



**Clatsop
Community
College**

Nov. 1, 2018

Addendum to the 2018-19 Clatsop Community College Catalog

This document serves as an addendum to the 2018-19 Clatsop Community College Catalog to reflect new and updated information effective Nov. 1, 2018. This information was not available at the time of the original catalog publication.

Changes reflect approved Board Policies and Administrative Procedures. Additionally, the College increased and improved Student Consumer Information available to all current students and prospective students.

This addendum replaces the following sections of the 2018-19 Clatsop Community College Catalog (page numbers in parenthesis)

- Students' Rights, Responsibilities, and Conduct (page 21)
- Discrimination Complaint Procedure (pages 21-22)
- Student Consumer Information (pages 22-23)
- College Policy on Drug & Alcohol Use (page 23)
- Assistance with Substance Abuse (pages 23)

All other catalog content remains in effect for the duration of the academic year



Clatsop Community College

2018 – 2019

Catalog Addendum

Non-Discrimination Declaration

It is the policy of Clatsop Community College that there will be no discrimination or harassment on the grounds of race, color, sex, gender, marital status, religion, national origin, age, sexual orientation, gender identity or expression or disability in any educational programs, activities, or employment. Questions or complaints should be directed to Leslie Hall, Affirmative Action/Gender Equity (Title IX) Officer, Towler Hall, Suite 110, lhall@clatsopcc.edu 503-338-2450; TDD 503-338-2468. The Title II/Section 504 Coordinator, Shelly Alford, is located in Towler Hall, Suite 312B, salford@clatsopcc.edu 503-338-2474.

Accommodations

Persons having questions about or a request for special needs and accommodation should contact JoAnn Zahn, Vice President of Finance and Operations, at Clatsop Community College, 1651 Lexington Avenue, Astoria, Oregon 97103, Library Suite 110, jzahn@clatsopcc.edu Phone (503) 338-2421 or TDD (503) 338-2468. Please send special needs and accommodations requests here. Contact should be made at least two business days in advance of the event.

Declaración de no-discriminación

Es la política de Clatsop Community College que no habrá ningún tipo de discriminación o acoso por razón de raza, color, sexo, género, estado civil, religión, origen nacional, edad, orientación sexual, identidad de género o expresión discapacidad en los programas educativos, actividades o en la contratación. Preguntas o quejas deben ser dirigidas al Leslie Hall, Oficial de Acción Afirmitiva / Título IX localizado en Towler Hall número 110, lhall@clatsopcc.edu número de teléfono 503-338-2450, TDD (discapacidad auditiva) 503-338-2468. El Coordinador de la Titulo II/Sección 504, Shelly Alford, se encuentra en Towler Hall, numero 312B, salford@clatsopcc.edu número de teléfono 503-338-2474. Para ADA y otras peticiones de servicios llame al 503-338-2474 o para TDD (discapacidad auditiva) 503-338-2468.

Ayuda a personas discapacitadas

En cuanto a las personas discapacitadas, se les pide que se comuniquen con JoAnn Zahn, la Vice Presidente de Finanzas y Operaciones en Clatsop Community College, 1651 Lexington Avenue, Astoria, Oregon 97103, Library Suite 110, jzahn@clatsopcc.edu número telefónico (503) 338-2421 o a TDD (503) 338-2468. Haga el favor de notificar a la oficina para que se le pueda proporcionar apoyo. La comunicación debe tomar lugar por lo menos dos días de trabajo antes del evento por el cual se requiera tal ayuda. Para más información, vea la página Web de Clatsop Community College bajo Información en Español.

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Student Consumer Information

Federal regulations (part 668.41 – Student Assistance General Provisions) require certain information be provided to all enrolled students on an annual basis, and to all prospective students.

These required disclosures contain links to additional detailed information. These are generally referred to as your "Student Right-to-Know" documents and are designed to help you make informed decisions about your education.

General College Information

Affirmative Action Statement

(Links to www.clatsopcc.edu/about-ccc/policies/affirmative-action-gender-equity)

Constitution Day (Sept. 17)

(Links to: <https://www.clatsopcc.edu/student-resources/financial-aid-scholarships>)

September 17th is Constitution Day. This day commemorates the September 17, 1787, signing of the [United States Constitution](#) (links to: <https://www.archives.gov/founding-docs>).

- Library Resources
[Use this library resource to learn more](#) about the formation of the United States Constitution. (Links to: <https://guides.clatsopcc.edu/c.php?g=865228>)

Copyright Infringement Policy

Print materials, audio and video materials, and computer software are ordinarily protected by copyright. All such materials are to be treated as copyright-protected unless there is a specific waiver of copyright or a disclaimer allowing limited reproduction.

The administration will post the official guidelines and regulations regarding reproduction and use of all copyright materials and specific regulations will be developed to cover the use of video materials.

College employees and students are prohibited from acquiring, making or using unauthorized copies of the College's computer software. With regard to use of networks or on multiple machines, Clatsop Community College staff and students shall use software only within the appropriate license agreement.

College employees learning of any misuse of software or related documentation within the College shall notify their supervisor or the Vice-President of College Services immediately.

All staff members are directed to use the utmost caution and discretion when reproducing or using copyright materials in the classroom.

- **Peer-to-Peer File Sharing**
(Links to: https://www.clatsopcc.edu/sites/default/files/file/File%20Sharing_AP%205500.pdf)

Standard Cost of Attendance

(Links to: www.clatsopcc.edu/student-resources/financial-aid/award-information/standard-cost-attendance)

The actual Cost of Attendance (COA) is unique for each student attending Clatsop.

Your COA is an estimated budget of the costs you may incur while attending Clatsop. Financial Aid determines your COA based on the information you provided on the FAFSA and your CCC enrollment status. The COA budget includes standard allowances for tuition, fees, textbooks, supplies, transportation and living expenses. It is also determined by your enrollment status, number of terms attending and if you are living on your own or with a parent or provider. It may also include an allowance for dependent care costs, if applicable and requested. The Standard COA is adjusted for a less than half-time enrollment (1-5 credits) to include allowances for tuition, fees, textbooks and transportation only.

Net Price Calculator (How much will it cost you?)

(Links to: www.clatsopcc.edu/net_price_calculator/npcalc.htm)

Use our online calculator to provide estimated net price information (defined as estimated cost of attendance — including tuition and required fees, books and supplies, room and board (meals), and other related expenses — minus estimated grant and scholarship aid). It's a helpful guide for current/prospective students and their families to learn what similar students paid in a previous year.

FERPA: Family Educational Rights and Privacy Act Your Student Records

[View the Student Records section](#) and [Family Educational Rights and Privacy Act section of this publication](#) (pg. 72).

College Library

[View the *Library* section of this publication for information](#) (pg. **Error! Bookmark not defined.**).

Nondiscrimination Policy

Clatsop Community College prohibits all discrimination or harassment on the grounds of race, color, sex, gender, marital status, religion, national origin, age, sexual orientation, gender identity or expression or disability in any educational programs, activities, or employment. [View the college policies and procedures in this publication](#) (pg. 32).

Services and Facilities for Students with Disabilities

(Links to: www.clatsopcc.edu/student-resources/student-support-services/disability-services)

The Disabilities Services Coordinator works with students with disabilities and the campus community to help ensure equal access to CCC's educational and community programs.

Accommodation requests are considered on a case-by-case basis through an interactive process. To receive accommodations, students must complete an intake appointment and will usually need to provide written documentation of their disability. Specific disability information is kept confidential and separate from academic records.

Services include:

- Test-taking facilitation for those with testing accommodations (e.g. extended time, distraction reduced)
- Reasonable classroom accommodations
- Access to assistive technology
- Student advocacy for ensuring accommodations are provided
- Consultations and collaborations with Instructors
- Consultations with and referrals to off-campus service providers

[Student Grievance Procedure](#)

[View policy BP 5500 in this publication](#) (pg. 14), Standards of Student Conduct.

[Students at a Glance/Student Diversity](#)

View this link for detailed information on each of the below listed categories:

https://www.clatsopcc.edu/sites/default/files/file/Student_Demographics_2016_17.pdf

- [Enrollment](#)
- [Degrees Awarded](#)
- [Race & Ethnicity](#)
- [Gender](#)
- [Financial Aid awarded](#)

[Voter Registration](#)

(Links to: www.clatsopcc.edu/student-resources/clubs-activities/campus-student-activities)

Academic Information

[Academic Progress Policy](#)

(<https://www.clatsopcc.edu/sites/default/files/file/finaid/2018%2019%20Satisfactory%20Academic%20Progress%20Policy%20PDF.pdf>)

[Academic Departments/Programs](#)

- [Educational Programs](http://www.clatsopcc.edu/programs/all-academic-programs) (Links to: www.clatsopcc.edu/programs/all-academic-programs)
- [Faculty](https://www.clatsopcc.edu/sites/default/files/file/2018-2019_faculty.pdf) (Links to: https://www.clatsopcc.edu/sites/default/files/file/2018-2019_faculty.pdf)

- [Instructional Facilities](https://www.clatsopcc.edu/sites/default/files/file/maps.pdf) (Links to: <https://www.clatsopcc.edu/sites/default/files/file/maps.pdf>)

Gainful Employment

(Links to: www.clatsopcc.edu/student-resources/financial-aid-scholarships)

Articulation and Partnership Agreements

(Links to: www.clatsopcc.edu/articulation-partnership-agreements)

[View the *Degree Partnership* section of this publication for information.](#)

Accreditation

(Links to: www.clatsopcc.edu/about-ccc/accreditation)

Clatsop Community College is accredited by the Northwest Commission on Colleges and Universities. Accreditation of an institution of higher education by the Northwest Commission on Colleges and Universities indicates that it meets or exceeds criteria for the assessment of institutional quality evaluated through a peer review process.

Adult Basic Education Programs

[View the *Adult Basic Education* section of this publication for information](#) (pg. **Error! Bookmark not defined.**).

Campus Academic Facilities

Maps for the below listed campuses can be viewed at the end of this publication (pg. **Error! Bookmark not defined.**).

