy Number:	AP 3430
Applicable regulations - Federal/State/Board/College		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); ORS350.330 ORS 243.219			
Accountable Administrator:		Director of Human Resources	Position responsible for updates:	Director of Human Resources	
Original Date	04/01/2024	Revised & Adopted	08/12/2024	Reviewed & Adopted	N/A

Oregon Coast Community College is committed to providing an academic and work environment free of unlawful harassment. This procedure defines harassment. AP 3435 Discrimination and Harassment Complaints and Investigations sets forth a procedure for the investigation and resolution of complaints of harassment by or against students, employees, unpaid interns. Or volunteers within Oregon Coast Community 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 Oregon Coast Community College whether those programs take place in Oregon Coast Community College facilities, Oregon Coast Community College bus, or at a class or training program sponsored by the Oregon Coast Community College at another location.

For information on Oregon Coast Community College's prohibition of sex-based harassment under Title IX, see BP 3433 Prohibition of Sex Discrimination under Title IX, AP 3433 Prohibition of Sex Discrimination under Title IX, and AP 3434 Responding to Sex Discrimination under Title IX. For other forms of harassment, Complainants should use this procedure.

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.

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

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

This definition encompasses two kinds of sexual harassment:

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

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

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

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

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

Statement of Non-Retaliation

Oregon Coast Community College prohibits retaliation, including intimidation, threatening, harassing, coercing, or any way discriminating against the individual(s) or subjecting the individual to a materially adverse action because of the individual's complaint or participation in the

grievance process. Anyone who is aware of possible retaliation or has other concerns regarding the response to a complaint should report such concerns via email, phone or USPS to:

Vice President for Academic and Student Affairs, Bruce Clemetsen, 541-867-8511,

bruce.clemetsen@oregoncoast.edu or;

Director of Human Resources, Joy Gutknecht, 541-867-8515, joy.gutknecht@oregoncoast.edu

Mail complaints in care of one of the above individuals at:

400 SE College Way, Newport, OR 97366

The College is prepared to take any appropriate steps to protect individuals who have been subjected to or fear that they may be subject to retaliation. Students or employees who retaliate will face disciplinary action.

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, Oregon Coast Community 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 Oregon Coast Community College is a proactive and preventive measure to avoid possible charges of harassment and does not constitute discipline against any affected employee.

3432 Workplace Harassment

Administrative Policy:		Workplace Harassment		Policy Number:	AP 3432
Applicable regulations - Federal/State/Board/College		ORS 659A; ORS 243			
Accountable Administrator:		Director of Human Resources	Position responsible for updates:	Director of Human Resources	
Original Date	04/01/2024	Revised & Adopted	08/12/2024	Reviewed & Adopted	N/A

Oregon Coast Community 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 Oregon Coast Community College in addressing those complaints.

Any student, employee, volunteer, intern, or other member of the campus community who believes that he/she/they has been harassed or retaliated against in the workplace in violation of Oregon Coast Community College 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

Oregon Coast Community 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: Oregon Coast Community 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;
- C) A no-rehire provision that prohibits the employee from seeking 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 Director of Human Resources, 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

Oregon Coast Community 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 Oregon Coast Community College 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 complains 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.

See also BP/AP 3430 and AP 3435.

3433 Prohibition of Sexual Harassment Under Title IX

Administrative Policy:		Prohibition of Sexual Harassment under Title IX		Policy Number:	AP 3433
Applicable regulations - Federal/State/Board/College		Title IX Education Amendments of 1972; 20 U.S. Code Sections 1681 et seq.; Title VII of the Civil Rights Act of 1964, 42 U.S. Code Annotated Section 2000e 34 Code of Federal Regulations Part 106 Returned to pre-2024 Title IX Rule 2/25			
Accountable Administrator:		Vice President of Academic and Student Affairs & Director of Human Resources	Position responsible for updates:	Vice President of Academic and Student Affairs & Director of Human Resources	
Original Date	04/01/2024	Revised & Adopted	03/12/2025	Reviewed & Adopted	N/A

Purpose

Oregon Coast Community College is committed to providing an academic and work environment free of unlawful sex 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 Oregon Coast Community College, whether those programs take place in Oregon Coast Community College's facilities, a Oregon Coast Community College bus, or at a class or training program sponsored by the Oregon Coast Community College at another location.

Definitions

Sexual Harassment under Title IX: Conduct that satisfies one or more of the following:

- An Oregon Coast Community College employee conditions the provision of an aid, benefit, or service of the Oregon Coast Community 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 Oregon Coast Community 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 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.
- **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.

3434 Responding to Harassment Based on Sex under Title IX

Administrative Policy:		Responding to Harassment Based on Sex under Title IX		Policy Number:	AP 3434
Applicable regulations - Federal/State/Board/College		20 U.S. Code Sections 1681 et seq.; 34 Code of Federal Regulations Parts 106.1 et seq. Returned to pre-2024 Title IX Rule 2/25			
Accountable Administrator:		Vice President of Academic & Student Affairs	Position responsible for updates:		Vice President of Academic & Student Affairs
Original Date	03/25/2021	Revised & Adopted	03/12/2025	Reviewed & Adopted	02/11/2025

Purpose

Oregon Coast Community College encourages members of the Oregon Coast Community College community to report sexual harassment. This procedure only applies to conduct defined as sexual harassment under Title IX and applicable federal regulations and that meets Title IX jurisdictional requirements. Oregon Coast Community 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 Oregon Coast Community College policies and procedures. In implementing these procedures discussed below, Oregon Coast Community College will also provide supportive measures, training, and resources in compliance with State law, unless they are preempted by the Title IX regulations.

Principle

Title IX Coordinator & Title IX Deputy Coordinators

Questions concerning Title IX may be referred to the OCCC Title IX Coordinator or Deputy Coordinators whose contact information is below:

Bruce Clemetsen	Robin Gintner	Joy Gutknecht
Title IX Coordinator	Title IX Deputy Coordinator	Title IX Deputy Coordinator
Vice President of Academic & Student Affairs	Vice President of Administrative Services	Director of Human Resources
Oregon Coast Community College	Oregon Coast Community College	Oregon Coast Community College
400 SE College Way	400 SE College Way	400 SE College Way
Newport, OR 97366	Newport, OR 97366	Newport, OR 97366

Bruce.clemetsen@oregoncoast.edu	Robin.gintner@oregoncoast.edu	Joy.gutknecht@oregoncoast.edu
541-867-8511	541-867-8516	541-867-8515

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.

The investigation and adjudication of alleged sexual harassment under this procedure is not an adversarial process between the Complainant, the Respondent, and the witnesses, but rather a process for Oregon Coast Community College to comply with its obligations under existing law. The Complainant does not have the burden to prove, nor does the Respondent have the burden to disprove the underlying allegation or allegations of misconduct.

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 an Oregon Coast Community College “education program or activity.” This includes locations, events, or circumstances over which Oregon Coast Community 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 Oregon Coast Community College owns or controls or student organizations officially recognized by Oregon Coast Community 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, Oregon Coast Community College must provide the Party an Advisor of Oregon Coast Community College’s choice, free of charge. Oregon Coast Community 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.

Parties have the right to consult with an attorney, at his/her/their own expense, at any stage of the Complaint process if he/she/they wishes to do so. An attorney may serve as an advisor.

NOTE: The regulations only require Oregon Coast Community College to provide an Advisor to conduct cross - examination. Oregon Coast Community College provide an Advisor be provided for the entire hearing, if the Party does not identify their own private Advisor; so, the Advisor is able to observe the direct examination of all witnesses and thus better able to conduct cross-examination.

Complainant: A Complainant is an individual who alleges he/she/they is the victim of conduct that could constitute sexual harassment.

Consent: Consent means 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:

- An Oregon Coast Community College employee conditions the provision of an aid, benefit, or service of Oregon Coast Community 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 Oregon Coast Community 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 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.
 - **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 Oregon Coast Community College's Title IX Coordinator.

Oregon Coast Community 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 Oregon Coast Community College's ability to effectively investigate and respond.

Because individuals may be deterred from reporting incidents of sexual harassment if alcohol, drugs, or other violations of Oregon Coast Community College or campus rules were involved,

Oregon Coast Community College will inform individuals that the primary concern is for student and employee safety and that use of alcohol or drugs never makes a Complainant at fault for sexual harassment. An individual who participates as a Complainant or witness in an investigation of sexual assault, domestic violence, dating violence, or stalking will not be subject to disciplinary sanctions for a violation of Oregon Coast Community College's student conduct policy at or near the time of the incident, unless Oregon Coast Community 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 dishonesty.

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 Oregon Coast Community 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, Oregon Coast Community 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.

Oregon Coast Community 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, Oregon Coast Community College does not document personal information; Oregon Coast Community College reports the type of conduct, and the time, date, and location. (Also see BP/AP 3540 Sexual and Other Assaults on Campus.

OCCC Employees and Officials with Authority

OCCC 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:

Title IX Staff

- Vice President of Academic and Student Affairs
- Vice President of Administrative Services
- Director of Human Resources

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.

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, Oregon Coast Community 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 Oregon Coast Community 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. Oregon Coast Community College will provide the Complainant and Respondent with options for, available assistance in, and how to request available supportive measures. Oregon Coast Community College will provide such measures to Complainant and Respondent as appropriate and as reasonably available to restore or preserve equal access to Oregon Coast Community College's education program or activities. These measures are designed to protect the safety of all Parties, protect Oregon Coast Community College's educational environment, or deter sexual harassment. Oregon Coast Community College will provide supportive measures on a confidential basis and will not disclose that Oregon Coast Community College is providing supportive measures except to those with a need to know to enable Oregon Coast Community College to provide the service. Supportive measures may include changes to academic, living, transportation, and working situation or protective measures such as 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. Oregon Coast Community 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

Oregon Coast Community College may remove a non-employee Respondent from Oregon Coast Community 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.

Oregon Coast Community 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 Title IX Coordinator or designee will conduct the individualized safety and risk analysis.

If the Title IX Coordinator or designee determines emergency removal is appropriate, he/she/they or designee will provide the person Oregon Coast Community 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 Title IX Coordinator 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

Oregon Coast Community 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. Oregon Coast Community 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 Oregon Coast Community 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 Oregon Coast Community 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 Oregon Coast Community 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, Oregon Coast Community 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

Oregon Coast Community College must investigate the allegations in a formal complaint. However, Oregon Coast Community 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 Oregon Coast Community College's education program or activity;
- If the conduct alleged did not occur against a person in the United States.

Oregon Coast Community 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 Oregon Coast Community College; or
- If there are specific circumstances that prevent Oregon Coast Community College from gathering evidence sufficient to reach a determination regarding responsibility as to the formal complaint or allegations.

If Oregon Coast Community 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. Oregon Coast Community College will also notify the Parties of their right to appeal.

Oregon Coast Community College may commence proceedings under other policies and procedures after dismissing a formal complaint.

Consolidation of Formal Complaints

Oregon Coast Community 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

Oregon Coast Community College's determination of responsibility is a neutral, fact-finding process. Oregon Coast Community College will treat Complainants and Respondents equitably. The procedures will apply equally to both Parties. Oregon Coast Community 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. Oregon Coast Community College presumes all reports are in good faith. Further, Oregon Coast Community College presumes the Respondent

is not responsible for the alleged conduct. Oregon Coast Community College makes its determination regarding responsibility at the conclusion of the grievance process.

Bias or Conflict of Interest

Oregon Coast Community College's Title IX Coordinator, investigator, Decision-Maker, or any person designated by Oregon Coast Community 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. Oregon Coast Community 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 Oregon Coast Community 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

Oregon Coast Community College will undertake its grievance process promptly and as swiftly as possible. Oregon Coast Community 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 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 Oregon Coast Community College breaks or vacations, or due to the complexity of the investigation. Oregon Coast Community 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. Oregon Coast Community 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, Oregon Coast Community 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 Oregon Coast Community 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

Oregon Coast Community 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

Oregon Coast Community 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 Oregon Coast Community College's grievance procedures operate. Oregon Coast Community 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.