- [Lexington Campus Map](#)
- [MERTS Campus Map](#)
- [South County Map](#)

Faculty and Staff Contact Information

(Links to an interactive Faculty & Staff Directory: www.clatsopcc.edu/ldap_search.php)

Credit for Prior Learning (CPL)

(Links to: www.clatsopcc.edu/sites/default/files/file/CPL_Consumer_info.pdf)

Bookstore Information

- [Schedule of classes with required textbook/materials](#)
(Links to: <http://clatsopcc.edu/schedule/>)
- [Disbursement for Books and Supplies](#)
(Links to: www.clatsopcc.edu/disbursement-books-supplies)

Transfer Credit Policies

(Links to: www.clatsopcc.edu/sites/default/files/file/Transfer_Credit_Policy.pdf)

Financial Aid Information

The Financial Assistance Office | 503-338-2322 or finaid@clatsopcc.edu | Columbia Hall 116
(Information available online at: www.clatsopcc.edu/student-resources/financial-aid)

Information on available federal, state, and institutional financial need-based and non-need based assistance programs can be found by reviewing the Clatsop Community College Financial Aid information on the CCC website. Financial Aid information includes:

Applying for Financial Aid

(Links to: www.clatsopcc.edu/student-resources/financial-aid/applying-aid)

Types of Financial Aid

(Links to: www.clatsopcc.edu/student-resources/financial-aid/award-information/types-financial-aid)

Financial Literacy and Default Prevention, (provided by SALT)

(Links to: www.saltmoney.org/index.html)

Withdrawal and Refund Policy

(Links to: www.clatsopcc.edu/student-resources/financial-aid/award-information/withdrawal-information)

Return of Financial Aid Due to Withdrawal

(Links to: www.clatsopcc.edu/student-resources/financial-aid/beginning-process/refunds-and-return-of-title-iv-funds)

Rights and Responsibilities of Students Receiving Aid

(Links to: www.clatsopcc.edu/student-resources/financial-aid/award-information/rights-responsibilities)

Satisfactory Academic Progress Policy

(<https://www.clatsopcc.edu/sites/default/files/file/finaid/2018%2019%20Satisfactory%20Academic%20Progress%20Policy%20PDF.pdf>)

Work Study Terms and Conditions

(Links to: www.clatsopcc.edu/student-resources/financial-aid/federal-work-study)

[Net Price Calculator \(How much will college cost for you?\)](#)

(Links to: www.clatsopcc.edu/net_price_calculator/npcalc.htm)

[Financial Aid Eligibility - Criminal Convictions](#)

(Links to: studentaid.ed.gov/sa/eligibility/criminal-convictions)

Financial Aid information may also be picked up at the Financial Aid Office or you may request one by phone at (503) 338-2322 or email at financial_aid@clatsopcc.edu.

Scholarship information and applications may be accessed online. Go to www.clatsopcc.edu/scholarships for additional information. Several student computers are available in Student Services for use in accessing this information or, applications may also be picked up in Student Services.

Student Loan Information

[Entrance Loan Counseling for Students](#)

(Links to: www.clatsopcc.edu/student-resources/financial-aid/loan-information/entrance-counseling)

[Exit Loan Counseling for Students](#)

(Links to: www.clatsopcc.edu/student-resources/financial-aid/loan-information/exit-counseling)

[Loan Repayment Options](#)

(Links to: www.youtube.com/watch?v=oJHySMdXjxE&feature=youtu.be)

[NSLDS Disclosure](#)

(Links to: www.clatsopcc.edu/student-resources/financial-aid/loan-information/activating-your-loans)

Health and Safety Information

[Alcohol/Drug Policy](#)

[View the Alcohol/Drug Policy section of this publication for information](#) (pg. 63).

[Drug and Alcohol Abuse Prevention Program Information](#)

(Links to: www.clatsopcc.edu/sites/default/files/file/2017_Report.docx)

[Alcohol Tobacco & Other Drug—Biennial Review \(2015-16 and 2016-17\)](#) (Submitted May 2018) (2017 Report available online at www.clatsopcc.edu/sites/default/files/file/2017_Report.docx You may contact the Dean of Students Office for a printed copy.

Annual Security Report (ASR)

(Links to: www.clatsopcc.edu/about-ccc/student-consumer-information/safety-report)

Emergency Procedures

Procedures for all campuses are posted in campus classrooms, and available on the college safety page at www.clatsopcc.edu/safety.

- [Lexington Campus](#)
(Links to: www.clatsopcc.edu/sites/default/files/file/Lexington_flip_chart.pdf)
- [MERTS Campus](#)
(Links to: www.clatsopcc.edu/sites/default/files/file/MERTS_flip_chart.pdf)
- [South County Campus](#)
(Links to: www.clatsopcc.edu/sites/default/files/file/SCC_flip_chart.pdf)

Disciplinary Action in cases of alleged dating violence, domestic violence, sexual assault or stalking

View related policies and procedures in this publication (pg. 56).

Immunization Requirements

(Links to: www.clatsopcc.edu/sites/default/files/file/policies/6_017%20Vaccine.pdf)

Safety - Contact Information

In an emergency, call 911. [View additional safety resources in this publication.](#)

Mandatory Reporting – Child Protection Policy

(Links to: www.clatsopcc.edu/sites/default/files/file/1_004%20%20Child%20Protection%20Policy.pdf)

All community college employees are required by Oregon law to report suspected cases of child abuse to the Oregon Department of Human Services (DHS) or law enforcement officials.

Staff must immediately report to DHS or local law enforcement when you have “reasonable cause to believe” that any child with whom you come in contact has suffered abuse, or that any person with whom you come in contact has abused a child.

U.S. Department of Education

College Scorecard

(Links to: collegescorecard.ed.gov/school/?208415-Clatsop_Community_College)

The college scorecard provides information on all colleges and universities to enable prospective students to make informed decisions regarding colleges.

Student Outcomes

This data represents completions as reported to the National Center for Education Statistics. The college annually reports this information as part of the Integrated Postsecondary Education Data System (IPEDS).

While the college may enroll more than 2000 students in a typical Fall Term, the college reports a much smaller subset of students to IPEDS. This subset is used to calculate completion, retention and transfer rates for the college.

Data on Clatsop and other academic institutions is available through [the National Center for Education Statistics website College Navigator](http://nces.ed.gov/collegenavigator/?q=clatsop&s=OR&id=208415) (Links to: nces.ed.gov/collegenavigator/?q=clatsop&s=OR&id=208415)

Data as last reported Oct. 15, 2017.

Completion Rates - Fall 2014 Cohort

([www.clatsopcc.edu/sites/default/files/file/Right_to_Know_Completions_Race_Ethnicity_Gender_2014_Cohort\(1\).pdf](http://www.clatsopcc.edu/sites/default/files/file/Right_to_Know_Completions_Race_Ethnicity_Gender_2014_Cohort(1).pdf))

Completions for Federal Pell Recipients, Direct Subsidized Loan Recipients and all other students - Fall 2014 cohort.

(www.clatsopcc.edu/sites/default/files/file/Right_to_Know_Completions_Grants_Loans_All.pdf)

Retention Rates

(www.clatsopcc.edu/sites/default/files/file/Right_to_Know_Retention.pdf)

Transfer Rates

(https://www.clatsopcc.edu/sites/default/files/file/Right_to_Know_Transfer.pdf)

For additional information or to request any information in an alternate format contact the Office of Financial Aid (finaid@clatsopcc.edu | (503) 338-2322) or the Dean of Students Office (DeanOfStudents@clatsopcc.edu | (503) 338-2371).

I. Standards of Student Conduct

Clatsop Community College students are proud members of learning community.

Students from different backgrounds and experiences must commit to the values of respect, accountability, service, and integrity. Students conduct themselves with integrity and understand that the quality of their educational experience is predicated on the quality of individual academic work, mutual respect for the values of others, and service to the community.

We expect you as a student to hold yourself accountable to the commitments you make, and for your conduct. When faced with adversity, we expect a student to engage in thoughtful reflection and exhibit superior ethical decision-making skills. The College's expectation is that you respect the rights and dignity of all members of our community by listening attentively, communicating clearly, and remaining open to understanding others and their diverse points of view.

The following sections contain policies and procedures guiding your conduct as a student.

Student Code of Conduct and Standards of Student Conduct are used interchangeably in Clatsop Community College policies and procedures. These policies and procedures guiding standards including your rights, responsibilities, and procedures for filing a grievance, and resolution include:

- BP 5500 Standards of Student Conduct
- AP 5500 Standards of Student Conduct
- BP 6.205 Student Rights and Responsibilities
- BP 6.212 Sanctions for Violation of Student Code of Conduct
- AP 6.215P Student Discipline
- AP 6.220P Student Complaint Resolution

References:

NWCCU Standards 2.A.15 and 2.D.5
ORS 341.290(2)

Rescinds Policy No. 1.003, 6.210, and 6.245

The President shall establish procedures for the imposition of discipline on students in accordance with the requirements for due process of the federal and state law and regulations.

The College shall clearly define the conduct that is subject to discipline, and shall identify potential disciplinary actions, including but not limited to the removal, suspension, or expulsion of a student.

The Board of Education (the Board) shall consider any recommendation from the President for expulsion. The Board shall consider an expulsion recommendation in closed session unless the student requests that the matter be considered in a public meeting. Final action by the Board on the expulsion shall be taken at a public meeting.

The procedures shall be made widely available to students through the college catalog and other means.

The following conduct shall constitute good cause for discipline, including but not limited to the removal, suspension, or expulsion of a student.

- Causing, attempting to cause, or threatening to cause physical injury to another person.
- Possession, sale, or otherwise furnishing any firearm, knife, explosive, or other dangerous object, including but not limited to any facsimile firearm, knife, or explosive, unless, in the case of possession of any object of this type, the student has obtained written permission to possess the item from a College employee, which is concurred in by the President. (see also BP 3.235)
- Unlawful possession, use, sale, offer to sell, or furnishing, or being under the influence of, any controlled substance, an alcoholic beverage, or an intoxicant of any kind; or unlawful possession of, or offering, arranging or negotiating the sale of any drug paraphernalia.
- Driving of college vehicles while impaired in any way by alcohol or drugs.
- Engaging in gambling or gambling related activities on all College-owned or controlled property or at College-sponsored or supervised functions.
- Committing or attempting to commit robbery or extortion.
- Causing or attempting to cause damage to College property or to private property on campus.
- Stealing or attempting to steal College property or private property on campus, or knowingly receiving stolen College property or private property on campus.
- Willful or persistent smoking in any area where smoking has been prohibited by law or by regulation of the College.
- Sexual assault or sexual exploitation regardless of the victim's affiliation with the College.
- Committing sexual harassment as defined by law or by College policies and procedures.