Burden of Gathering Evidence

Oregon Coast Community College, not the Parties, has the responsibility to gather information and interview witnesses. As part of Oregon Coast Community College's burden of gathering evidence, Oregon Coast Community College's investigator will create an investigative report that fairly summarizes relevant evidence, whether it is inculpatory or exculpatory. The investigator shall not make findings or determinations of law or fact.

Notice of Investigative Interview

Oregon Coast Community 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 Oregon Coast Community 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, Oregon Coast Community College will make available 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 table of contents if the report exceeds ten pages; and
- Any other information deemed appropriate by Oregon Coast Community 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, Oregon Coast Community 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, Oregon Coast Community 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 Oregon Coast Community College proceeds to a hearing, Oregon Coast Community 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

Oregon Coast Community College may provide a live hearing with all Parties physically present in the same geographic location or, at Oregon Coast Community College's discretion if either Party or a witness requests, Oregon Coast Community 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.

Oregon Coast Community College will make the information reviewed during the Evidence Review available at the hearing for reference and consultation. Oregon Coast Community College will not restrict the ability of either Party to discuss the allegations under investigation or to gather and present relevant evidence.

Oregon Coast Community 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.

The Decision-Maker shall provide an explanation of the meaning of the preponderance of the evidence standard and affirm that it shall apply to adjudications under this procedure. The preponderance of the evidence standard is met if Oregon Coast Community College determines that it is more likely than not that the alleged misconduct occurred, based on the facts available at the time of the decision.

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

Oregon Coast Community 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

Oregon Coast Community College shall permit each Party's Advisor to ask the other Party and any witness relevant questions, including 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.

Before a Complainant, Respondent, or witness answers a 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 may admit any statement of that Party or witness in reaching a determination regarding responsibility. The Decision-Maker will give the statements whatever weight the Decision-Maker determines appropriate, bearing in mind that the statements have not been tested by cross-examination. In doing so, the Decision-Maker should consider, and if possible determine, whether the witness or Party made the statement and what the statement proves.

The Decision-Maker cannot draw an inference about the determination of responsibility based solely on a Party's or witness's absence from the live hearing or refusal to submit to cross-examination or to answer any questions. The Decision-Maker may also ask any Party or witness questions. If a Party or witness refuses to respond to a Decision-Maker's questions, the Decision-Maker is not precluded from relying on that Party or witness' statements.

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, Oregon Coast Community 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 Oregon Coast Community 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 Oregon Coast Community College imposes on the Respondent;
- A statement of whether Oregon Coast Community College will provide the Complainant with remedies designed to restore or preserve equal access to Oregon Coast Community College's education program or activity;
- Oregon Coast Community College need not disclose to the Respondent remedies that do not affect him/her/them as part of the written determination. Oregon Coast Community College can inform the Respondent that it will provide remedies to the Complainant. However, Oregon Coast Community College will inform the Complainant of the sanctions against the Respondent;
- Oregon Coast Community College's procedures and permissible bases for the Complainant and Respondent to appeal.

Oregon Coast Community College will provide the written determination to the Parties simultaneously. The determination regarding responsibility becomes final either on the date that Oregon Coast Community 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

Oregon Coast Community 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, Oregon Coast Community 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 Oregon Coast Community 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 10 business days from the date of the notice of determination regarding responsibility or from the date of Oregon Coast Community 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 Oregon Coast Community College's determination regarding responsibility or Oregon Coast Community 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 Oregon Coast Community College's determination regarding responsibility or dismissal was made, and this new evidence could affect the outcome; or
- Oregon Coast Community 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 Oregon Coast Community College, Oregon Coast Community College will:

- Notify the other Party in writing within 5 business days of receiving a Party's appeal;
- Allow the non-appealing Parties at least 10 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. Oregon Coast Community 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 Oregon Coast Community 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.

Oregon Coast Community 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.

Oregon Coast Community College must obtain the Parties' voluntary, written consent to the informal resolution process. If the Parties reach an agreement, Oregon Coast Community 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

Oregon Coast Community College prohibits retaliation, including intimidation, threatening, harassing, coercing, or any way discriminating against the individual(s) or subjecting the individual to a materially adverse action because of the individual's complaint or participation in the grievance process.

Anyone who is aware of possible retaliation or has other concerns regarding the response to a complaint should report such concerns via email, phone or USPS to:

Vice President for Academic & Student Affairs, Bruce Clemetsen, 541.867.8511, bruce.clemetsen@oregoncoast.edu or
Director of Human Resources, Joy Gutknecht, 541-867-8515, joy.gutknecht@oregoncoast.edu
Mail complaints in care of one of the above individuals at:
400 SE College Way, Newport, OR 97366

The College is prepared to take any appropriate steps to protect individuals who have been subjected to or fear that they may be subject to retaliation. Students or employees who retaliate will face disciplinary action.

Dissemination of Policy and Procedures

Oregon Coast Community 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 Oregon Coast Community College.

When hired, employees are required to sign acknowledging that they have received the policy and procedures. Oregon Coast Community College will place the signed acknowledgment of receipt in each employee's personnel file.

Training

Oregon Coast Community 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 Oregon Coast Community 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 Oregon Coast Community 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

Oregon Coast Community 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;
- Oregon Coast Community 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. Oregon Coast Community College will make these training materials publicly available on its website.

Oregon Coast Community College will make these documents available to the U.S. Department of Education Office for Civil Rights upon request.

3720 Technology and Acceptable Use Policy

Administrative Policy:		Technology Acceptable Use Policy		Policy Number:	AP 3720
Applicable regulations - Federal/State/Board/College		ORS 341.290, 34 CFR 668.43(a)(10), 17 U.S. Code Sections 101 et seq, Federal Rules of Civil Procedure, rules 16, 26, 33, 34, 37, 45, NWCCU Standard 2.G.5			
Accountable Administrator:		Vice President of Administrative Services	Position responsible for updates:		Director of Information Technology
Original Date	03/07/2021	Revised & Adopted	N/A	Reviewed & Adopted	N/A

The College Computer and Network systems are the sole property of Oregon Coast Community College. They may not be used by any person without the proper authorization of the College. The Computer and Network systems are for College instructional and work-related purposes only. This policy applies to all College students, faculty, and staff and to others granted use of College information resources.

This policy refers to all College information resources whether individually controlled or shared, stand-alone or networked. It applies to all computer and computer communication facilities owned, leased, operated, or contracted by the College. This includes personal computers, workstations, mainframes, minicomputers, and associated peripherals, software and information resources, regardless of whether used for administration, research, teaching, or other purposes.

Conditions of Use

Functional units within the College may define additional conditions of use for information resources under their control. These statements must be consistent with this overall Policy but may provide additional detail, guidelines, or restrictions.

Training and Cybersecurity - Use of College information resources may be contingent upon initial training, and periodic retraining in usage protocols. This requirement is in place to minimize exposure to risk through accidentally downloaded malware, irresponsible browsing, and even unauthorized personal devices. Access may be limited or denied in the event of repeated failure to follow College cybersecurity guidelines and/or complete required trainings.

Public Access - Oregon Coast Community College makes available public access workstations for use by College students, faculty, staff, and members of the public. The Acceptable Use Policy applies to the use of these workstations (including printers) wireless and all information technology resources of the College as defined in this policy. Public access computing resources are intended to be used for educational purposes and the

legitimate business of the College in accordance with applicable policies and laws, and in a manner consistent with public trust. Appropriate use of public access workstations includes instruction, study, research, and personal enrichment. Limits on printing will be posted and enforced. Users shall be considerate of their use of shared resources and refrain from monopolizing workstations. During peak periods of use, educational use has priority. Inappropriate uses include interfering with the work of others, wasting resources, using the resources for private economic purposes, gambling, and any activities that include the violation of state or federal laws and College policies and procedures. Obscenity and child pornography are prohibited by law.

Legal Process

This Policy exists within the framework of the College's board policy and state and federal laws. A user of College information resources who is found to have violated any of these policies will be subject to disciplinary action up to and including but not limited to loss of information resources privileges; disciplinary suspension or termination from employment or expulsion; or civil or criminal legal action.

Copyrights and Licenses

Computer users must respect copyrights and licenses to software and other on-line information.

Copying - Software protected by copyright may not be copied except as expressly permitted by the owner of the copyright or otherwise permitted by copyright law. Protected software may not be copied into, from, or by any College facility or system, except pursuant to a valid license or as otherwise permitted by copyright law.

Number of Simultaneous Users - The number and distribution of copies must be handled in such a way that the number of simultaneous users in a functional unit does not exceed the number of original copies purchased by that functional unit, unless otherwise stipulated in the purchase contract.

Copyrights - In addition to software, all other copyrighted information (text, images, icons, programs, etc.) retrieved from computer or network resources must be used in conformance with applicable copyright and other law. Copied material must be properly attributed. Plagiarism of computer information is prohibited in the same way that plagiarism of any other protected work is prohibited.

Integrity of Information Resources

Computer users must respect the integrity of computer-based information resources.

Modification or Removal of Equipment - Computer users must not attempt to modify or remove computer equipment, software, or peripherals that are owned by others without proper authorization.

Unauthorized Use - Computer users must not interfere with others' access and use of the College computers. This includes but is not limited to: the sending of chain letters or excessive messages, either locally or off-campus; printing excess copies of documents, files, data, or programs, running grossly inefficient programs when efficient alternatives are known by the user to be available; unauthorized modification of system facilities, operating systems, or disk partitions;

attempting to crash or tie up a College computer or network; and damaging or vandalizing College computing facilities, equipment, software or computer files.

Unauthorized Programs - Computer users must not intentionally develop or use programs which disrupt other computer users or which access private or restricted portions of the system, or which damage the software or hardware components of the system. Computer users must ensure that they do not use programs or utilities that interfere with other computer users or that modify normally protected or restricted portions of the system or user accounts. The use of any unauthorized or destructive program will result in disciplinary action as provided in this Policy and may further lead to civil or criminal legal proceedings.

Unauthorized Access

Computer users must not seek to gain unauthorized access to information resources and must not assist any other persons to gain unauthorized access.

Abuse of Computing Privileges - Users of College information resources must not access computers, computer software, computer data, or information, or networks without proper authorization, or intentionally enable others to do so, regardless of whether the computer, software, data, information, or network in question is owned by the College. For example, abuse of the networks to which the College belongs or the computers at other sites connected to those networks will be treated as an abuse of College computing privileges.

Reporting Problems - Any defects discovered in system accounting or system security must be reported promptly to the appropriate system administrator so that steps can be taken to investigate and solve the problem.

Password Protection - A computer user who has been authorized to use a password-protected account may be subject to both civil and criminal liability if the user discloses the password or otherwise makes the account available to others without permission of the system administrator.

Usage - Computer users must respect the rights of other computer users. Attempts to circumvent these mechanisms in order to gain unauthorized access to the system or to another person's information are a violation of College Policy and may violate applicable law.

Unlawful Messages - Users may not use electronic communication facilities to send defamatory, fraudulent, harassing, obscene, threatening, or other messages that violate applicable federal, state or other law or College policy, or which constitute the unauthorized release of confidential information.

Commercial Usage - Electronic communication facilities may not be used to transmit commercial or personal advertisements, solicitations or promotions.

Information Belonging to Others - Users must not intentionally seek or provide information on, obtain copies of, or modify data files, programs, or passwords belonging to other users, without the permission of those other users.

Rights of Individuals - Users must not release any individual's (student, faculty, or staff) personal information to anyone without proper authorization.

User identification - Users shall not send communications or messages anonymously or without accurately identifying the originating account or station.

Political, Personal, and Commercial Use - The College is a non-profit, tax-exempt organization and, as such, is subject to specific federal, state and local laws regarding sources of income, political activities, use of property and similar matters.

Political Use - College information resources must not be used for partisan political activities where prohibited by federal, state, or other applicable laws.