- Engaging in harassing or discriminatory behavior based on disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other status protected by law.
- Engaging in intimidating conduct or bullying against another student through words or actions, including direct physical contact; verbal assaults, such as teasing or name-calling; social isolation or manipulation; and cyberbullying.
- Willful misconduct which results in injury or death to a student or to employees or which results in cutting, defacing, or other injury to any real or personal property owned by the College or on campus.
- Disruptive behavior, willful disobedience, habitual profanity or vulgarity, or the open and persistent defiance of the authority of, or persistent abuse of, college personnel.
- Cheating, plagiarism (including plagiarism in a student publication), or engaging in other academic dishonesty.
- Dishonesty, forgery, alteration or misuse of college documents, records or identification; or knowingly furnishing false information to the College.
- Unauthorized entry upon or use of College facilities.
- Lewd, indecent, or obscene conduct on College-owned or controlled property or at College-sponsored or supervised functions.
- Engaging in expression which is obscene; libelous, or slanderous; or which so incites students as to create a clear and present danger of the commission of unlawful acts on college premises, or the violation of lawful College administrative procedures, or the substantial disruption of the orderly operation of the College.
- Engaging in any conduct, on or off-campus, that significantly interferes with the College's ability to effectively carryout either its instructional or administrative processes.
- Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.
- Unauthorized preparation, giving, selling, transfer, distribution, or publication, for any commercial purpose, of any contemporaneous recording of an academic presentation in a classroom or equivalent site of instruction, including but not limited to handwritten or typewritten class notes, except as permitted by any board policy or administrative procedure.
- Abuse or unauthorized use of computer equipment or systems.
- Abusing the college's judicial system.
- Complicity: A student present during the commission of an act by another student which constitutes a violation of the Standards of Student Conduct may also be charged if his/her behavior constitutes a permission or condoning of the violation. Students witnessing any such violations are required to report such incidents to an official of the College.
- Contracting or Representing the College: Students are prohibited from contracting in the name of the Clatsop Community College and may not claim to be official representatives of the College for any commercial or other purposes unless authorized by the appropriate College official.
- Failure to comply with published college policies, procedures or regulations.

Adopted: September 11, 2018

Last Revised: September 11, 2018

References:

NWCCU Standards 2.A.15 and 2.D.5

ORS 341.290(2)

The President shall establish procedures for the imposition of discipline on students in accordance with the requirements for due process of the federal and state law and regulations.

The College shall clearly define the conduct that is subject to discipline, and shall identify potential disciplinary actions, including but not limited to the removal, suspension, or expulsion of a student. (See also BP 5500, 6.212 and 6.215P)

These procedures shall be made widely available to students through the college catalog and other means.

The following conduct shall constitute good cause for discipline, including but not limited to the removal, suspension, or expulsion of a student.

- Causing, attempting to cause, or threatening to cause physical injury to another person.
- Possession, sale, or otherwise furnishing any firearm, knife, explosive, or other dangerous object, including but not limited to any facsimile firearm, knife, or explosive, unless, in the case of possession of any object of this type, the student has obtained written permission to possess the item from a College employee, which is concurred in by the President. (see also BP 3.235)
- Unlawful possession, use, sale, offer to sell, or furnishing, or being under the influence of, any controlled substance, an alcoholic beverage, or an intoxicant of any kind; or unlawful possession of, or offering, arranging or negotiating the sale of any drug paraphernalia.
- Driving of college vehicles while impaired in any way by alcohol or drugs.
- Engaging in gambling or gambling related activities on all College-owned or controlled property or at College-sponsored or supervised functions.
- Committing or attempting to commit robbery or extortion.
- Causing or attempting to cause damage to College property or to private property on campus.
- Stealing or attempting to steal College property or private property on campus, or knowingly receiving stolen College property or private property on campus.
- Willful or persistent smoking in any area where smoking has been prohibited by law or by regulation of the College.
- Sexual assault or sexual exploitation regardless of the victim's affiliation with the College.
- Committing sexual harassment as defined by law or by College policies and procedures.
- Engaging in harassing or discriminatory behavior based on disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other status protected by law.

- Engaging in intimidating conduct or bullying against another student through words or actions, including direct physical contact; verbal assaults, such as teasing or name-calling; social isolation or manipulation; and cyberbullying.
- Willful misconduct which results in injury or death to a student or to employees or which results in cutting, defacing, or other injury to any real or personal property owned by the College or on campus.
- Disruptive behavior, willful disobedience, habitual profanity or vulgarity, or the open and persistent defiance of the authority of, or persistent abuse of, college personnel.
- Cheating, plagiarism (including plagiarism in a student publication), or engaging in other academic dishonesty.
- Dishonesty, forgery, alteration or misuse of college documents, records or identification; or knowingly furnishing false information to the College.
- Unauthorized entry upon or use of College facilities.
- Lewd, indecent, or obscene conduct on College-owned or controlled property or at College-sponsored or supervised functions.
- Engaging in expression which is obscene; libelous, or slanderous; or which so incites students as to create a clear and present danger of the commission of unlawful acts on college premises, or the violation of lawful College administrative procedures, or the substantial disruption of the orderly operation of the College.
- Engaging in any conduct, on or off-campus, that significantly interferes with the College's ability to effectively carry out either its instructional or administrative processes.
- Persistent, serious misconduct where other means of correction have failed to bring about proper conduct.
- Unauthorized preparation, giving, selling, transfer, distribution, or publication, for any commercial purpose, of any contemporaneous recording of an academic presentation in a classroom or equivalent site of instruction, including but not limited to handwritten or typewritten class notes, except as permitted by any board policy or administrative procedure.
- Complicity: A student present during the commission of an act by another student which constitutes a violation of the Standards of Student Conduct may also be charged if his/her behavior constitutes a permission or condoning of the violation. Students witnessing any such violations are required to report such incidents to an official of the College.
- Contracting or Representing the College: Students are prohibited from contracting in the name of the Clatsop Community College and may not claim to be official representatives of the College for any commercial or other purposes unless authorized by the appropriate College official.
- Failure to comply with published college policies, procedures or regulations.
- Abuse or unauthorized use of computer equipment or systems. Involves computer equipment, software, passwords, records, or any violation of the confidentiality or security of passwords, records, or software without the written permission and knowledge of the College authority responsible for the facility or resource. Includes but is not limited to:
 - a) Utilization of the College's computers for non-instructional activities. All College computers designated for student use are to be utilized primarily for instructional activities. Use of

College computers for non-instructional activities will be allowed only when other students do not need the computers for instructional purposes. In addition, a student denied access to College computers if the materials being displayed while the student is engaged in non-instructional activities are disruptive to classroom or computer lab activities.

- b) Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.
- c) Unauthorized use of another individual's identification and password.
- d) Violations of confidentiality or security of identification codes, passwords, access to accounts, or means to access accounts.
- e) Intentional modification or destruction of information.
- f) Violation of the privacy of students, faculty or staff by looking at messages intended for another individual without that individual's consent.
- g) Deliberate introduction of invasive computer software, such as viruses, to any College electronic device is prohibited.
- h) Downloading software from the internet or any other unauthorized software onto College computers.
- i) Unauthorized transfer of a file.
- j) Use of computers or other equipment to electronically interfere with the work of another student, faculty member or College official.
- k) Use of computers or other equipment to interfere with normal operations of the College's administrative information system.
- l) Unauthorized copying of College software for personal use.
- m) Use of computers or other equipment to send or receive unlawful written, graphic, or verbal communication.
- n) Unauthorized use of College computer lab passes.
- o) Use of any electronic information resources for commercial purposes.
- p) Use of the College's computing facilities to view/download materials containing nudity or pornography. If a student inadvertently accesses material containing nudity/pornography (easy enough to do), the student should promptly exit the application and inform the instructor or lab assistant of the error.

Exception #1 –It is permissible to use college computing facilities to view/download materials that contain nudity for authorized study and research in the areas of art, health, and science. It is the student's responsibility to exercise good judgment when deciding whether or not the material is appropriate. When in doubt, the student should ask the appropriate College staff member.

Exception #2 –If a student wishes to pursue scholarly research or study on internet pornography or other potentially offensive topics using College computing resources, the student must obtain a letter from an instructor describing the proposed research and learning objectives. The letter is to be forwarded to the Director of Computer Services with a copy to the Dean of Student Services. The College will provide an appropriate setting where the student may conduct the research. In no case shall research of this type be conducted in College computer labs.

- Abusing the College's judicial system. Includes, but is not limited to:

- a) Failure to obey the summons of a judicial body or College official.
- b) Falsifications, distortion, or misrepresentation of information before a judicial body or to a judicial officer acting in performance of his/her duties.
- c) Disruption or interference with the orderly processes of a judicial proceeding.
- d) Attempting to influence the impartiality of a member of the judicial body prior to, and/or during the course of, the judicial proceeding.
- e) Harassment (verbal or physical) and/or intimidation of a member of a judicial body prior to, and/or during, the course of a judicial proceeding.
- f) Failure to comply with the sanction(s) imposed as a result of violations of the Standards of Student Conduct.
- g) Influencing or attempting to influence another person to commit an abuse of the judicial system.

Adopted: September 11, 2018

Last Revised: September 11, 2018

BP 6.205 Student Rights and Responsibilities

The following rights and responsibilities apply to all registered students.

(Reference, Policy 6.205; adopted 3-23-95; revised 7-25-02)

A. Student Rights (In the Classroom)

1. Freedom of Expression: Students are free to take reasoned exception to the information or views presented in any course of study and to reserve judgment about matters of opinion. Regardless of the differences in opinions and views expressed, students are still responsible for achieving the specified course objectives.
2. Academic Requirements: Students have the right to be informed about academic requirements of courses and programs.
3. Protection Against Improper Academic Evaluation: Students are protected against prejudiced, arbitrary, or capricious academic protection against improper academic evaluation. At the same time, students are responsible for achieving standards of academic performance established for each course in which they are enrolled.
4. Protection Against Improper Disclosure: Information about individual student views, beliefs, private activities, and political associations which instructors or other staff acquire as a result of a student's enrollment at Clatsop Community College will be considered confidential and revealed only in accordance with federal and state laws and the constraints of College policies and procedures.

B. Student Rights (Out of the Classroom)

1. Right to Privacy and Confidentiality: Students' educational records are protected and governed by federal and state laws and College policy and procedures. In accordance with the Family Educational Rights and Privacy Act (FERPA) of 1974 the College, except as provided for by the Act, will not disclose information from a student's education records without the prior written approval of the student. For purposes of compliance with the ACT, the College considers all students to have independent status.

The College may, however, release what is deemed "Directory Information." Directory information includes student name, address, major field of study, terms attended, and degrees and awards received. Students have the right to request that Directory Information not be disclosed. Requests must be made, in writing, to the Registrar's Office.

In addition to privacy rights, FERPA establishes the rights of students to review and inspect their education records and provides guidelines for the correction of inaccurate or misleading data through informal and formal hearings. College procedures for complying with FERPA are maintained in the Registrar's Office.

2. Rights of Association: Students have the right to join any recognized student organization or club. The Associated Student Government (ASG) establishes procedures for establishing and managing student clubs and organizations.

3. Rights of Non-Discrimination: Students have the right to an environment that is free from illegal forms of discrimination including sexual harassment, in accordance with College policies.
4. Rights of Expression: Students have the right to express their views on College policy or matters of general interest, but such expression must be made without disruption to the operations of the College or interference with the rights of others. Without written authorization from the College President, students do not have the right to represent a point of view on behalf of the College.

Student publication editors shall be free to develop their own materials subject to the guidelines contained in current student publication policies. However, it is understood that authorized student advisors shall review copy to protect the institution from legal actions relating to obscenity, criminal or civil libel or copyright infringement. Student publications shall state that the opinions expressed are not necessarily those of the College or the student body.

5. Right to Be Informed: Federal regulations require that certain information be provided to all enrolled students on an annual basis, and to all prospective students. This information includes general information regarding the College such as cost of attendance, academic programs, accrediting agencies, special services for students, appropriate campus contacts, etc. In addition, the College is required to provide students with information on available federal, state, and institutional financial assistance; graduation rates, rights regarding their education records and statistics on campus safety. This information is made available to students in a variety of ways including the College catalog, class schedule, handbooks, and the College's web site.
6. Right to Initiate Complaint Process: Students have the right to initiate complaints in accordance with the College's Student Complaint Resolution Procedures (6.220P).

C. Student Responsibilities

Students have the responsibility to obey and follow College policy and procedures federal and state statutes and city ordinances, to respect the rights of others, to fulfill academic requirements of their courses, to contribute to a positive, productive learning environment at the College, and to take responsibility for personal decisions and conduct.

Legal References:

Title VI, VII and XI
Family Educational Rights and Privacy Act (FERPA)
Americans with Disabilities Act
CFR Part 668.41-Student Assistance General Provisions

See Also:

Discrimination/Sexual Harassment (1.001/1.001P)

BP 6.212 Sanctions for Violation of Student Code of Conduct

(Reference, Policy 6.212; adopted 6-30-97 as part of Procedure 6.210P; revised 7-25-02)

The Dean of Students will be responsible for maintaining and disseminating a disciplinary procedure for imposing sanctions while ensuring a student's right to due process (Student Discipline policy/procedure 6.215/6.215P). The severity of the sanction(s) should reflect the severity of the violation and may be imposed singly or in any combination. Sanctions for violation(s) of the Student Code of Conduct may include, but are not limited to, the following:

1. Written Reprimand: Written warning that a student's conduct does not meet College standards and that continuation of such misconduct may result in further disciplinary action.
2. Disciplinary Probation: Imposition of a probationary status, for which further violations may result in additional disciplinary action, including suspension. Disciplinary probation may be imposed for any length of time up to one calendar year. The terms of the probation and conditions for ending it will be specified in a letter to the student. Disciplinary probation may include referral for intervention, screening, and treatment in cases where use of alcohol or other controlled substances have impaired safety and judgment.
3. Personal Mental Health Referral: A sanction which may be invoked in circumstances where the student's behavior poses a potential threat to the campus community.
4. Bar Against Re-Enrollment: May be imposed on a student who has a disciplinary case pending or who fails to pay a debt to the College.
5. Restitution: Reimbursement for costs of damage to a person or property or for a misappropriation of property. Restitution may take the form of appropriate services to repair or otherwise compensate for damages. Restitution may be imposed in combination with any other penalty.
6. Withholding of an Official Transcript: May be imposed upon a student who fails to pay a debt to the College.
7. Suspension of Rights or Privileges: Imposes specific limitations on, or restrictions to, the status of a student's enrollment at the College.
8. Suspension of Eligibility for Extracurricular Activities: Prohibited from joining a recognized student organization and participating in its activities or attending its meetings and/or from participating in official athletic or other extracurricular activities for any length of time up to one calendar year.
9. Temporary Exclusion: An instructor or supervisory staff member may remove a student from class, a service area, or a College-sponsored event when in the judgment of the instructor or supervisor the student is disrupting the educational or administrative processes of the College or poses a danger to other staff or students. Prior to removal, the instructor or supervisor must inform the student of the nature of the disruptive behavior and request that the student ceases the behavior. If the student does not comply, the instructor or supervisor has the authority to ask the student to leave the service area or College-sponsored event for the remainder of the class session, service day, or event.

10. Suspension: A student may be suspended for a defined period of time. During a period of suspension, the student is prohibited from registering for one or more credit or non-credit classes sponsored by the College and may be barred from entering the College campus except with the permission of the President, Vice-President of Instruction, Dean of Students, or Dean of Learning. The conditions of re-enrollment shall be stated in the letter of suspension.
11. Summary Suspension: Summary suspension may be used to protect the College from potential disruption of instructional or other college activities, or to protect the safety of students, faculty, staff, or College property. Summary suspension, for the purpose of investigating the event or events in which the student or students were allegedly involved, shall be for no more than five (5) school days; however, it may be continued pending final disposition of the case if it is deemed necessary for the safety of students, faculty, staff, or College property or in cases where the student's presence is considered to be disruptive to the orderly functioning of the College.

The President, Vice President of Academic Affairs, Dean of Students, or their designees may summarily suspend a student within the stated guidelines. Such suspension shall remain in effect until the outcome of a formal hearing is determined. The formal hearing shall be held no more than ten (10) working days from the first day of suspension. This timeline may be modified with the agreement of both parties.
12. Readmission after Suspension: When a student is suspended, the conditions for re-enrollment that must be met will be outlined in the letter the student receives at the time of suspension. In the case of a long-term suspension, (more than one week), the student will be required to meet with the Dean of Students prior to re-enrollment, and to request re-enrollment in writing. The Vice President of Academic Affairs will be responsible for determining if the conditions for re-enrollment have been met. The Vice President of Academic Affairs, will provide the student, in writing, with his/her decision regarding the student's reentry into the College and the reasons for the decision.
13. Expulsion: A permanent separation from the College. A student may be expelled from the College only on approval of the decision by the College's Board of Directors.

Note: The parents or guardian of any dependent student under age 18 years of age who is placed on disciplinary probation, suspended, or expelled shall be notified.

AP 6.215P Student Discipline Procedure

(Reference, Procedure 6.215P adopted 6-30-97 as part of Procedure 6210P; revised 2-1-02, 6-6-02 and 4-19-11)

These procedures have been established by the College to protect and support its mission as an educational institution, provide for the orderly conduct of its activities, and safeguard the interests of the College community. These disciplinary procedures are considered part of the College's educational process. Hearings or appeals conducted as part of this process are not courts of law and they are not subject to any of the rules of civil or criminal hearings. Because some violations of the College's Student Code of Conduct are also violations of law, students may be accountable to both civil authorities and to the College for their actions. Disciplinary action at the College will normally proceed regardless of external civil or criminal proceedings and may be carried out prior to, simultaneously with, or following civil or criminal proceedings.

Charges

Any student, staff, or faculty member may file a formal complaint against any student for violating the Student Code of Conduct (Policy 6.210). Prior to initiating a formal complaint process a student, faculty or staff member must attempt to informally resolve the complaint (Exceptions to this will be determined by the appropriate College official). Faculty and staff, depending on the severity of the violation, may elect to warn a student regarding violations of the Student Code of Conduct by completing a Student Conduct Warning form. ***A formal complaint must be filed within fifteen working days of the date that the incident or event occurred that prompted the formal complaint.**

Complaints should be prepared on a College "Formal Complaint Form" and directed to the Dean of Students. These forms are available in Student Services, SharePoint Document Center, Human Resources Office, Learning Resource Center (Library), Community Education Office, South County Center, and MERTS.

Investigation of Charges

The Dean of Students, or designee, will conduct an investigation to determine if the charges have merit and/or if they can be resolved administratively by mutual consent of the parties involved. During investigation of the charges, the status of the student shall not be altered nor shall his/her right to be present on the campus and to attend classes be suspended except for reasons related to the safety and well-being of students, faculty, staff, or College property, or in cases where the student's presence interferes with the orderly operation of the College as judged by the Dean of Students. Under these circumstances the temporary suspension policy may be invoked according to the College's policy on Sanctions for Violations of the Student Code of Conduct-6.212).

Hearings

There are two levels of hearings, informal and formal. The informal hearing step shall be held for all violations of the Student Code of Conduct in which it has been determined that the charges have merit and cannot be discharged administratively with the consent of all involved parties. Formal hearings are

held in cases where the violation of the Student Code of Conduct could result in such disciplinary action as final expulsion, or indefinite or long-term suspension from the College.

Notice

A student charged with a formal complaint for violating the Student Code of Conduct or any other College policy or rule will be notified to meet with the Dean of Students, or designee, at a specific time, date, and place regarding the charges. Notification will be made in the most effective manner considering the circumstances and timelines. Notification may include a phone call followed by a letter, notification exclusively by postal service, email, or any other method determined to be effective and expedient. In the case of a dependent student, such notice may also go to the parent or guardian.

Required Attendance

Failure on the part of the accused student to meet as requested for an informal or formal hearing without good cause and prior notification or a verifiable emergency, will result in a decision being made in the student's absence. In all cases, evidence in support of the charges shall be presented and considered. The student shall be notified of this decision in writing.