Personal Use - College information resources should not be used for personal activities not related to College functions, except in a purely incidental manner.

Commercial Use - College information resources should not be used for commercial purposes. Users also are reminded that the “.cc” and “.edu” domains on the Internet have rules restricting or prohibiting commercial use, and users may not conduct activities not authorized within those domains.

Nondiscrimination

All users have the right to be free from any conduct connected with the use of Oregon Coast Community College network and computer resources which discriminates against any person on the basis of 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. No user shall use the College network and computer resources to transmit any message, create any communication of any kind, or store information which violates any College Policy regarding discrimination or harassment, or which is defamatory or obscene, or which constitutes the unauthorized release of confidential information.

Disclosure

No Expectation of Privacy - The College reserves the right to monitor all use of the College network and computer to assure compliance with these policies. Users should be aware that they have no expectation of privacy in the use of the College network and computer resources. The College will exercise this right only for legitimate College purposes, including but not limited to ensuring compliance with this policy and the integrity and security of the system.

Possibility of Disclosure - Users must be aware of the possibility of unintended disclosure of communications.

Retrieval - It is possible for information entered on or transmitted via computer and communications systems to be retrieved, even if a user has deleted such information.

Litigation - Computer transmissions and electronically stored information may be discoverable in litigation.

Dissemination and User Acknowledgment

This policy will be readily available to all current and prospective students via the College website and the student portal. All faculty and staff shall be provided a copy of this policy and will acknowledge the receipt of this policy. All other users shall be provided the policy in a manner suited to the technology being accessed and will be directed to familiarize themselves with it.

3900 Freedom of Expression

Administrative Policy:		Freedom of Expression		Policy Number:	AP 3900
Applicable regulations - Federal/State/Board/College		NWCCU Standard 2.B.2			
Accountable Administrator:		Vice President of Academic & Student Affairs	Position responsible for updates:	Vice President of Academic & Student Affairs	
Original Date	04/05/2022	Revised & Adopted	02/01/2024	Reviewed & Adopted	N/A

Purpose

Freedom of speech, expression, petition, and assembly are all fundamental rights of all persons. Students, faculty, staff, and community members have the right to assemble, speak, and attempt to attract the attention of others, and equal rights to hear the speech of others when they choose to listen and ignore the speech of others when they decide not to listen.

Free Speech activities, however, are subject to the established rights of the College to regulate reasonable time, location, and method so that the activities do not interfere with academic courses or programs, student activities, administrative procedures, or other authorized activities on campus.

The OCCC Campuses, buildings, and instructional locations are non-public forums, except for those areas that are designated public forum available for the exercise of expressive activities by students, employees, and community members.

Reservation and use of Designated Free Speech Areas:

- Open Public Areas: Areas or spaces designated as open public areas for expressive activities include exterior walkways, courtyards, and (fields) grassy areas surrounding OCCC facilities. Activities cannot block access to campus buildings, block exit doors, obstruct vehicle or pedestrian traffic, disrupt college operations, or create a threat to public safety. These areas are chosen to provide visibility and allow communication to a large number of students, administrators, faculty, and others walking or traveling on College property but also so as not to disrupt educational and other activities or programs of OCCC on behalf of students.

All Open Public Areas must be reserved by using the link: [Free Speech Request Form](#).

A request may be denied if the area is already reserved, the activity attracts a crowd larger than the area can safely contain, the activity disrupts college operations including classes, or the event presents a threat to public safety. Outside entities may be required to pay rental fees for use of OCCC facilities. Expressive activities are not permitted outside OCCC hours of operation.

- **Non-Public Area:** Areas not available for expressive activity include classrooms, computer rooms, laboratories, library, staff work areas, bathrooms, storage areas, food service areas, hallways, faculty/staff offices, and all College electronic communication or information systems (email, Canvas, my.oregoncoast).

Chapter Four: Academic Affairs

4010 Academic and Term Calendars

Administrative Policy:		Academic and Term Calendars		Policy Number:	AP 4010
Applicable regulations - Federal/State/Board/College		NWCCU Standard 2.D.5			
Accountable Administrator:		Vice President of Academic & Student Affairs	Position responsible for updates:		Vice President of Academic & Student Affairs
Original Date	03/18/2025	Revised & Adopted	N/A	Reviewed & Adopted	N/A

The Registrar and Director of Human Resources will present the academic calendar - consisting of term start and end dates, number of weeks and days of instruction, and scheduled college closures within each term - to the Board of Education as an information item during their December meeting.

The Registrar will consult with the following functional units regarding the development of the annual term deadlines for the next academic year:

- Dean of Academic Pathways and CTE
- Dean of Academic Foundations and Student Success
- Business Office
- Financial Aid
- Human Resources

The Registrar shall prepare a draft calendar and send it to the functional units listed above each December. Feedback from those groups will be used to develop the final draft which will be submitted to the President for approval.

The academic calendar at Oregon Coast Community College shall include the deadline dates for the following:

- Term start and end
- Schedule of classes available
- Registration deadlines to include add, drop, withdraw, and audit deadlines for full-term-length classes
- Drop-with-refund and book-refund deadlines
- Book availability and buy back

- Date book vouchers become available
- Payment deadline
- Holidays (per Collective Bargaining Agreements)
- In-Service
- Grade availability

The College operates on a term system (also called a quarter system). Summer is the first (leading) term in the academic year. Generally, Summer term generally runs from July until late-August and has fewer weeks of instruction than the other terms. Fall term begins in late September and ends in early December. Winter term begins in early January and runs until mid-March, and Spring term begins in late March and ends in mid-June. The fall, winter, and spring terms shall be at least 11 weeks in length.

The College shall use the holiday schedule set forth in its Collective Bargaining Agreements. OCCC will check alignment with the academic calendar of Oregon State University to be aware of impacts on Degree Partnership Program (DPP) students.

The College President may close the college and offices when good reason exists.

4070 Course Auditing and Audit Fees

Administrative Policy:		Course Auditing and Audit Fees		Policy Number:	AP 4070
Applicable regulations - Federal/State/Board/College		ORS 341.518 (Senior tuition waiver)			
Accountable Administrator:		Registrar	Position responsible for updates:	Registrar	
Original Date	03/18/2025	Revised & Adopted	N/A	Reviewed & Adopted	N/A

Audit Eligibility, Process and Implications

Students may audit a class if they wish to enroll in credit courses and do not wish to receive a grade or credits towards a certificate or degree. Auditing students, with exceptions for the Senior Tuition Waiver program described below, must pay full tuition and fees, meet prerequisites for the course, and obtain the instructor's permission to audit a course.

Students must meet with the instructor to determine if there are any specific requirements or expectations for auditing a course. Instructors may require 100% attendance and may choose to not grade or provide feedback on course materials submitted by an auditing student.

To request an audit:

1. A student must not register for the course. The student sends an email requesting to audit the course to the instructor and the Registrar. Students are to make a request to audit in advance of the start of the term. Approvals from instructors are to be received by the first Friday of the term before 4:30 p.m. Audit grades may not be reversed for a letter grade.
2. The instructor will respond to allow the students to audit, or not, to the student and Registrar.
3. The Registrar will register the student in the course for an AU grade and confirm the registration to the instructor and student.

The student must meet prerequisite and placement test requirements for the desired course. Placement test fees are the responsibility of the student and must be completed prior to registration for courses requiring placement testing.

An audit carries no credit, and therefore does not meet degree or certificate requirements, nor does it contribute to enrollment status for financial aid or other benefits. Earning an audit grade for a prerequisite course does not allow for registration in the course requiring the pre-requisite.

The college retains the right to limit the number of times particular courses can be audited by a student. Such limits are intended to ensure students seeking certificates or degrees are not displaced, and that there is value to a student who may seek to audit a course more than once.

Courses which are in high demand, serve as a prerequisite, or are taught infrequently may have limits established that restrict the number of times a student may audit the course within a given timeframe.

Senior Tuition Waiver for Auditing Classes

Oregon residents who are verified to be at least 60 years of age are eligible for a tuition waiver in available lower division transfer courses, typically numbered as 100 or higher, if the individual follows the directions posted on the college website and if they meet the following conditions:

- Have been admitted to the college.
- Have submitted a Senior Waiver Form by the stated deadline.
- Have permission from the instructor prior to the end of the first week of the term.

If approved to audit the class, the Registrar will register the student in the course after the first day of the class, per state regulations, and email you the first week of the term to confirm this registration.

The waiver will only apply for up to 8 credits of in-state tuition per term. General student and course fees, and instructional material purchased by all students are the responsibility of the Senior Waiver student. Students are only eligible to receive an audit (AU) grade for courses paid for with this waiver.

The waiver does not apply to career technical courses or courses in limited entry programs such as Nursing or Aquarium Science. The waiver may not be used for tuition or fees associated with any non-credit courses. Oregon Coast Community College reserves the right to limit the courses for which the waiver may be applied.

NOTE: The waiver program described in ORS 341.518 pertains to Oregon residents 65 and older. Oregon Coast Community College grants the waiver for Oregon residents 60 and older. All other provisions of the law are followed in administering this waiver program.

4105 Distance Education

Administrative Policy:		Distance Education		Policy Number:	AP 4105
Applicable regulations - Federal/State/Board/College		34 Code of Federal Regulations Part 602.17 (U.S. Department of Education regulations on the Integrity of Federal Student Financial Aid Programs under Title IV of the Higher Education Act of 1965, as amended); NWCCU Standard 2.G.7			
Accountable Administrator:		Vice President of Academic and Student Affairs	Position responsible for updates:		Vice President of Academic and Student Affairs
Original Date	03/18/2025		Revised & Adopted	N/A	Reviewed & Adopted N/A

Consistent with federal regulations pertaining to federal financial aid eligibility, the college must authenticate or verify that the student who registers in distance education courses is the same student who participates in and completes the course or program and receives the academic credit. The college will provide each student at the time of registration with a statement of the process in place to protect student privacy and estimated additional student charges associated with verification of student identity, if any.

The Vice President for Academic and Student Affairs shall utilize one or more of these methods to authenticate or verify the student's identity:

- secure credentialing/login and password;
- proctored examinations

The Vice President for Academic and Student Affairs shall establish procedures for providing a statement of the process in place to protect student privacy and estimated additional student charges associated with verification of student identity, if any, to each student at the time of registration.

4230 Grading and Academic Integrity

Administrative Policy:		Grading and Academic Integrity		Policy Number:	AP 4230
Applicable regulations - Federal/State/Board/College		NWCCU Standard 2.G.2			
Accountable Administrator:		Registrar	Position responsible for updates:	Registrar	
Original Date	04/02/2025	Revised & Adopted	N/A	Reviewed & Adopted	N/A

Traditional Grading System

Evaluative symbols and GPA points:

A	Superior	4
B	Above Average	3
C	Average	2
D	Substandard but receiving credit	1
F	Failing	0
P	Acceptable Performance (C or better work)	No Points in GPA
NP	Unacceptable Performance	No Points in GPA

Letter grades A-F are assigned points that calculate into the student's Grade point average (GPA). Student's GPA is calculated by dividing the total amount of grade points earned by the total number of credit hours attempted.

Pass (P) or No Pass (NP) grades are used for most academic success classes. A "P" grade indicates the student has earned a "C" or better. Pass/No Pass (P/NP) grades are not factored into the student's GPA. (See AP 4232.)

Non-Evaluative symbols:

AU - Audit

I – Incomplete

NG – No Grade

W – Withdrawal

Grade Assignment

Instructors may use only the grades of A, B, C, D, F, and the marks of I (for incompletes). P, NP (for approved courses), and AU (for audits) may be used with instructor approval and the Registrar's authorization.

Grade Definitions

A (Superior)

- 1) Honor grade indicating excellence.
- 2) Earned as a result of a combination of some or all of the following as outlined by the instructor in the course handout: superior examination scores, consistently accurate and prompt completion of assignments, ability to deal resourcefully with abstract ideas, superior mastery of pertinent skills, and excellent attendance.
- 3) Probable success in a field relating to the subject or probable continued success in sequential courses.

B (Above average)

- 1) Honor grade indicating competence.
- 2) Earned as a result of a combination of some or all of the following as outlined by the instructor in the course handout: high examination scores, accurate and prompt completion of assignments, ability to deal well with abstract ideas, commendable mastery of pertinent skills, and excellent attendance.
- 3) Probable success in a field relating to the subject or probable continued success in sequential courses.

C (Average)

- 1) Standard college grade indicating successful performance earned as a result of a combination of some or all of the following as outlined by the instructor in the course handout: satisfactory examination scores, generally accurate and prompt completion of assignments, ability to deal with abstract ideas, fair mastery of pertinent skills, and regular attendance.
- 2) Sufficient evidence of ability to warrant entering sequential courses.

D (Substandard but receiving credit)

- 1) Substandard grade indicating the student has met only minimum requirements as outlined by the instructor in the course handout.
- 2) Earned as a result of some or all of the following: low examination scores; generally inaccurate, incomplete or late assignments; inadequate grasp of abstract ideas; barely acceptable mastery of pertinent skills; irregular attendance; insufficient evidence of ability to make advisable the enrollment in sequential courses.
- 3) Does not satisfy requirements for entry into courses where prerequisites are specified.
- 4) Though credit is granted, the course may not meet grade requirements for admission to limited entry programs or be eligible to be applied to certificate or degree requirements.

F (Failing)

- 1) Non-passing grade indicating failure to meet minimum requirements as defined by the instructor in the course handout earned because of some or all of the following: non-passing examination scores; inaccurate, incomplete or late assignments; failure to cope with abstract ideas; inadequate mastery of pertinent skills; and repeated absence from class.
- 2) Does not satisfy requirements for entry into courses where prerequisites are specified.
- 3) Faculty must record the last date attended for students that earn an F.

Pass (P) (see AP 4232)

- 1) Acceptable performance.
- 2) A grade of P represents satisfactory achievement which would have been graded C or better under the traditional grading system.
- 3) The P grade is disregarded in the computation of the OCCC grade point average. The grade does count in calculating pace, or completion rate.
- 4) If not the default grade mode, the student must submit a P/NP grade option request to the registrar by the official withdraw (W grade) deadline.

No Pass (NP) (see AP 4232)

- 1) Unacceptable performance.
- 2) A grade of NP represents unsatisfactory achievement which would have been graded D or lower under the traditional grading system.
- 3) The NP grade is disregarded in the computation of the grade point average. The grade does count in calculating pace, or completion rate.

Incomplete (I)

At the time final course grades are recorded, the instructor may, with the consent of the student, grant an "I" grade which allows the student additional time for the completion of assignments that equate to no more than 30% of the student's grade and when the student has been making satisfactory progress.

In addition to entering the I grade through the faculty portal the faculty member and student must complete the Request for Incomplete Grade contract available on the website. The request is reviewed by the instructor's Dean for approval.

An incomplete contract shall describe the missing requirement(s), the basis for the requirement's evaluation, effect on the final grade computation, and the completion date for that requirement.

The student must complete, and instructor grades the missing work by the end of the subsequent term. Summer is not considered a subsequent term, therefore an I grade issued in Spring term is to be completed by the end of Fall term.

If the faculty member is not teaching in the subsequent term, a proxy faculty member to grade the student's work will be assigned.

If no replacement grade for an "I" grade is entered by the instructor by the end of the subsequent term, the "I" grade shall automatically be changed to an "F".

The "I" grade does not entitle the student to repeat a course without paying tuition.

An instructor may not be able to issue an "I" grade in some courses where, for example, equipment usage is required and is unavailable.

Withdrawal (W)

This mark is to be used only by the Registrar when a student drops a course after the published drop/add period and before the published withdrawal deadline.

Audit (AU) (see BP 4070 and AP 4070)

- 1) This mark may only be used by the Registrar.
- 2) The AU mark, when allowed permits a student to attend a course without receiving a grade or credit for the course even though the tuition and fees must be paid.
- 3) To be assigned an AU mark, a student must obtain permission from their instructor and notify the Registrar prior to the published drop deadlines.
- 4) Through its curriculum process the college may specify whether a specific course may be audited. Therefore, some courses will not be available for audit.
- 5) Does not satisfy requirements for entry into courses where prerequisites are specified.

Repeated Courses (* *) (see AP 4104) This mark may be used only by the Registrar. See repeated courses.

4232 Pass-No Pass

Administrative Policy:		Pass/No Pass		Policy Number:	AP 4232
Applicable regulations - Federal/State/Board/College		NWCCU Standard 2.G.2			
Accountable Administrator:		Registrar	Position responsible for updates:	Registrar	
Original Date	04/02/2025	Revised & Adopted	N/A	Reviewed & Adopted	N/A

The default grading mode for courses is the A-F, a traditional grading scale. Some courses allow for a P/NP grading option. If P/NP is allowed for a course, the student is permitted to request a change to the P/NP grade mode up to the Withdraw deadline.

Disciplines and programs may specify whether this P/NP grading is an option for each course in its control. Degree or certificate requirements limit the number of courses completed with a “P” grade. Required courses that default to a P/NP grade mode do not count towards the limit.

Transfer students should be aware that four-year institutions limit the number of pass/no pass credits that may be applied to a degree and frequently recalculate the student’s grade point average by weighting each P as if it were a C and each NP as if it were an F from the traditional grading scale.

The student is responsible for all assignments and examinations required in the course. The standards of evaluation are the same if the student has chosen the P/NP option.

P (Pass)

Acceptable performance. The grade of “P” represents satisfactory achievement which would have been graded C or better under the traditional grading system. The “P” grade is disregarded in the computation of the OCCC grade point average.

NP (No Pass)

Unacceptable performance. A grade of NP represents unsatisfactory achievement which would have been graded D or lower under the traditional grading system. The NP grade is disregarded in the computation of the grade point average. Faculty must record the last date attended for students that earn an NP. Students who accumulate excessive absences or stop attending and who fail to drop or withdraw from a class by the published deadlines may earn a grade of NP.

4233 Honor Roll

Administrative Policy:		Honor Roll		Policy Number:	AP 4233
Applicable regulations - Federal/State/Board/College		NWCCU Standard 2.G.2			
Accountable Administrator:		Registrar	Position responsible for updates:	Registrar	
Original Date	04/02/2025	Revised & Adopted	N/A	Reviewed & Adopted	N/A

NOTE: OCCC established AP with no corresponding OCCA Policy Series template.

The College will recognize academic excellence in degree-seeking students who have earned a 3.25 or higher GPA in each term on a minimum of six graded credits, excluding "P" (Pass), in each term.

The following honors will be awarded:

- Honor's List: 3.25-3.49 each term
- Dean's List: 3.50-3.74 each term
- President's List: 3.75-4.0 each term
- Highest Honors: 3.75-4.0 OCCC cumulative average awarded upon graduation.

Chapter Five: Student Affairs

5010 Admissions

Administrative Policy:		Admissions		Policy Number:	AP 5010
Applicable regulations - Federal/State/Board/College		34 Code of Federal Regulations Part 668.16(p) (U.S. Department of Education regulations on the Integrity of Federal Student Financial Aid Programs under Title IV of the Higher Education Act of 1965, as amended); NWCCU Standard 1.C4, 2.C.3, 2.G.2 ORS 341.290(7) ORS 341.481 ORS 340.005- 340.330 OAR 589-007-0200			
Accountable Administrator:		Vice President of Academic and Student Affairs	Position responsible for updates:	Dean of Academic Foundation and Student Success	
Original Date	02/01/2024	Revised & Adopted	08/19/2025	Reviewed & Adopted	N/A

Oregon Coast Community College is an open enrollment post-secondary institution. High school graduates or non-high school graduates 16 years or older, are eligible for admission to Oregon Coast Community College.

In order to receive Title IV financial aid a student must be admitted to OCCC in an eligible program, meet the age of compulsory attendance in Oregon, and have a high school diploma or GED.

The Financial Aid Administrator shall be responsible for evaluating the validity of a student's high school completion if the college or the United States Department of Education has reason to believe that the high school diploma is not valid or was not obtained from an entity that provides secondary school education.

Although OCCC has an open admissions policy, some academic programs are considered limited entry programs (Aquarium Science, Medical Assisting, Nursing, and Nursing Assistant) which have specific program admission requirements. These requirements are updated annually to ensure students are successfully prepared for the program and career field.

The policy of OCCC is that all persons regardless of color, gender, sexual orientation, race, religion,

creed, or disability have access to higher education. OCCC is not a substitute for secondary education for students under 16 years of age. Student below the age of compulsory attendance may enroll in accordance with the Underage Student Admission Policy. Students desiring to appeal an admissions decision may pursue the [Student Complaint Procedure – Administrative Policy 5530](#). Some programs and courses may have specific industry based age-restrictions and/or other admission policies and procedures.

Lack of English language skills will also not be a barrier to admission and participation in the College's CTE programs.

Admission for students under the age of 16

Students under 16 years of age with college-level academic ability and the maturity and personal skills required for a successful college experience may be provisionally admitted to OCCC. The college reserves the right to request additional information and/or deny any underage admission.

Requirements for admission of students under the age of 16

1. Currently enrolled in a high school registered with the State of Oregon

Students under age 16 attending a secondary school registered with the State of Oregon who are not enrolled as a dual credit student through their high school as part of an articulated agreement, or have not graduated from high school, will be required to:

1. file an under 16 enrollment form
2. submit a current academic transcript
3. take the college placement test
4. student and parent/guardian will meet with the Vice President of Student Affairs or designee
5. meet with an OCCC Success Coach
6. complete the Success Agreement

2. Currently enrolled home school students

Students under age 16 attending home school or an unregistered secondary school will be required to:

1. file an under 16 enrollment form
2. provide a copy of the confirmation letter received after notifying the local educational service district of the intent to home school
3. provide a current home school academic transcript showing successful completion of the State of Oregon's 8th-grade test for home school students
4. student and parent/guardian will meet with the Vice President of Student Affairs or designee
5. meet with an OCCC Success Coach
6. complete the Success Agreement
- 7.

Further Considerations and Information

After review of the under 16 enrollment form and other documentation as required, students under the age of 16 may attend OCCC if:

- participation will not likely create a health or safety risk for any person or be in violation of federal or state statutes or regulations;

- the student has the ability to benefit from college-level instruction;
- another more age-appropriate, instructional resource is not available, and
- the student demonstrates the ability to perform academically at the college level (RD 115 and WR 115)
- enrollment is limited to 8 credits per term
- The following deadlines to complete the underage admissions process:
 - Summer—May 15
 - Fall—August 15
 - Winter—November 30
 - Spring—March 1
- Students will be notified of their admissions status within 10 working days following their meeting with the Vice President of Student Affairs or designee. If approved, the notification letter will include directions on how to proceed with registering for classes.

NOTE: Students under the age of 16 may enroll in non-credit classes as long as a parent/guardian enrolls with them. No special paperwork is needed.

5015 Residence Determination

Administrative Policy:		Residence Determination		Policy Number:	AP 5015
Applicable regulations - Federal/State/Board/College		OAR 589-002-0200			
Accountable Administrator:		Vice President of Academic and Student Affairs	Position responsible for updates:	Vice President of Academic and Student Affairs	
Original Date	02/01/2024	Revised & Adopted	08/19/2025	Reviewed & Adopted	N/A

Residency requirements must be met prior to the first day of the term. Out-of-state students are assessed a higher tuition rate. Residents of states that border Oregon are charged in- state tuition.

OCCC reserves the right to ask students to provide proof of residency. Establishing proof of residency may include a driver's license, rental contract, utility payment records, and/or voter registration card. On an individual basis, other forms of proof may be utilized in the residency determination process. The initial residency status of each applicant is determined at the time of application.

Students seeking a change in their residency status should contact the Registrar. There is no residency requirement for distance education and non-credit courses.