I. Informal Hearings

If the Dean of Students determines that the charges have merit and the situation cannot be resolved by mutual consent of the involved parties, he/she will conduct an informal hearing utilizing the following steps:

- A. Review the charges with the student and ensure that the student receives, in writing, notification of the charges.
- B. Review the possible disciplinary action that could be taken if the student is found to have violated the Student Code of Conduct.
- C. If requested by the student or the Dean of Students set a follow-up meeting date/time for the student to respond to the charges. This date should be not less than five or more than ten working days from the date of the initial meeting with the student.
- D. At this follow-up meeting, the Dean of Students and the student will discuss the charges and the student's response.
- E. Within ten working days of the meeting in which the student responded to the charges, the Dean of Students will take one of the following actions:
 - Dismiss the charges
 - Respond with counseling and behavior advice/referrals
 - Order restitution or probation
 - Reprimand the student in writing
 - Invoke short-term suspension of no longer than one week
 - Continue a short-term suspension until a formal hearing is convened
 - Order a formal hearing to be held no more than fifteen working days after the student is informed of this decision by the Dean of Students
 - Recommend any other action or combination of actions including long term suspension or expulsion, which is directed at remedying the situation in accordance with College Policy 6.212,

“Sanctions for Violations of the Student Code of Conduct.” Long-term suspensions or expulsions must be reviewed by the Student Discipline Committee.

F. The student will be notified, in writing, of the decision of the Dean of Students.

Appeals

A student may appeal the decision of the Dean of Students to the Student Discipline Committee. The request for an appeal must be made, in writing, within five working days to the Dean of Students.

II. Formal Hearings

Formal hearings are held in cases where alleged violations of the Student Code of Conduct could result in such disciplinary action as expulsion or long-term suspension from the College or when the student appeals the decision of the informal hearing. The Dean of Students, or his/her designee, will convene the Student Discipline Committee for formal discipline hearings. The charge of the committee is to consider and student conduct cases in which the potential sanction being considered is suspension or expulsion. The Student Discipline Committee will utilize the following structure and processes:

- A. Membership of the Committee will include:
 - Three representatives from the Faculty Association
 - The College Counselor
 - One student appointed by the ASG president when deemed appropriate by the Dean of Students
 - Dean of Students or his/her designee
- B. Members will serve for no longer than three years; faculty vacancies that occur during the year shall be filled as they arise by the Faculty Association. Staff positions will be filled by the Dean of Students.
- C. A quorum shall consist of three members for student discipline hearings and must include the Dean of Students;
- D. All committee members shall have voting rights.
- E. Dean of Students serves as chair of the committee and meetings are conducted utilizing the following formal hearing guidelines:
 1. The hearing process employed by the Student Discipline Committee is not subject to the formal procedures or technical rules of evidence found in a court of law. All hearings and meetings, however, will be conducted in an atmosphere of fairness and concern for all parties involved.
 2. Hearings are not open to the campus community, general public, or press.
 3. The deliberations and decisions of the Student Discipline Committee are considered confidential in compliance with student rights to privacy as regulated by the Family Educational Rights and Privacy Act (FERPA).
 4. Admission of any eligible person to the hearing shall be at the discretion of the Dean of Students.
 5. The accused student will be provided with a list of the names and titles of the Committee members prior to the date of the scheduled hearing.
 6. Students may be assisted at hearings by an advocate, a faculty member, staff member, family member, or student enrolled at Clatsop Community College, but must conduct all aspects of their own defense. Advisors are not permitted to speak or to participate directly in any hearing.

This process is not a court of law and legal counsel is not part of the student judicial process. The student may seek legal advice at his/her own expense, but to avoid an adversarial situation and to maintain an educational environment and not the appearance of a court of law, neither the College nor the student will be represented by a lawyer during the hearing. An exception regarding legal counsel will be made in the event that criminal charges against a student are either pending or potential. The attorney will be allowed to advise the student but not allowed to speak at or participate directly in the hearing. The cost of such counsel shall be borne by the student. If such legal counsel is required, the student must provide, in writing, sufficient notice to the College so that the College may also arrange for legal counsel to be present.

7. Written statements, exhibits, academic records or any other documentation relevant to the proceedings may be accepted as evidence for consideration at the discretion of the Dean of Students. Evidence commonly relied upon by reasonable people in the conduct of their daily business affairs shall be admissible. Unduly repetitious or cumulative evidence may be excluded.
8. All involved parties have the right to present witnesses and evidence subject to the approval of the Dean of Students. Witnesses also have the right to have an advisor present subject to the same restrictions as the accused student.
9. The accused student will have the opportunity to hear and question all participants at the hearing by directing questions to the Committee.
10. In no case will the Committee consider written statements averse to the accused student unless the content and names of those making the statements are available to the student.
11. The hearing shall proceed in the following order:
 - a. Declaration of the charges against the student.
 - b. Presentation of evidence and witnesses in support of the charges.
 - c. Opportunity for the accused student to ask questions of witnesses by directing them through the Committee.
 - d. Opportunity for the Committee to direct questions to witnesses.
 - e. Accused student's evidence and witnesses in opposition to the charges.
 - f. Opportunity for the accused student to ask questions of witnesses by directing them through the Committee.
 - g. Opportunity for the Committee to direct questions to witnesses and accused student.
 - h. Summary statement from the accused student.
12. The final decision for all procedural questions regarding the hearing rests with the Dean of Students.
13. A record of the proceedings shall be kept. The record shall be the property of the College.
14. If the accused student elects not to appear at the hearing, a hearing considering all available evidence will be held in the student's absence.

Outcome of Hearing

Upon conclusion of the hearing, in a closed session, the Student Discipline Committee shall determine by majority vote whether it is more likely than not that the student has violated the section or sections of the Student Code of Conduct with which he/she is charged.

Notification of Outcome

The student will be notified, in writing, within ten working days of the decision of the Student Discipline Committee.

Appeals

Appeals of disciplinary sanctions imposed by the Student Discipline Committee may be made only when the student has been suspended for more than one week or expelled. The only grounds upon which an appeal of the decision of the Student Discipline Committee will be considered are:

- A. A procedural error or irregularity which materially affected the decision.
- B. New evidence of substantive nature not previously available at the time of the hearing that would have materially affected the decision.
- C. Demonstrated bias on the part of the Committee that materially affected the hearing. Evidence of such bias must be included with the appeal.
- D. The sanction imposed is clearly excessive when compared to the findings established during the hearing process.

If the student feels that he/she has grounds for an appeal, the student must appeal the decision of the Student Discipline Committee by filing a written appeal with the College President within ten working days of receipt of the Committee's decision. The President shall render a decision, in writing, regarding the appeal within ten working days. The decision of the President shall be final and not subject to further appeal.

**(All deadlines indicated in this procedure may be extended or reduced with the agreement of both parties.)*

AP 6.220P Student Complaint Resolution Procedures

(Procedure 6.220P; adopted 6-30-97 as a part of Procedure 6.210; revised 6-7-05)

Complaint resolution procedures include both informal and formal processes. Clatsop Community College provides procedures for students to use to address concerns or initiate formal complaints including, but not limited to: alleged violations of college policies or procedures, the denial of a refund petition, grade disputes, disqualification from financial aid, another student(s) conduct which violates the College's Student Code of Conduct, or charges of faculty or staff misconduct.

Step 1: Initiate the informal process:

The goal of the informal process is to establish communication between the student and the appropriate staff member for the purpose of providing a forum in which the student's questions or concerns can be addressed.

The student must meet with the appropriate staff member and discuss his/her concerns. If resolution cannot be reached by meeting with the appropriate staff member or when contact with that individual would be unduly distressful or embarrassing, the student may discuss alternatives with the staff member's immediate supervisor. Students can receive assistance in locating the appropriate supervisor by contacting the office of the Dean of Students or the office of the Vice-President of Instruction.

Step 2. File a Formal Complaint Form with the Dean of Student Service's Office:

If the attempt to resolve the situation informally is not successful, the student may file a formal written complaint. Clatsop Community College's *Formal Complaint Form* is available in Student Services, the Human Resources Office, Learning Resource Center (Library), South County Campus and MERTS. Forms should be returned to the office of the Dean of Students. The Dean will be responsible for ensuring that the complaint is forwarded to the Student Issues Committee or the appropriate supervisor. If the complaint is regarding the Dean of Students, the student's *Formal Complaint Form* should be submitted to the President's Office. Students shall not be retaliated against for filing a complaint. Correspondingly, irresponsible use of the complaint procedure may result in disciplinary action.

In order to facilitate resolution of a complaint, it is important that the complaint be filed in a timely manner. Students must file formal complaints alleging violation of a college policy or procedure or allegations of staff or student misconduct within twenty (20) days of the date that the incident or event occurred. Complaints received after this time period has expired will be processed only if there are extenuating circumstances and the supervisor agrees to extend the timeline. An explanation of the reason for the delay must be attached to the complaint form along with a request for an extension of the time.

A. Outcome of Formal Complaint Procedure:

The Student Issues Committee or appropriate supervisor will conduct an investigation of the student's complaint. A written response to the student's formal complaint will be mailed directly to the address that the student listed on the complaint form no later than twenty (20) days from the date the complaint form was received in the office of the Dean of Students.

B. Appeals:

All decisions of the Student Issues Committee may be appealed to the Vice-President of Instruction except in the case of an appeal for sanctions invoked as a result of a violation(s) of the Student Code of Conduct. Appeals of sanctions are subject to the guidelines established under the Student Discipline Procedure (6.215P). The request for an appeal to the Vice-President of Instruction must be received, in writing, within ten (10) days of the student receiving the decision of the Committee. The following will be considered grounds for appeal: (A) A procedural error or irregularity which materially affected the decision. (B) New evidence of a substantive nature not previously available at the time of the hearing that would have materially affected the decision. (C) Demonstrated bias on the part of the Committee or supervisor that materially affected the decision. Evidence of bias must be included with the appeal.

Appeals of decisions made by a supervisor should be submitted to the office of the Dean of Students. The request for an appeal of the decision of a College supervisor must be received, in writing, within (10) ten days of the student receiving the decision. Appeals of management decisions are subject to the same criteria as those outlined for appeals of decisions made by the Student Issues Committee. The Dean of Students will forward the appeal to the appropriate administrator who will determine whether or not the criteria for an appeal has been met.