(Note: A person eligible for benefits under the federal Post-9/11 Veterans Educational Assistance Act of 2008 (38 U.S.C Section 3301 et seq.) or any other federal law authorizing educational benefits to veterans or military service members shall be entitled to Oregon resident status for purposes of tuition and fees charged at Oregon Coast Community College.)

5055 Enrollment Practices

Administrative Policy:		Enrollment Practices		Policy Number:	AP 5055
Applicable regulations - Federal/State/Board/College					
Accountable Administrator:		Vice President of Academic and Student Affairs	Position responsible for updates:	Vice President of Academic and Student Affairs	
Original Date	02/01/2024	Revised & Adopted	N/A	Reviewed & Adopted	08/19/2025

Enrollment in courses and programs may be limited to students meeting properly established prerequisites and co-requisites.

The College may restrict enrollment in a class or program because of limited staff, space, or equipment, or by because of other regulations or government guidance. Enrollment is also limited for some programs, e.g., Aquarium Science, Emergency Medical Technology, Medical Assisting, and Nursing, because of special admission requirements.

Chapter Six: Business and Fiscal Affairs

6200 Budget Preparation

Administrative Policy:		Budget Preparation		Policy Number:	AP 6200
Applicable regulations - Federal/State/Board/College		NWCCU Standards 2.E.2 ORS 294.305 – 294.565 OAR 150-294-0100 ODR 150-504-420 Local Budget Law			
Accountable Administrator:		Vice President of Administrative Services	Position responsible for updates:		Vice President of Administrative Services
Original Date	05/20/2025	Revised & Adopted	N/A	Reviewed & Adopted	N/A

Purpose/Principle

The Oregon Department of Revenue provides all local government budgeting oversight, laws, and direction through Oregon Revised Statutes (ORS 294.305 to 294.565), which are contained in a detailed statewide local budgeting manual. The Department has the statutory authority to ensure compliance with local budget law and all other laws relating to the imposition of property taxes by municipal corporations (ORS 294.490). Oregon Local Budget Law also:

- Establishes standard procedures for preparing, presenting and administering the budgets of Oregon's local governments.
- Encourages citizen involvement in the preparation of the budget before its formal adoption
- Provides a method of estimating revenues, expenditures and proposed taxes.
- Offers a way of outlining the programs and services provided by local governments and the fiscal policy used.

In Oregon, a budget is perceived as a financial plan containing estimates of revenues and expenditures for a single fiscal year. Each local government operates within a fiscal year beginning July 1 of one year and ending on June 30 of the subsequent year.

Definitions

1. Budget Committee: The Budget Committee of Oregon Coast Community College shall consist of the members of the Board of Education (Board), and an equal number of qualified appointees

appointed by the Board. Appointees to the Budget Committee will, as closely as possible, be selected to best ensure representation from the geographical areas of the College District and must be qualified electors of the District.

2. **Budget Officer:** The President shall appoint a Budget Officer who has the responsibility for preparing the budget document.
3. **Budget Calendar:** The Budget Officer shall prepare annually, and present to the Board for its approval, a budget calendar. The calendar shall allow a sufficient length of time for preparation, review, and adoption of the budget by the close of the fiscal year.

Process

Oregon Coast Community College Budget Development Process

	Activity	Responsible party	Engagement
Jan-Mar	Identify strategic priorities for the budget using Core Themes & the current Strategic Plan. Review and prioritize resource requests from committees, departments and/or functional areas. Develop initial budget assumptions for revenue and define cost escalators for expenditures. Work with departments and college committees to determine operational budgets.	Executive Team (ET) and Vice President of Administrative Services (VPAS)	College Committees & Departments
Feb-Mar	Review tuition and fees and hold student forums to provide fiscal information and gather feedback if increases are under consideration.	ET	Students and College Committees & Departments
Feb-Mar	Project grant opportunities and outside-agency program support where relevant.	ET	Departmental Staff & Faculty
Mar-Apr	Determine funding for prioritized budget requests	ET	
Mar-Apr BOE Mtgs	Consideration of Tuition and Fees	Board of Education (BOE)	Public Meeting
April	Compile area budgets into a draft college-wide proposed budget.	VPAS	
April	Review proposed budget to understand available resources and make funding recommendations for planning priorities.	ET	



April-May	Hold forums with the campus community to provide legislative updates, fiscal information & budget assumptions and gather feedback and comment.	ET	Staff & Faculty
May	Review and refine proposed budget	President and ET	
May	Await new biennium State Community College Support Fund funding decisions in odd-numbered years according to the Oregon Legislative Session schedule.	VPAS	
May	Publish notice of Budget Committee Meeting	VPAS	
May	Finalize budget assumptions and reconcile the proposed budget schedules	VPAS	
May	Finalize proposed budget for presentation to the Budget Committee	President and VPAS	
May	President presents proposed budget and budget message to Budget Committee for discussion and possible revision Budget Committee approves proposed budget and makes recommendation to BOE	Seven BOE directors with seven appointed community members	Public Meeting
June	Publish notice of Budget Hearing(s) – an additional hearing and notice is required for a supplemental budget	VPAS	
June	Budget Hearing(s) then regular Board meeting where BOE adopts the approved budget and any supplemental budget	Board of Education (BOE)	Public Meeting
June	Communication back to SPARE/C authors – departments and college committees – regarding resource request outcomes	ET	
July	Budget Resolutions submitted to County	VPAS	

6250 Budget Management

Administrative Policy:		Budget Management		Policy Number:	AP 6250
Applicable regulations - Federal/State/Board/College		NWCCU Standard 2.E.1 ORS 294.305 – 294.565 OAR 150-294-0100 ODR 150-504-420 Local Budgeting Manual			
Accountable Administrator:		Vice President of Administrative Services	Position responsible for updates:		Vice President of Administrative Services
Original Date	05/20/2025	Revised & Adopted	N/A	Reviewed & Adopted	N/A

Purpose/Principle:

The budget, as adopted by the College, becomes the financial plan for the ensuing budget period. It is managed in accordance with statute found in the Oregon Local Budgeting Manual.

The President and staff are authorized to make expenditures and commitments in accordance with the policies of the College and the approved budget.

The President or designee may establish and modify departmental budgets within the appropriation levels adopted by the College.

The President or designee will make the College aware of any substantial changes in expected revenues or unusual expenditures so the College may adjust the budget, if necessary.

6255 Request Change in Budget Authority

Administrative Policy:		Request for Change in Budget Authority		Policy Number:	AP 6255
Applicable regulations - Federal/State/Board/College		ORS 294.305			
Accountable Administrator:		Vice President of Administrative Services	Position responsible for updates:	Vice President of Administrative Services	
Original Date	05/20/2025	Revised & Adopted	N/A	Reviewed & Adopted	N/A

Purpose/Principle:

During a given budget year, a department or program may require a change in budget authority such as an increase to address emerging issues or a decrease due to loss of resources. The request for change in budget authority should be submitted to the Director of Business Services in order to process the change.

6260 Appropriation Transfers

Administrative Policy:		Appropriation Transfers		Policy Number:	AP 6260
Applicable regulations - Federal/State/Board/College		ORS 294.463			
Accountable Administrator:		Vice President of Administrative Services	Position responsible for updates:		Vice President of Administrative Services
Original Date	05/20/2025	Revised & Adopted	N/A	Reviewed & Adopted	N/A

Purpose/Principle:

Transfers of appropriations and resources can be made within any given fund or between any two funds when authorized by official resolution of the governing body. The resolution will state the need for the transfer, the purpose for the authorized expenditure, and the amount of appropriation transferred.

6265 Interfund Loan

Administrative Policy:		Interfund Loans		Policy Number:	AP 6265
Applicable regulations - Federal/State/Board/College		NWCCU Standard 2.E.2 ORS 294.468			
Accountable Administrator:		Vice President of Administrative Services	Position responsible for updates:	Vice President of Administrative Services	
Original Date	07/29/2025	Revised & Adopted	N/A	Reviewed & Adopted	N/A

Purpose/Principle:

During the fiscal year, unforeseen circumstances may arise that necessitate one fund borrowing money from another.

Loans from one fund to another shall conform to the requirements of [ORS 294.468](#) and be authorized by the Board of Education. Interfund loans may not be from: a Debt Service fund, a Financial Aid fund, or funds legally restricted to specific uses.

Repayment of the loan must be budgeted according to an approved schedule and at a stated rate of interest. The interest rate can be any rate that the Board of Education determines, including zero.

The full repayment of interfund loans shall occur no later than:

- five years from the date of the loan, if the funds are to be used to acquire or improve real or personal property, or
- June 30 of the fiscal year following the year in which the loan was authorized, if the funds are to be used for operating purposes.

6310 Reserve Funds

Administrative Policy:		Reserves		Policy Number:	AP 6310
Applicable regulations - Federal/State/Board/College		2 Code of Federal Regulations Section 200; NWCCU Standard 2.E.2; ORS 294.305-294.565			
Accountable Administrator:		Vice President of Administrative Services	Position responsible for updates:	Vice President of Administrative Services	
Original Date	07/29/2025	Revised & Adopted	N/A	Reviewed & Adopted	N/A

Purpose/Principle:

Sufficient reserve funds will be maintained to provide continuity in service delivery in the event of unanticipated circumstances.

A General Fund contingency reserve is established and maintained to ensure funding for expenditures that were not specifically known or anticipated during budget preparation. The minimum contingency reserve amount is based upon a Board-approved percentage of budgeted expenditures. Use of the contingency reserve is at the discretion of the President and requires a Board-approved resolution or adopted supplemental budget to transfer amounts to the intended appropriation categories. Transfers approved by resolution are limited to 15% of the amount originally appropriated in the fund. Transfers in excess of 15% of the original appropriation may only be made after adopting a supplemental budget.

A Reserve Fund is established and maintained for the purpose of Board-approved initiatives or expenditures. Transfers into the Reserve Fund are Board-approved during the budget adoption process. Use of the funds is also Board-approved.

6312 Bond Management

Administrative Policy:		Bond Management		Policy Number:	AP 6312
Applicable regulations - Federal/State/Board/College		NWCCU Standard 2.E.2 ORS 341.675 & 341.715			
Accountable Administrator:		Vice President of Administrative Services	Position responsible for updates:	Vice President of Administrative Services	
Original Date	07/29/2025	Revised & Adopted	N/A	Reviewed & Adopted	N/A

Purpose/Principle:

This establishes the requirements and procedures for ensuring compliance with federal tax laws and securities laws relating to the issuance and post-issuance monitoring of bonds and related disclosure obligations. This statement represents the objectives of Oregon Coast Community College, Oregon (the "Issuer") and will be adhered to by all employees, officials, and financial representatives affiliated with the Issuer.

The Issuer will provide opportunities for education and training for the parties identified in this procedure in order to facilitate their performance of the responsibilities in this procedure. The Vice President of Administrative Services and their designated staff are responsible for staying current with any changes in the rules for tax-exempt bonds and disclosure. The Vice President of Administrative may rely upon outside advisors for assistance and guidance with these matters.

The Vice President of Administrative Services will monitor compliance with the guidelines contained in this policy as well as any other covenants related to debt not specifically included herein.

Federal Tax Law Compliance

The Issuer shall comply with all federal tax laws related to tax-exempt bonds and tax-exempt, bond-financed facilities prior to and after issuance. The Vice President of Administrative Services is assigned the primary responsibility to monitor compliance with federal tax requirements. The Vice President of Administrative Services may assign staff responsibility for components of this policy.

6315 Tuition Refunds

Administrative Policy:		Tuition Refunds		Policy Number:	AP 6315
Applicable regulations - Federal/State/Board/College					
Accountable Administrator:		Vice President of Administrative Services	Position responsible for updates:		Vice President of Administrative Services
Original Date	05/20/2025	Revised & Adopted	N/A	Reviewed & Adopted	N/A

Purpose/Principle:

Students who withdraw from the College or from college courses, and who have complied with regulations governing withdrawals, are entitled to certain refunds depending on the time of withdrawal.

Basic tuition refunds are calculated as follows:

All Terms:

First five (5) days of the term for an 11-week course or the equivalent day of the term for course of varying length = 100%

After the first five (5) days of the term for an 11-week course or the equivalent day of the term for courses of varying length = 0%

Refer to the College catalog and Academic Calendar for drop and withdrawal guidelines and deadlines.

6320 Investments

Administrative Policy:		Investments		Policy Number:	6320
Applicable regulations - Federal/State/Board/College		NWCCU Standard 2.E.1 ORS 294.805 – 294.895			
Accountable Administrator:		Vice President of Administrative Services	Position responsible for updates:	Vice President of Administrative Services	
Original Date	05/20/2025	Revised & Adopted	N/A	Reviewed & Adopted	N/A

Purpose/Principle:

It is the responsibility of the College to invest its dollars in a fiscally responsible manner consistent with local government investing statutes and regulations and as articulated in standard governmental investment practices.

The College will, at its annual organizational meeting, or at other times deemed necessary by the College, designate the Oregon State Investment Pool, County custodial office, and one or more banks that meet college, state, and federal guidelines as official depositories for college funds.

Guidelines:

Investment of public funds is strongly guided by state statutes, administrative regulation, and professional investing standards. Within these guidelines, the College has little maneuverability. The Local Government Investment Pool (LGIP) tends to be the primary, and often only, investment tool used by public entities in Oregon as it has the best return rate and maintains a diverse portfolio with very limited risk. However, in an effort to ensure that the LGIP continues to be the most appropriate investment tool for OCCC, the Vice President of Administrative Services will periodically compare the return and risk offered by LGIP with various local instruments. If deemed appropriate and beneficial to the College, the analysis will be presented to the President with a recommendation to change the formal investment strategy.

6330 Purchasing

Administrative Policy:		Purchasing		Policy Number:	AP 6330
Applicable regulations - Federal/State/Board/College		ORS 279A, 279B, 279C			
Accountable Administrator:		Vice President of Administrative Services	Position responsible for updates:	Director of Business Services	
Original Date	05/20/2025	Revised & Adopted	N/A	Reviewed & Adopted	N/A

Purpose/Principle:

The function of college purchasing is to provide goods and services that serve the educational mission. Items commonly used within the various departments will be standardized whenever consistent with educational goals, in the interest of efficiency or economy and whenever providing optimal value to the College.

The Director of Business Services shall have responsibility for ensuring that the College's purchasing process is in compliance with Community College Rules of Procurement, Generally Accepted Accounting Principles, and Federal, State, and Local law.

No obligation may be incurred by any officer or employee of the College unless that expenditure has been authorized in the budget or by College action and/or College policy. In all cases, calling for the expenditure of College money, except payrolls, a requisition must be used. Requisitions should be fully authorized prior to incurring an obligation.

No purchase, with the exception of a petty cash purchase, will be authorized unless covered by an approved requisition. No invoices, except for certain exceptions such as utility payments, will be approved for payment unless purchases were made on an approved requisition.

In nearly every purchasing situation, requisitions need to be made payable to the vendor from whom the College is acquiring goods or services. Employees who purchase goods or services outside this policy, as well as other purchasing policies, may find that the College will not reimburse the purchase. Employee reimbursement requests for goods and services, require an explanation as to why the purchase did not originate with the vendor.

Guidelines

The staff under the direction of the Vice President of Administrative Services will review invoices due and payable for the purchase of supplies and services to determine if they are within budgeted amounts.

After appropriate administrative review, the Director of Business Services will direct payment of the claims against the College. The Director of Business Services is responsible for the accuracy of all invoices.

Public Official Ethical Considerations

Public officials must know that they are held personally responsible for complying with the provisions in Oregon Government Ethics law. This means that each public official must make a personal judgment in deciding such matters as the use of official position for financial gain, what gifts are appropriate to accept, or when to disclose the nature of conflicts of interest. A detailed guide for public officials can be obtained online at www.oregon.gov/ogec.

ORS 244.040(1) Prohibits every public official from using or attempting to use the position held as a public official to obtain a financial benefit, if the opportunity for the financial benefit would not otherwise be available but for the position held by the public official. Additionally, a public official may not use their position to obtain financial benefits for a business with which the public official, a relative, or a member of the public official's household is associated. When participating in an official capacity and met with a potential or actual conflict of interest related to a business, associated with the public official, relative or household member, the public official must disclose the nature of the conflict of interest by giving written notice to the Office of the President as well as the purchasing agent.

6400 Financial Audits

Administrative Policy:		Financial Audits		Policy Number:	AP 6400
Applicable regulations - Federal/State/Board/College		34 Code of Federal Regulations Part 668.23; NWCCU Standard 2.E.1; ORS 341.709; ORS 27.425			
Accountable Administrator:		Vice President of Administrative Services	Position responsible for updates:	Vice President of Administrative Services	
Original Date	05/20/2025	Revised & Adopted	N/A	Reviewed & Adopted	N/A

Purpose/Principle:

An audit of all College accounts will be made annually by an auditing firm selected by the College from the roster of authorized municipal auditors maintained by the Oregon Board of Accountancy. The audit examination will be conducted in accordance with minimum auditing standards established by the Secretary of State and Office of Management and Budget (OMB) Circular A-133.

The auditing firm will provide audit findings and audit management letters to the College's executive staff. Once the executive staff have reviewed the audited financial statements, the auditing firm presents the documents to the Board.

The audit must be filed with the Oregon Secretary of State on or before either December 31 of the year in which the audit is conducted or by the extension date. Once received, a copy of the audit will also be submitted to various agencies, including the Higher Education Coordinating Commission, as a compliance requirement of those agencies.

Chapter Seven: Human Resources

7111 Conflict of Interest

Administrative Policy:		Conflict of Interest		Policy Number:	AP 7111
Applicable regulations - Federal/State/Board/College		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"			
Accountable Administrator:		President	Position responsible for updates:		Director of Human Resources
Original Date	06/25/2025	Revised & Adopted	N/A	Reviewed & Adopted	N/A

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 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.

Definitions

"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:

- 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.
- 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.

- 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.

“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.

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 reasonable 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:

- Campaign contributions.
- Gifts from relatives or members of the public official's household.
- Unsolicited tokens or awards of appreciation if value is less than \$25.
- 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.”

- Informational material, publications or subscriptions related to the public official's position.
- 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.
 - "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.
- 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.
 - "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.
- 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.
- Food and beverage provided at a reception (e.g. social gathering) where the food and beverage are an incidental part of the reception.
- 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).
- 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.

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 volunteers.

7112 Conflicts of Interest – Contracts

Administrative Policy:		Conflict of Interest - Contracts		Policy Number:	AP 7112
Applicable regulations - Federal/State/Board/College		2 Federal Code of Regulations Part 200.318(c)(1) NWCCU Standard 2.D.3 ORS 244.047			
Accountable Administrator:		President	Position responsible for updates:		Director of Human Resources
Original Date	06/25/2025	Revised & Adopted	N/A	Reviewed & Adopted	N/A

Public Contracts

Board of Education members who are no longer serving as a public official of Oregon Coast Community 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.

7125 Verification of Eligibility of Employment

Administrative Policy:		Verification of Eligibility for Employment		Policy Number:	AP 7125
Applicable regulations - Federal/State/Board/College		8 U.S. Code Section 1324a			
Accountable Administrator:		Director of Human Resources	Position responsible for updates:	Director of Human Resources	
Original Date	02/09/2021	Revised & Adopted	N/A	Reviewed & Adopted	N/A

Purpose

Provide clear and concise policy verification of eligibility for employment.

Principle

Oregon Coast Community College will not hire or recruit a person for employment if it knows that the person is not a citizen of the United States or is not authorized to be employed in the United States.

Reliable documentation of eligibility is required for employment from all persons hired. “Reliable documentation” as set out in federal law includes one or more of the following:

- A United States passport or a resident alien card or alien registration card containing a photograph of the prospective employee, that indicates the person is authorized to work in the United States; or
- A social security card or other documentation issued by the United States government showing authorization to work in the United States AND a driver’s license or similar identification document containing a photograph of the prospective employee.

Oregon Coast Community College will complete for each new employee the verification form or forms required by the United States government. Oregon Coast Community College will retain such forms for at least three years for persons it does not hire. For persons it does hire, the Oregon Coast Community College will retain such forms for at least three years or until one year after the persons leaves Oregon Coast Community College employment, whichever is later.

Oregon Coast Community College will protect the privacy of the information it collects pursuant to this procedure

7135 Faculty Outside Employment

Administrative Policy:		Faculty Outside Employment		Policy Number:	AP 7135
Applicable regulations - Federal/State/Board/College		ORS 342.556 BP 7135			
Accountable Administrator:		Director of Human Resources	Position responsible for updates:	Director of Human Resources	
Original Date	06/25/2025	Revised & Adopted	N/A	Reviewed & Adopted	N/A

The Board of Education of Oregon Coast Community College authorizes the President and the Office of Human Resources to develop standards governing faculty outside employment. 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 Oregon Coast Community 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:

- Make private, commercial use, without permission, of College supplies, facilities, equipment, employees, records, intellectual property, or any other College resources.
- Use non-public information accessed as a College employee to obtain a private financial benefit for the employee.
- 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:
 - 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.
 - For full-time 9-month faculty, time commitments that do not exceed one day in each seven-day week, 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.
 - 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 Director of Human Resources 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:

- Reimbursement for travel related to a faculty member’s official position and duties;
- Appearances, performances, exhibits, or publications;
- Consulting as an individual or sole proprietor; or

- 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:

- 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.
- 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
- 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.
- 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

Disclosure

If they have something to disclose, faculty members must submit a written disclosure each academic 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 Director of Human Resources 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 Director of Human Resources.

7140 Telework Policy

Administrative Policy:		Telework Policy		Policy Number:	AP 7140
Applicable regulations - Federal/State/Board/College					
Accountable Administrator:		Director of Human Resources	Position responsible for updates:	Director of Human Resources	
Original Date	07/01/2021	Revised & Adopted	04/05/2022	Reviewed & Adopted	N/A

Purpose

Provide guidance for telework.

Positions at Oregon Coast Community College are expected to perform work at any of the three primary work locations (Lincoln City, Newport, Waldport). Certain positions that are able to perform some work remotely will have the ability to request a telework arrangement. All telework positions must maintain Oregon state residency and be available for in-person attendance.

Telework refers to an arrangement where an employee works from home or other approved location through telecommunications technology. Depending on the details of the arrangement, telework could constitute a portion of the employee's work schedule. Telework can benefit not only the employee, but also the supervisor, the team, and the College in general. Telework supports employees through:

- Maintaining an organizational culture that provides flexibility.
- Promoting a positive work/life balance.
- Providing a supportive and productive work environment that attracts and retains employees.

Telework is designed to support a strategy that maximizes productivity and performance, regardless of the work location, when the duties of the position allow. Approval to telework is granted at the discretion of the Executive Team member for the unit/area. The determination of whether an employee is eligible to participate and is approved for telework will be made in accordance with this policy and the business needs of the unit and the College.

Principle

The policy identifies telework position eligibility, types of telework, and readiness of the employee, unit, and supervisor. The telework request and telecommuting agreement are found in the Telework request and work agreement practice document.

Position Telework Eligibility

A position's suitability for telework is based on operational needs and the duties and responsibilities of the position as defined in the position description. It is the responsibility of the unit to designate positions as telework eligible or telework ineligible. Positions which can be designated telework eligible are those where a significant portion of the duties of a position can be accomplished through telework.