If the criteria for an appeal is met, a written response from the Vice-President of instruction or the appointed administrator will be mailed to the student no later than fifteen (15) days from the date the petition was received. The decisions of the Vice-President of Instruction or the appointed administrator will be final.

Grade Disputes:

Students with extenuating circumstances affecting grades posted to their transcripts as a result of the college enforcing its policies or procedures should report their concerns to the Registrar's Office. If the Registrar's office is unable to make the requested change, the student may submit a *Formal Complaint Form* to the office of the Dean of Students. Complaints regarding grades must be filed no later than the term following the one in which the grade was received, with an exception made for spring term. Spring term grade disputes must be submitted no later than the end of fall term. Complaints filed after these specified time periods have passed will not be processed.

Denial of a Refund Petition:

Appeals of the decision of the Director of Accounting Services may be made by submitting a *College Formal Complaint Form* to the Office of the Dean of Students no later than ten (10) days after receiving the decision.

Financial Aid Disqualification:

Students who have been disqualified from financial aid should first discuss their situation with the Financial Aid Office. If not satisfied with the outcome of the informal process, a student may complete a *Financial Aid Petition* for consideration by the Student Issues Committee. Forms can be picked up in the

Financial Aid Office and must be completed and submitted to the Financial Aid Office by 5:00 p.m. the first day of classes. Any petitions received after that day would be considered for reinstatement of aid the following term. An appeal of the decision of the Student Issues Committee may be made to the Vice-President of Instruction. **Students may only petition once to request reinstatement of financial aid after being disqualified.**

Complaints Regarding Another Student(s) Conduct (6.215/6.215P)

The procedures for complaints regarding the conduct of another student(s) are outlined in the College's Student Discipline procedures (6.215P) published in the Student Handbook.

Charges of Faculty or Staff Misconduct (4.505/4.505P)

Faculty and staff members are subject to collective bargaining agreements and formal disciplinary rules that cannot be superseded by these procedures. By law, certain procedures must be followed before discipline can be imposed. If the outcome of the informal process is not successful, students may file a formal complaint. Formal complaints may be made by completing the College's *Formal Complaint Form* and must be submitted no later than twenty (20) days after the date that the incident or event occurred. Complaints received after this time period has expired will be processed only if there are extenuating circumstances and the Supervisor agrees to extend the timeline. An explanation of the reason for the delay must be attached to the complaint form along with a request for an extension of the time.

Formal complaints regarding the misconduct of a faculty or staff member will be forwarded to the appropriate supervisor and shall be subject to resolution procedures as detailed in the College's *Discipline and Dismissal* policy and procedures (4.505/4.505P).

Note: Any time limit noted in this procedure may be extended by the College for five (5) working days with notice to the complainant. Timelines may be further modified, if necessary, by mutual agreement.

See Also:

Non-Discrimination Policy 1.001

Sexual Harassment Policy 1.003

Harassment Complaint Procedure 1.003P

II. Harassment and Discrimination

As part of the Standards of Student Conduct all forms of harassment and discrimination are prohibited at Clatsop Community College. Policies and procedures guiding standards prohibition, guidance for filing complaints, and procedures guiding complaints and investigations include:

- BP 3430 Prohibition of Harassment
- AP 3430 Prohibition of Harassment
- AP 3435 Discrimination and Harassment Complaints and Investigations

References:

Title VII of the Civil Rights Act of 1964, 42 U.S. Code Section 2000e-2
Age Discrimination in Employment Act of 1967 (ADEA)
Americans with Disabilities Act of 1990 (ADA)
29 Code of Federal Regulations Part 1604.11 – Sexual Harassment Title IX of the Education Amendments of 1972 – 20 U.S. Code Sections 1681, et seq.
34 Code of Federal Regulations Parts 106.1 et seq.
ORS 659A

Rescinds Policy No. 1.003

All forms of harassment are contrary to basic standards of conduct between individuals and are prohibited by state and federal law, as well as this policy, and will not be tolerated.

The College is committed to providing an academic and work environment that respects the dignity of individuals and groups. The College shall be free of all forms of unlawful harassment. Harassment is unlawful if it is based on any of the following statuses: race, color, religion, sex, sexual orientation, national origin, marital status, age, disability, or familial status.

The College seeks to foster an environment in which employees, students, and other members of the campus community feel free to report incidents of harassment without fear of retaliation or reprisal. Therefore, the College also strictly prohibits retaliation against any individual for filing a complaint of harassment or for participating in a harassment investigation. Such conduct is illegal and constitutes a violation of this policy. All allegations of retaliation will be swiftly and thoroughly investigated. If the College determines that retaliation has occurred, it will take all reasonable steps within its power to stop such conduct. Individuals who engage in retaliatory conduct are subject to disciplinary action, up to and including termination or expulsion.

Any student, employee, or other member of the campus community who believes that he/she has been harassed or retaliated against in violation of this policy should immediately report such incidents by following the procedures described in AP 3435 Discrimination and Harassment Complaints and Investigations. Supervisors are mandated to report all incidents of harassment and retaliation that come to their attention.

This policy applies to all aspects of the academic environment, including but not limited to classroom conditions, grades, academic standing, employment opportunities, scholarships, recommendations, disciplinary actions, and participation in any community college activity. In addition, this policy applies to all terms and conditions of employment, including but not limited to hiring, placement, promotion, evaluation, disciplinary action, layoff, recall, transfer, leave of absence, training opportunities and compensation.

To this end the President shall ensure that the institution undertakes education and training activities to counter discrimination and to prevent, minimize, or eliminate any hostile environment that impairs access to equal education opportunity or impacts the terms and conditions of employment.

The President shall establish procedures that define harassment on campus. The President shall further establish procedures for employees and students, and other members of the campus community that provide for the investigation and resolution of complaints regarding harassment and discrimination, and procedures for students to resolve complaints of harassment and discrimination. All participants are protected from retaliatory acts by the College, its employees, students, and agents.

This policy and related written procedures (including the procedure for making complaints) shall be widely published and publicized to students and employees, particularly when they are new to the institution. They shall be available for students and employees in all administrative offices.

Employees who violate the policy and procedures may be subject to disciplinary action up to and including termination. Students who violate this policy and related procedures may be subject to disciplinary measures up to and including expulsion.

Adopted: September 11, 2018

Last Revised: September 11, 2018

References:

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-2;

29 Code of Federal Regulations Part 1604.11;

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.

Standard of Student Conduct (AP 5500)

The College is committed to providing an academic and work environment free of unlawful harassment. This procedure defines sexual harassment and other forms of harassment on campus, and sets forth a procedure for the investigation and resolution of complaints of harassment by or against any staff or faculty member or student within the College.

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

Definitions

General Harassment: Harassment is unwelcome conduct that is based on race, color, religion, sex (including pregnancy), national origin, age (40 or older), 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 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 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: In addition to the above, unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature constitute sexual harassment when this conduct:

- Explicitly or implicitly affects an individual's employment or education;
- Unreasonably interferes with an individual's work or academic performance; or
- Creates an intimidating, hostile, or offensive work or educational environment.

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.

Consensual Relationships

Romantic or sexual relationships between supervisors and employees, or between administrators, faculty, 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 or staff member must evaluate the student's or employee's work or make decisions affecting the employee or student. The relationship may create an appearance of impropriety and lead to charges of favoritism by other students or employees. A consensual sexual relationship may change, with the result that sexual conduct that was once welcome becomes unwelcome and harassing. In the event that such relationships do occur, the College has the authority to transfer any involved employee to eliminate or attenuate the supervisory authority of one over the other, or of a teacher over a student. Such action by the College is a proactive and preventive measure to avoid possible charges of harassment and does not constitute discipline against any affected employee.

Approved: September 11, 2018

Last Revised: September 11, 2018

References:

Title VII of the Civil Rights Act of 1964; 42 U.S. Code Sections 2000e et seq.;
Title IX, Education Amendments of 1972; 20 U.S. Code Sections 1681 et seq.;
34 Code of Federal Regulations Part 106.8;
Equal Employment Opportunity Commission (EEOC) Notice 915.002 (dated June 18, 1999)
Standard of Student Conduct (AP 5500)
Prohibition of Harassment (AP 3430)

Rescinds Policy No. 1.001P

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

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

Employment-Related Complaints: If the Formal Complaint does not meet the requirements set forth above, the Affirmative Action Officer will promptly return it to the complainant and specify the defect. If the sole defect is that the Formal Complaint was filed outside the applicable proscribed timeline, the Affirmative Action Officer will handle the matter as an informal complaint.

The Affirmative Action Officer is the person charged with receiving complaints of discrimination or harassment, and coordinating their investigation. The actual investigation of complaints may be assigned by the Affirmative Action Officer to other College staff or to outside persons or organizations under contract with the College. At a minimum, the investigation will be assigned to other College staff or outside investigators whenever the Affirmative Action Officer is named in the complaint or implicated by the allegations in the complaint.

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

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

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

- the Affirmative Action Officer; or

- the Dean of Students, Director of Human Resources or the President.

Complainants filing employment-related complaints shall be notified that they may file employment discrimination complaints with the U.S. Equal Employment Opportunity Commission (EEOC) or the Oregon Civil Rights Division.

Any College employee who receives a harassment or discrimination complaint shall notify the Affirmative Action Officer immediately.

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

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

The College will investigate complaints involving acts that occur off campus if they are related to an academic or work activity.

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

Intake and Processing of the Complaint: Upon receiving notification of a harassment or discrimination complaint, the Affirmative Action Officer shall:

- Undertake efforts to informally resolve the charges, including but not limited to mediation, rearrangement of work or academic schedules, obtaining apologies, providing informal counseling, training, etc.
- Advise the complainant that he/she need not participate in an informal resolution of the complaint, as described above, and has the right to end the informal resolution process at any time. Mediation is not appropriate for resolving incidents involving sexual violence.
- Advise student complainants that they may file a complaint with the Office of Civil Rights of the U.S. Department of Education and employee complainants they may file a complaint with the Oregon Civil Rights Division or the Equal Employment Opportunity Commission (EEOC). All complainants should be advised that they have a right to file a complaint with local law enforcement, if the act complained of is also a criminal act. The College must investigate even if the complainant files a complaint with local law enforcement. In addition, the College should ensure that complainants are aware of any available resources, such as counseling, health, and mental health services.