The Executive Team will:

- have access to a list of positions that have been identified as telework positions
- be informed of all pending telework requests, to ensure cross functional work is addressed
- have access to a list of positions with approved telework agreements

Types Of Telework

There are two types of telework arrangements for employees in telework eligible positions:

- **Occasional telework:** Occasional telework arrangements are approved on a case-by-case basis, are infrequent, and not regularly scheduled. Occasional telework can allow employees to attend to sporadic household appointment needs, continue to perform work during workplace disruptions, including inclement weather- College open, or provide uninterrupted time for project work. Occasional telework does not require a telework agreement, however approval must be documented, which can be done by email. Occasional telework is not appropriate as a substitute for sick time off and should not be used when the employee's own or a family member's illness or injury interferes with the employee's ability to perform their work.
- **Regular telework:** Regular telework arrangements must be supported by a telework agreement that specifies the requirements and details of the arrangement. The arrangement will have at least an annual review and approval. Occasional telework becomes regular telework once it becomes regularly occurring. Units are responsible for considering proposals objectively and fairly but are not obligated to approve.

Telework As A Disability Accommodation

Employee requests to telework as a disability accommodation or a pregnancy accommodation are handled through the accommodation process. Employees should discuss concerns about accommodation-related telework requests with the Office of Human Resources.

Employee Eligibility

Supervisors have discretion to decide whether an employee in a telework-eligible position is a candidate for telework. When evaluating a telework request, units should take into account specific position requirements, impact on a team, employee performance concerns, and whether the employee can effectively perform the job duties of the position while teleworking. Additionally, supervisors must also determine that the proposed teleworking arrangement follows applicable regulations and policies.

A teleworking employee's conditions of employment are the same as those of non-teleworking employees, including compliance with all policies and rules of the College and state while teleworking.

Requirements for in-person attendance will override regular telework work schedules. Supervisors should discuss such instances with the employee (e.g., hands-on training, in-service, meetings, events). Expectations for timely completion of work to established standards, attendance at meetings, responsiveness to students/staff/faculty, and other performance criteria are the same for teleworking and non-teleworking employees. Performance standards are the same for all employees regardless of work location.

Employee Readiness For Telework

Some employees may be better prepared than others to manage the unique requirements of teleworking. When evaluating a telework request, supervisors should consider whether the employee has a record of satisfactory performance in the workplace and has demonstrated the ability to:

- Prioritize work to meet deadlines
- Accomplish job duties with minimal supervision
- Understand their role and expectations
- Be organized, highly disciplined and self-motivated
- Communicate effectively with students, staff, faculty, and team members
- Manage time effectively

Positions requiring in-person contact/customer service or that rely upon specific equipment or supplies to work on-site may be excluded from consideration for telework arrangements. For certain positions that may not seem appropriate for telework, units/areas can implement telework arrangements on a trial basis to ensure appropriateness. Establishing position-based telework eligibility and criteria for employee readiness for telework helps maximize equity by giving employees in telework eligible positions the same access to telework based on whether their specific job requirements are compatible with telework. It is important that units/areas establish fair and equitable processes to determine whether an employee is successful in using telework.

Supervisor And Team Readiness For Telework

Before approving a telework request, the supervisor will consider any changes needed to ensure the team and the College continue to meet objectives. Additionally, the supervisor will ensure that the employee and work product will be as effectively managed as their on-site colleagues.

7140p Telework Request and Agreement

Unit/Department		Human Resources	Practice	7140p – Telework Request and Agreement		
Applicable regulations - Federal/State/Board/College		AP 7140				
Accountable Administrator:		Director of Human Resources	Position responsible for updates:		Director of Human Resources	
Original Date	07/01/2021	Revised & Adopted	04/05/2022	Reviewed & Adopted	N/A	

Purpose

Telework request and work agreement companion document for Telework Policy AP 7140.

Telework policy purpose

Positions at Oregon Coast Community College are expected to perform work at any of the three primary work locations (Lincoln City, Newport, Waldport). Certain positions that are able to perform some work remotely will have the ability to request a telework arrangement. All telework positions must maintain Oregon state residency and be available for in-person attendance.

Principle

Review the request

Supervisor should work with the employee to evaluate their request to telework, considering telework suitability criteria and maintaining consistency and equity of decisions across the College. If there is uncertainty about the potential effectiveness of a proposed telework arrangement, the supervisor may consider allowing the employee to telework on a pilot basis. A review period should be established, after which a decision can be made about regular telework.

There may be circumstances in which a request for telework cannot be approved. In order to demonstrate consistency and equity within the unit, it is important the denial is explained to the employee and is based upon policy, impact on the unit and college operations, and/or the employee's past performance.

Document the telework arrangement

A telework agreement is a written plan outlining the understanding of, and commitment to, teleworking as mutually agreed upon by the employee and their supervisor and is required for regular telework arrangements.

At a minimum, a telework arrangement should follow the general provisions of Telework Agreement - (found at the end of this document) and define:

- A work schedule that specifies telework days and hours of work
- Telework location
- Required methods of communication specific to telework (e.g., Zoom, phone, email).
- The duration of the telework arrangement
- Responsibility for telework equipment
- Circumstances requiring on-site attendance
- Employee agreement to maintain a safe work environment
- Relevant attestations regarding key policy considerations

Employees and supervisors must sign and comply with the requirements of the telework agreement.

The telework agreement may be terminated by the supervisor at any time with seven (7) calendar days' notice, unless it is for alleged misconduct or an emergency, in which case, it may be terminated immediately. Changes to telework agreements for remote workers will be reviewed annual as provided in the AP# 7140.

Telework agreements are meant to be responsive to the changing needs of the workplace, as such they should be updated as needed and are reviewed annually.

Furnishing equipment

The employee must establish an appropriate and safe work environment consistent with the guidelines outlined in the telework agreement. Teleworkers are expected to ensure that the expectations for information security are met and that College property is secured. The College assumes no responsibility for the teleworker's expenses related to internet service, heating, electricity, water, security, insurance, and usage of personal residence.

The supervisor will ensure equipment decisions demonstrate consistency and equity within a unit. The employee, supervisor, and IT shall work together to determine whether the College will issue an employee the equipment necessary to perform the job, or if an employee already has the required equipment, the College may agree that the employee will use their own equipment. Telework arrangements will not typically result in the duplication of office equipment. Generally, the College will be responsible for the service and maintenance of College-owned equipment and an individual teleworker will be responsible for the service and maintenance of their own equipment. Supervisors and IT must maintain an inventory of College-owned equipment used for teleworking and ensure it is returned at the end of the teleworking arrangement.

Work schedules and timekeeping

Employees and supervisors are required to comply with all timekeeping and overtime regulations defined by state or federal law (e.g., the Fair Labor Standards Act), collective bargaining agreements and College policy. Overtime-eligible employees must receive approval from their supervisor to work overtime. Supervisors must ensure accurate recording of hours worked.

Working with family members at home

Telework should not be used to provide active care for a child or other dependent.

Related policy and practice considerations

Teleworking staff must adhere to all college policies including, but not limited to policies/practices regarding confidentiality of information, work schedules, work hours, use of equipment, ethics, performance, leave use, and tracking of work hours.

All time off and leave provisions under applicable policy, or the collective bargaining agreement for represented employees, continue to apply under a telework agreement.

Reasonable steps must be taken to ensure that College property is used in compliance the acceptable use policy [AP 3720-Acceptable Use Policy](#)

Teleworking employees must protect the security, confidentiality, and integrity of data, information, paper files, and access to computer systems. All College policies/ practices on information technology, internet access, and technology use apply to teleworking, as they would at a College work site.

Work-related injuries at the remote worksite, during agreed-upon working hours, are covered by Workers' Compensation. Employees are required to report any work-related illness or injury to their supervisor immediately. Employees are required to fill out an accident report as an internal record of the incident within 24 hours of the event or claim.

TELEWORK AGREEMENT | Remote work

This document is intended to ensure the shared understanding of the employee's telework arrangement. Each telework arrangement is unique depending on the needs of the position and employee. In defining a telework arrangement, the employee and their supervisor are expected to evaluate the costs, disadvantages, and benefits of telework, identify work expectations, and clearly communicate how expectations may be met.

This telework agreement is not a contract of employment, does not provide any contractual rights to continued employment, does not create a binding working condition, and only lasts up to 12 months. It does not alter or supersede the terms of the existing employment relationship. Remote work does not change the condition of employment, that employees reside in Oregon. **All telework requests require the approval of the Executive Team.**

Employee telework information

Employee Name:	
Job Title:	
Department:	
Supervisor:	
Address where telework will be performed:	
Telework arrangement effective dates:	Start date End date(not greater than 12months from start date)

Telework justification

Provide justification below.

--

Telework schedule

Day of Week	Work Hours	Lunch Hours / Breaks
Sunday		
Monday		
Tuesday		
Wednesday		
Thursday		
Friday		
Saturday		

Telework expectations

The general expectation for a telework arrangement is that the employee will effectively accomplish all of their regular job duties, regardless of work location.

I agree:

- To be available and responsive during scheduled work hours.
- My duties, obligations, and responsibilities as a teleworking employee are the same as onsite workers, including my obligation to respond to my voicemail, e-mail and other messages in a timely manner.
- While teleworking that I will work at the above-listed locations during my telework work schedule.
- That any time off or overtime must be prearranged and consistent with the rules applicable to my employment.

Specific expectations for this telework arrangement should be summarized in the table below. Additional rows may be added as needed.

Expectations	Supervisor's comments and expectations	Employee's comments as to how expectations will be met
Communication with students/stakeholders, team, and supervisor		
Events or activities which require in-person attendance.		

Telework arrangement modification

The telework agreement lasts up to 12 months. This provision does not apply to telework arrangements made through the disability accommodation process. All employee-proposed changes are subject to Executive Team member approval.

Telework agreements will be reviewed every 12 months. Temporary modifications to this agreement should be discussed between the employee and supervisor. Long-term or substantive modifications should be documented by revising this agreement.

Telework review

Specify a date to meet and discuss the effectiveness of the telework arrangement, or enter N/A.

Telework plan review date:	
----------------------------	--

Equipment and technology access

The employee and employer agree to work together to ensure that the alternate worksite is safe, productive, and ergonomically suitable. Specify any equipment or technology the employee will need to telework and whether it will be employee or employer provided. In the event of equipment failure or service interruption, the employee must notify employer immediately to discuss alternate assignments or other options. Enter N/A if the item is not used.

Items provided by the College, including items purchased by the employee and reimbursed, remain the property of the College and may only be used for college business. College property must meet the expectations for information security, be properly secured, and returned to the College at the end of the telework arrangement.

Employees are responsible for loss or damage to College property that is used when working remotely.

Equipment	Provided by	Responsible for loss or damage
Laptop		
Docking station		
Computer		
Mouse		
Keyboard		
Monitor(s)		
Desk		
Desk chair		
Web cam		
Phone		
Headset/microphone		
Power strip/extension cord		
Printer		
Office supplies		

Ergonomic modifications (e.g., keyboard tray, glare filter, foot stool, etc.)		
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Additional details

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Policies and Procedure Acknowledgement

Policy/Procedure	Employee initials
I have read and understand the OCCC Telework Policy and Practice	
I agree to ensure that <i>both</i> my home (primary) address and work location are accurately reflected in the payroll system to ensure compliance with taxes, payroll deductions, and the applicability of other labor and employment laws.	
I understand that I am required to comply with all timekeeping and overtime regulations.	
I understand that the work I do while working remotely, remains subject to College records retention policy and applicable regulations	
I understand that I am covered by workers' compensation for job-related injuries that occur in the course and scope of employment.	
I agree to maintain the confidentiality of all College information and documents and prevent unauthorized access to any College system or information.	
I have read and understand the Acceptable Use Policy	
This telework agreement is not a contract of employment, does not provide any contractual rights to continued employment, does not create a binding working condition, and only lasts 12 months. It does not alter or supersede the terms of the existing employment relationship.	

Employee signature: _____ Date: _____

I agree to ensure that the telework employee named herein is provided with the resources, training, equipment and supplies necessary for effective telework. I agree to integrate the telework employee named herein into the unit and College's teams, culture, and opportunities.