- Take interim steps to protect a complainant from coming into contact with the alleged perpetrator, especially if the complainant is a victim of sexual violence. The Affirmative Action Officer/HR Director should notify the complainant of his/her options to avoid contact with the alleged perpetrator. For instance, the College may prohibit the alleged perpetrator from having any contact with the complainant pending the results of the investigation. When taking steps to separate the complainant and the alleged perpetrator, the College shall minimize the burden on the complainant.

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

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

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

Investigators will use the following steps: interviewing the complainant(s); interviewing the accused individual(s); identifying and interviewing witnesses and evidence identified by each party; identifying and interviewing any other witnesses, if needed; reminding all individuals interviewed of the College’s non-retaliation policy; considering whether any involved person should be removed from the campus pending completion of the investigation; reviewing personnel/academic files of all involved parties; reach a conclusion as to the allegations and any appropriate disciplinary and remedial action; and see that all recommended action is carried out in a timely fashion. When the College evaluates the complaint, it shall do so using a preponderance of the evidence standard. Thus, after considering all the evidence it has gathered, the College will decide whether it is more likely than not that discrimination or harassment has occurred.

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

Timeline for Completion: The College will undertake its investigation promptly and swiftly as possible. To that end, the investigator shall complete the above steps, and prepare a written report within 20 working days of the College receiving the complaint.

Cooperation Encouraged: All employees will cooperate with a College investigation into allegations of harassment or discrimination. Lack of cooperation impedes the ability of the College to investigate thoroughly and respond effectively. However, lack of cooperation by a complainant or witnesses does not relieve the College of its obligation to investigate. The College will conduct an investigation if it is discovered that harassment is, or may be occurring, with or without the cooperation of the alleged victim(s) and regardless of whether a complaint is filed.

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

- A description of the circumstances giving rise to the complaint;
- A summary of the testimony provided by each witness interviewed by the investigator;
- An analysis of relevant evidence collected during the course of the investigation;
- A specific finding as to whether there is probable cause to believe that discrimination, harassment, or retaliation occurred with respect to each allegation in the complaint; and
- Any other information deemed appropriate by the College.

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

Discipline and Corrective Action

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

- providing an escort for the complainant between the parking lot and his/her workplace or classroom office;
- ensuring that the complainant and alleged perpetrator do not attend the same classes or work in the same work area;
- preventing offending third parties from entering campus;
- providing counseling services or a referral to counseling services;
- providing medical services or a referral to medical services;
- providing academic support services, such as tutoring;
- arranging for a student-complainant to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the complainant's academic record; and

- reviewing any disciplinary actions taken against the complainant to see if there is a causal connection between the harassment and the misconduct that may have resulted in the complainant being disciplined.

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

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

Disciplinary actions against faculty, staff, and students will conform to all relevant statutes, regulations, personnel policies and procedures, including the provisions of Full and Part Time Faculty Bargaining Agreements and Classified Employee Agreement.

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

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

Appeals

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

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

File Retention

The College will retain on file for a period of at least 50 years after closing the case copies of:

- the original complaint;

- the investigatory report;
- the summary of the report if one is prepared;
- the notice provided to the complainant, of the College's administrative determination and his/her right to appeal;
- any appeal; and
- the College's final decision.

Approved: September 11, 2018

Last Revised: September 11, 2018

III. Campus Safety and Security

These policies and procedures guiding standards including Campus Safety including information on methods to report crimes, and actions taken in the event of a reported sexual assault.

- BP 3500 Campus Safety
- AP 3500 Campus Safety
- BP 3501 Campus Security and Access
- AP 3501 Campus Security and Access
- BP 3515 Reporting of Crimes
- AP 3515 Reporting of Crimes
- BP 3540 Sexual and Other Assaults on Campus
- AP 3540 Sexual and Other Assaults on Campus

References:

NWCCU Standard 2.D.2

Rescind Policy No. 3.230

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

Adopted: September 11, 2018

Last Revised: September 11, 2018

References:

20 U.S. Code Sections 1092(f) and 1232g;
34 Code of Federal Regulations Part 668.46;
34 Code of Federal Regulations Part 99.31(a)(13), (14);
Campus Security Act of 1990;
NWCCU Standard 2.D.2

Rescinds AP 3.230-P1

A campus safety plan shall be developed and provided to students, including the Standard Response Protocol and emergency procedure flipchart posted throughout all three college locations.

The Vice President, Finance and Operations prepares and annually updates a report of all occurrences reported to campus personnel of, and arrests for, crimes that are committed on campus and that involve violence, hate violence, theft or destruction of property, illegal drugs, or alcohol intoxication, and of all occurrences of noncriminal acts of hate violence reported to campus authorities. A written report will be submitted to the Board of Directors.

Written records of noncriminal acts of hate violence shall include at least a description of the act of hate violence, the victim characteristics, and offender characteristics, if known.

Definitions

The following are the definitions of conduct prohibited by the College's sexual misconduct policy and are consistent with state and federal law. (See also AP 3540)

Hate Crime

A Hate Crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim.

Domestic Violence

Domestic violence includes asserted violent misdemeanor and felony offenses committed by the victim's current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.

Dating Violence

Dating violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement with consideration of the length of the relationship, the type of relationship,

and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

Stalking

Stalking means engaging in a course of repeated and unwanted conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others, or to suffer substantial emotional distress. Such contact includes, but is not limited to, pursuing, following, harassing via telephone or online communications, giving unwanted gifts, surveilling, or interfering with the safety of another.

Adopted: September 11, 2018

Last Revised: September 11, 2018

References:

34 Code of Federal Regulations Part 668.46(b)(3)

NWCCU Standard 2.G.1

Rescind Policy No. 3.230

The President shall establish procedures for security and access to Clatsop Community College's facilities.

Adopted: September 11, 2018

Last Revised: September 11, 2018

References:

34 Code of Federal Regulations Part 668.46(b)(3);
NWCCU Standard 2.G.1

Rescinds AP 3.230-P1

During business hours, the College will be open to students, parents, employees, contractors, guests, and invitees. During non-business hours access to all College facilities is by key, if issued, or by admittance via the physical plant staff. In the case of periods of extended closing, the College will admit only those with prior written approval to all facilities.

Emergencies may necessitate changes or alterations to any posted schedules. Areas that are revealed as problematic will have regular periodic security surveys. Administrators including the Vice President, Finance and Operations, Dean of Workforce Education and Training, and Executive Director, Small Business Development Center or designees for applicable college locations and other concerned areas review these results. These surveys examine security issues such as landscaping, locks, alarms, lighting, and communications. Additionally, during the academic year, the college's Facilities Director and Vice President, Finance & Operations shall meet to discuss campus security and access issues of pressing concern.

Adopted: September 11, 2018

Last Revised: September 11, 2018

References:

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998;
34 Code of Federal Regulations Parts 99.31(a)(13), (14) and 668.46(b);
Campus Security Act of 1990;
NWCCU Standard 2.D.2

Rescinds Policy No. 6.245

The President shall prepare an annual “Clery Act” report of applicable crimes reported to campus security or local police agencies. This report will include applicable crimes committed on campus, on public property within or immediately adjacent to campus, and in or on non-campus buildings or property owned or controlled by the institution or by an officially recognized student organization.

The “Clery Act” crimes to be reported include:

- Criminal Offenses – criminal homicide, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, and arson;
- Hate crimes; Violence Against Women Act (VAWA) Offenses - incidents of domestic violence, dating violence, and stalking; and
- Arrests and referral for disciplinary action – for weapons, drug abuse violations, and liquor law violations.

Such reports shall be made available as required by federal and state law.

Adopted: September 11, 2018

Last Revised: September 11, 2018

References:

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998;
20 United States Code Section 1232g;
34 Code of Federal Regulations Parts 99.31(a)(13), (14) and 668.46;
Campus Security Act of 1990;
NWCCU Standard 2.D.2

Members of Clatsop Community College who are witnesses or victims of a crime should immediately report the crime to local law enforcement at 911.

The College shall publish warnings to the campus community about the following crimes:

- Criminal homicide – murder and non-negligent manslaughter;
- Criminal homicide – negligent manslaughter;
- Sex offenses – forcible and non-forcible sex offenses;
- Domestic violence, dating violence and stalking;
- Robbery;
- Aggravated assault;
- Burglary;
- Motor vehicle theft;
- Arson;
- Arrests for liquor law violations, drug law violations, and illegal weapons possession;
- Persons who were not arrested for liquor law violations, drug law violations, and illegal weapons possession, but who were referred for campus disciplinary action for same;
- Crimes that manifest evidence that the victim was intentionally selected because of the victim’s actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability and involve larceny-theft, simple assault, intimidation, destruction/damage/vandalism of property, or any other crime involving bodily injury;
- Those reported to the Astoria Police Department and Seaside Police Department; and
- Those that are considered to represent a continuing threat to other students and employees.

In the event that a situation arises, either on or off campus, that, in the judgment of the Vice President of Finance and Operations or designee constitutes an ongoing or continuing threat, a campus wide “timely warning” will be issued. The warning will be issued through the college e-mail system to students, faculty, and staff. The information shall be disseminated by the Director, Computer Services and the Director, Communications & Marketing in a manner that aids the prevention of similar crimes.

Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the community and individuals, the Director, Communications & Marketing or designee may also post a notice on the College web site at: www.clatsopcc.edu, providing the community with more immediate notification. Anyone with information warranting a timely warning should report

the circumstances to local law enforcement by phone 911 or in person at Vice President of Finance and Operations or designee, 1651 Lexington Avenue, Astoria, OR 97103, Building Lower Library, Office 110.

The College shall not be required to provide a timely warning with respect to crimes reported to a pastoral or professional counselor.

If there is an immediate threat to the health or safety of students or employees occurring on campus, the College shall follow its emergency notification procedures.

The College shall annually collect and distribute statistics concerns crimes on campus. All college staff with significant responsibility for student and campus activities shall report crimes about which they receive information.

The College shall publish an Annual Security Report every year by October 1 that contains statistics regarding crimes committed on campus and at affiliated locations for the previous three years. The Annual Security Report shall also include policies pertaining to campus security, alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, victims' assistance program, student discipline, campus resources and other matters. The College shall make the report available to all current students and employees. The College will also provide perspective students and employees with a copy of the Annual Security Report upon request. A copy of the Annual Security Report can be obtained by contacting the Vice President of Finance and Operations, 1651 Lexington Avenue, Astoria, OR 97103 or at the Website address published in <https://www.clatsopcc.edu/about-ccc/student-consumer-information/safety-report>.