Supervisor signature: _____ Date: _____

ET signature: _____ Date: _____

7145 Personnel Files

Administrative Policy:		Personnel Files		Policy Number:	AP 7145
Applicable regulations - Federal/State/Board/College		NWCCU Standard 2.A.20 ORS 652.750			
Accountable Administrator:		Director of Human Resources	Position responsible for updates:	Director of Human Resources	
Original Date	02/09/2021	Revised & Adopted	N/A	Reviewed & Adopted	N/A

Purpose

Provide clear and concise policy on personal files.

Principle

Personnel records are private, accurate, complete, and permanent.

All employee personnel files are officially maintained in the Office of Human Resources. Documents in personnel files include but are not limited to: resumes/vitae; official transcripts (provided by issuing institution); copies of benefit forms; payroll-related forms; letters addressing appointment, salary adjustments, title changes, and position descriptions; probationary reports; performance evaluations; letters of reprimand; employee development and training documentation; and select training records.

Employee may provide written comment on items placed in the personnel file.

Personnel File Access

An employee or their supervisor may review their personnel file by scheduling an appointment with the Office of Human Resources.

Access is permitted per the details in Collective Bargaining Agreements.

A reasonable fee will be charged for copies of the personnel file.

7310 Nepotism

Administrative Policy:		Nepotism		Policy Number:	AP 7310
Applicable regulations - Federal/State/Board/College		ORS 244.175 to 244.179			
Accountable Administrator:		Director of Human Resources	Position responsible for updates:		Director of Human Resources
Original Date	02/09/2021	Revised & Adopted	N/A	Reviewed & Adopted	N/A

Purpose

Provide clear and consistent policy on nepotism and related to employment practices.

Principle

Oregon Coast Community College does not prohibit the employment of a relative or member of household of a current employee of the college, with the exception that a college employee acting in their official capacity may not supervise a person who is a relative or member of household. In addition, a college employee may not participate in personnel decisions relating to a relative or member of household. These restrictions do not apply to unpaid volunteer positions with Oregon Coast Community College.

Personnel decisions include appointment, employment, promotion, discharge, firing or demotion of the relative or member of the household, and include participation in any interview, discussion or debate related to these personnel decisions.

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. This definition applies to both the employee and the spouse of the employee.

Member of household means any person who resides with the employee.

Supervision is defined as the position that provided direct supervision.

Oregon Coast Community College will make reasonable efforts to assign job duties to minimize the potential for creating an adverse impact on supervision, safety, security, or morale, or creating other potential conflicts of interest.

Notwithstanding the above, Oregon Coast Community College retains the right where such placement has the potential for creating an adverse impact on supervision, safety, security, or morale, or involves other potential conflicts of interest, to refuse to place a relative or member of household in the same department, division or facility. Oregon Coast Community College retains

the right to reassign or transfer any person to eliminate the potential for creating an adverse impact on supervision, safety, security, or morale, or involves other potential conflicts of interest.

7342 Holidays

Administrative Policy:		Holidays		Policy Number:	AP 7342
Applicable regulations - Federal/State/Board/College		ORS 187.010			
Accountable Administrator:		Director of Human Resources	Position responsible for updates:		Director of Human Resources
Original Date	02/03/2021	Revised & Adopted	07/12/2021	Reviewed & Adopted	N/A

Purpose/Principle

Oregon Coast Community College recognizes the following as holidays. The College is closed, in observation of these days.

- New Year's Day (January 1)
- Martin Luther King Jr Day (third Monday in January)
- Presidents Day (third Monday in February)
- Memorial Day (last Monday in May)
- Juneteenth (June 19)
- Independence Day (July 4)
- Labor Day (first Monday in September)
- Veterans Day (November 11)
- Thanksgiving Day (fourth Thursday in November)
- Day after Thanksgiving Day (fourth Friday in November)
- Christmas Eve Day (December 24)
- Christmas Day (December 25)
- New Year's Eve Day (December 31)

Should a holiday recognized by Oregon Coast Community College fall on a Saturday, the holiday will be observed on Friday.

Should a holiday recognized by Oregon Coast Community College fall on a Sunday, the holiday will be observed on Monday.

Collective bargaining agreements may have provisions for additional days recognized as holidays.

7500 Volunteers

Administrative Policy:		Volunteers		Policy Number:	AP 7500
Applicable regulations - Federal/State/Board/College		ORS 30.260 to 30.300 (Oregon Tort Claims Act)			
Accountable Administrator:		Director of Human Resources	Position responsible for updates:	Director of Human Resources	
Original Date	06/28/2025	Revised & Adopted	N/A	Reviewed & Adopted	N/A

Purpose

Each volunteer is subject to the screening process set forth in this procedure, with the following exceptions:

- *individuals serving as volunteers in Associated Student Government officer positions at the college and;*
- *Guest Speakers*

The Director of Human Resources may authorize suspension of the screening process when he/she/they believes that this process is not necessary for the volunteers serving in the particular event.

Definitions

Volunteer - anyone who chooses to perform services for the College without compensation or expectation of compensation, and who performs a task at the direction of and on behalf of the institution. A "volunteer" must be officially accepted and enrolled by the institution prior to performance of the task.

Principle

Oregon Coast Community College (OCCC) may enter into agreements with outside organizations to provide volunteers to the College to work at college locations. Such agreements will contain appropriate defense and indemnification language to protect the College from liability in connection with the volunteer services.

Volunteers serve OCCC in an "at will" capacity. The College may terminate a volunteer's services for any reason or no reason at all.

Volunteers may not be used in lieu of employees. The College may not refuse to employ a person in a vacant position and use volunteers instead, nor may it abolish any positions and use volunteers instead.

Screening

The College shall use a written application form that requires, at a minimum, the volunteer's name, E-Mail address, and phone number.

Criminal Background Checks of each volunteer are required.

Guidance

A volunteer's service record shall be maintained by Human Resources. A Service Record includes:

- Application;
- Background Screening
- Records of Training

College employees may occasionally work for the college as volunteers, provided the following conditions are met:

- The work performed is not the same type of work the employee performs in the course of regular employment, and;
- The work is performed outside the employee's normal work hours.

No person may serve as a volunteer at OCCC if:

- He/she/they has been convicted of or if he/she/they has charges pending which pertains to any sex offense, or controlled substance offense.
- He/she/they has been convicted of a crime and Human Resources determines that: the nature of the crime is too serious to serve as a volunteer; the crime was too recent; or the crime is inconsistent with obligations in performing assigned duties as a volunteer.
- He/she/they makes a false statement or omits a statement as to any material fact on the application form.

Incidental Expenses

Persons serving without pay as volunteers may receive reimbursement for approved incidental expenses.

Benefits

Volunteers shall serve without any type of compensation, or any other benefits granted to OCCC employees. Volunteers are considered agents of the state for purposes of the Oregon Tort Claims Act.

7500p Volunteer Application and Process

Unit/ Department		Human Resources	Practice	7500p – Volunteer Application and Process		
Applicable regulations - Federal/State/Board/College		AP 7500				
Accountable Administrator:		Director of Human Resources	Position responsible for updates:		Director of Human Resources	
Original Date	06/28/2025	Revised & Adopted	N/A	Reviewed & Adopted	N/A	

Purpose

Volunteer Application and Agreement; companion document for Volunteers AP 7500

Volunteer Policy Purpose

Each volunteer is subject to the screening process set forth in this procedure, with the following exceptions:

- *individuals serving as volunteers in Associated Student Government officer positions at the college and;*
- *Guest Speakers*

The **Director of Human Resources** may authorize suspension of the screening process when he/she/they believes that this process is not necessary for the volunteers serving in the particular event.

Volunteer Application Review and Procedure

1. Individuals external to the college will complete the Volunteer Application form via DocuSign. Once completed and submitted, this document will be sent to Human Resources.
2. Information from the section “How you would like to volunteer” will be reviewed by the Director of Human Resources and the area supervisor, to ensure compliance with AP 7500 Volunteers Policy.
3. Human Resources will reach out to Volunteer Candidate(s) to inform he/she/them of the next steps.
 - a. Denied in compliance with AP 7500 Volunteers Policy or;
 - b. Accepted

Accepted Applications

If a volunteer application is accepted, onboarding of the volunteer will begin.

Before starting a Volunteer Opportunity, each Volunteer will:

1. Complete a Criminal Background Check.
2. Review AP 7500 Volunteers Policy.
3. Complete the Volunteer Waiver of Liability Form.
4. Participate in the following training:
 - a. Clery Act

- b. Drug Free Workplace
- c. FERPA
- d. Mandatory Reporting
- e. Title IX and Sexual Harassment

OCCC Volunteer Request (Internal) Review and Procedure

A Volunteer request can be made by an area supervisor/designee if:

- The event/service requires multiple volunteers and;
 - The event/service is an annual occurrence at Oregon Coast Community College
1. The area supervisor/designee fills out the Volunteer Request Form via docusign. Once completed and submitted, the form is sent to Human Resources.
 2. Human Resources reviews the request to determine if the screening process can be suspended for the event/activity, in accordance with AP 7500.
 3. Human Resources will reach out to the area supervisor to inform he/she/them of the next steps.
 - a. Denied in compliance with AP 7500 Volunteers Policy or;
 - b. Accepted

Accepted Applications

If a volunteer request is accepted, the area supervisor/designee will reach out to all volunteers.

Before starting a Volunteer Opportunity, each Volunteer will:

1. Review AP 7500 Volunteers Policy.
2. Complete the Volunteer Waiver of Liability Form.
 - a. Human Resources will verify the completion of this form.

Volunteer Application

Name: _____ Phone Number: _____

E-Mail Address: _____

What area would you like to volunteer in?

- ☐ Engagement ☐ Academic Affairs
☐ Student Affairs ☐ Administration
☐ Other, please describe: _____

Please describe the event or service you would like to Volunteer for with Oregon Coast Community College:

Please read and acknowledge the following statements:

1. Filling out this form does not guarantee that a volunteer opportunity is available.
2. Each Application is reviewed by Human Resources and the Area Supervisor to determine if a volunteer is to be placed in an opportunity, based on the information above and Administrative Policy 7500.
3. If offered a Volunteer opportunity with the College, a volunteer serves in an "at-will" capacity, and the college may terminate the volunteer services for any reason, or no reason.
4. A successful criminal background screening is required of all volunteers.
5. All Volunteers will receive training and will not be able to serve in their capacity as a volunteer until all training is completed.
6. Volunteers will serve on their own initiative and without expectation or receipt of compensation, benefits or other material considerations for the services provided.
7. Volunteers will not displace or replace Oregon Coast Community College Employees.

By signing below, I acknowledge all the above statements.

Signature: _____ Date: _____

OUTCOME OF REVIEW BY HUMAN RESOURCES AND AREA SUPERVISOR

☐ Accepted

☐ Denied in Compliance with AP 7500
Reasons:



Office of Human Resources
400 SE College Way
Newport, OR, 97366

OCCC Volunteer Request (Internal)
To be filled out by area supervisor

Name: _____

Area: _____

Please describe the event or service that you would like to have volunteers for?

Who are the Volunteers:
(Please list at least the name and email address of the Volunteer)

Name	Email	Phone

OUTCOME OF REVIEW BY HUMAN RESOURCES AND AREA SUPERVISOR

☐ Accepted
☐ Denied in Compliance with AP 7500
Reasons:

Volunteer Waiver of Liability and Agreement

Name: _____ Phone Number: _____

E-Mail Address: _____

By initialing and signing below, you agree to:

_____ Complete a background check

_____ Complete all assigned training before starting any volunteer services with Oregon Coast Community College

_____ Waive any and all medical claims against Oregon Coast Community College arising out of the performance of volunteer duties, whether for an on-site work-related injury or personal injury.

_____ Assume all liability if you are injured while volunteering at Oregon Coast Community College.

_____ Understand that volunteer labor is not tax deductible as a charitable deduction as defined by the Internal Revenue Service (IRS Publication #526). The IRS Code specifically precludes deducting a donation of "time of services" and you will not receive any receipt from the college for the labor or services donated.

Signature: _____

Date: _____