To Report a Crime:

Contact local law enforcement at Astoria Police Department at 503-325-4411 or Seaside Police Department at 503-738-6311 (*non-emergencies*) and dial 911 (emergencies only). Any suspicious activity or person seen in the parking lots or loitering around vehicles or inside buildings should be reported to the physical plant at 503-791-3320 or 503-338-2489. In addition, students, employees, and members of the campus community may report a crime to the following areas:

- **Vice President, Finance and Operations**
Location: 1651 Lexington Avenue, Astoria, OR 97103
Building: Lower Library, office 110
(503) 338-2421
reportcrime@clatsopcc.edu
- **Director, Physical Plant**
Greg Dorcheus
Location: 1651 Lexington Avenue, Astoria, OR 97103
Building: Alder Hall
Text Only: 503-440-9581
reportcrime@clatsopcc.edu

- **Title IX Coordinator**
 Leslie Hall, Director, Human Resources
 Location: 1651 Lexington Avenue, Astoria, OR 97103
 Building: Towler Hall, room 110B
 503-338-2450
title9@clatsopcc.edu
- **Dean of Students/Title IX Deputy Coordinator**
 Chris Ousley, Dean of Students
 Location: 1651 Lexington Avenue, Astoria, OR 97103
 Building: Columbia Hall, room 115B
 503-338-2336
deanofstudents@clatsopcc.edu

If you are the victim of a crime and do not want to pursue action within the College's System or the criminal justice system, you may still want to consider making a confidential report. With your permission, the College Counseling Office can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the College can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the institution.

The Dean of Students encourages anyone who is the victim or witness to any crime to promptly report the incident to the police. Because police reports are public records under state law, the police cannot hold reports of crime in confidence. Confidential reports for purposes of inclusion in the annual disclosure of crime statistics can generally be made to other campus authorities as identified below. Confidential reports of crime may also be made to Counseling (Confidential), Victims Advocate, 1651 Lexington Avenue, Astoria, OR 97103, Building: Towler Hall Room 104B, at 503-338-2409 or counseling@clatsopcc.edu.

The College may disclose the final results of disciplinary proceeding to a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, regardless of the outcome. The College may also disclose to anyone, the final results of a disciplinary proceeding in which it concludes that a student violated College policy with respect to a crime of violence or non-forcible sex offense. The offenses that apply to this permissible disclosure are:

- Arson;
- Assault offenses;
- Burglary;
- Criminal homicide – manslaughter by negligence;

- Criminal homicide – murder and non-negligent manslaughter;
- Destruction, damage, or vandalism of property;
- Kidnapping or abduction;
- Robbery;
- Forcible sex offenses.

The disclosure may only include the final result of the disciplinary proceeding with respect to the alleged criminal offense. The College shall not disclose the name of any other student, including a victim or witness, unless the victim or witness has waived his/her right to confidentiality.

Adopted: September 11, 2018

Last Revised: September 11, 2018

References:

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

Rescinds Policy No. 1.003

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

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

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

Adopted: September 11, 2018

Last Revised: September 11, 2018

References:

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

See also AP 3500 Campus Safety, AP 3510 Workplace Violence,
AP 3515 Reporting of Crimes, and Departmental Procedure on Title IX

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

Definitions

The following are the definitions of conduct prohibited by the College’s sexual misconduct policy and are consistent with state and federal law.

Domestic Violence

Domestic violence includes asserted violent misdemeanor and felony offenses committed by the victim’s current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.

Dating Violence

Dating violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party’s statement with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

Intimate Partner Violence

Intimate partner violence occurs when a current or former intimate partner uses or threatens physical or sexual violence. It can include dating violence, domestic violence, and other forms of relationship violence and may take the form of a pattern of behavior that seeks to establish power and control by causing fear of physical or sexual violence.

Sexual Assault

Sexual assault is actual or attempted sexual contact with another person without that person's consent. Sexual assault includes, but is not limited to:

- Intentional touching of another person's intimate parts without that person's consent;
- Other intentional sexual contact with another person without that person's consent;
- Coercing, forcing, or attempting to coerce or force a person to touch another person's intimate parts without that person's consent;
- Rape, which is penetration, no matter how slight, of (1) the vagina or anus of a person by any body part of another person or by an object, or (2) the mouth of a person by a sex organ of another person, without that person's consent.

Stalking

Stalking means engaging in a course of repeated and unwanted conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others, or to suffer substantial emotional distress. Such conduct includes, but is not limited to, pursuing, following, harassing via telephone or online communications, giving unwanted gifts, surveilling, or interfering with the safety of another.

Sexual Harassment

Sexual harassment is unwelcome sexual, sex-based, and/or gender-based verbal, written, online, and/or physical conduct that either:

- denies or limits an individual's ability to participate in or benefit from the College's educational programs;
- creates a hostile, intimidating, or offensive working environment; or
- submission to or rejection of such conduct is used as a basis for employment, salary, or other benefit changes affecting an employee or academic decisions affecting a student.

Hostile Environment

A hostile environment is created when sexual harassment is:

- Sufficiently severe, or
- Persistent or pervasive, and
- Objectively offensive that it:
 - unreasonably interferes with, denies, or limits someone's ability to participate in or benefit from the institution's educational [and/or employment], social, and/or residential program.

Non-Consensual Sexual Contact

Non-consensual sexual contact is:

- Any intentional sexual touching,
- However slight,
- With any object,
- By a person upon another person,
- That is without consent and/or by force.

Non-Consensual Sexual Intercourse

Non-consensual sexual intercourse is:

- Any sexual intercourse
- However slight,
- With any object,
- By a person upon another person,
- That is without consent and/or by force.

Sexual Exploitation

Sexual exploitation occurs when one person takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of other sexual misconduct offenses.

Retaliation

Retaliation is any adverse treatment (beyond a slight or annoyance) that is taken because a person engaged in a protected activity (e.g. opposing discriminatory practices, filing a discrimination or discriminatory harassment complaint, or participating in an investigation, conduct process, or an attempt at resolution, etc.) or for the purpose of interfering with a right or privilege granted under anti-discriminatory laws.

Consent

Consent means knowing, voluntary, and clear permission, through word or action, to engage in mutually agreed upon sexual activity or contact.

Since different people may experience the same interactions differently, each party is responsible for making sure that partners have provided ongoing, clear consent to engaging in any sexual activity or contact. A person may withdraw consent at any time during sexual activity or contact through words or actions. If that happens, the other party must immediately cease the activity or contact. Pressuring another person into sexual activity can constitute coercion, which is also considered to be sexual misconduct.

- Silence or the absence of resistance alone does not constitute consent. A victim is not required to resist or say “no” for an offense to be proven.
- Consent to some forms of sexual activity (e.g., kissing, fondling, etc.) should not be construed as consent for other kinds of sexual activities (e.g., intercourse).
- Being or having been in a dating relationship with the other party does not mean that consent for sexual activity exists.
- Previous consent to sexual activity does not imply consent to sexual activity in the future.
- To legally give consent in Oregon, individuals must be at least 18 years old.

A person is unable to give consent when there is sufficient evidence of force, coercion, or incapacitation. For the purposes of determining consent the following definitions apply:

- **Force**

Force is defined as direct or indirect use of physical violence and/or imposing physically on someone to gain sexual access. Force, unless part of mutually-permissible kink, is a clear demonstration of a lack of consent.

- **Coercion**

Coercion is the improper use of pressure to compel another individual to initiate or continue sexual activity against their will. Coercion can include a wide range of behaviors, including intimidation, manipulation, threats, and blackmail. A person's words or conduct are sufficient to constitute coercion if they wrongfully impair another individual's freedom of will and ability to choose whether or not to engage in sexual activity. Coercion includes, but is not limited to: threatening to "out" someone based on sexual orientation, gender identity or gender expression; and threatening to harm oneself if the other party does not engage in the sexual activity.

- **Incapacitation**

Incapacitation is defined as a state in which individuals are unable to make rational, reasonable decisions because they lack the capacity to understand the "who, what, when, where, why, or how" of a situation or interaction. Individuals cannot give sexual consent if they can't understand what is happening, or if they are disoriented, helpless, asleep, or unconscious for any reason. That applies even if it is because they voluntarily consumed alcohol or drugs. Unless consent is "knowing," it is not valid. Those engaging in sexual activity that know or should have known that the other party is incapacitated are engaging in sexual misconduct. The possession, use, distribution, and/or administration of any incapacitating substances are prohibited. The fact that a responding party was intoxicated, and thus did not realize the reporting party was incapacitated, does not excuse sexual misconduct.

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

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

The Title IX Coordinator, Deputy Title IX Coordinator or College Counselor shall provide all alleged victims of domestic violence, dating violence, sexual assault, or stalking with the following:

- A copy of the College's policy and procedure regarding domestic violence, dating violence, sexual assault, or stalking;
- Information about the importance of preserving evidence and the identification and location of witnesses;
- A description of available services, and the persons available to provide those services if requested, including:
 - transportation to a hospital, if necessary;
 - counseling by the College Counseling Center or referral to a counseling center;
 - a list of other available campus resources or appropriate off-campus resources;

- The victim's option to:
 - notify proper law enforcement authorities, including on-campus and local police;
 - be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and
 - decline to notify such authorities;
 - The rights of victims and the institution's responsibilities regarding orders of protection, no contact orders, or similar lawful orders issued by a court;
 - Information about how the College will protect the confidentiality of victims; and
 - Written notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations, if requested and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.
-
- A description of each of the following procedures:
 - College disciplinary procedures, both student and employee;
 - modification of class schedules;
 - tutoring, if necessary.

The College will investigate all complaints alleging sexual assault under the procedures for sexual harassment investigations described in AP 3435, regardless of whether a complaint is filed with local law enforcement.

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

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

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

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

- A description of educational programs to promote the awareness of rape, acquaintance rape, other forcible and non-forcible sex offenses, domestic violence, dating violence, or stalking;
- Procedures to follow if a domestic violence, dating violence, sex offense, or stalking occurs, including who should be contacted, the importance of preserving evidence to prove a criminal offense, and to whom the alleged offense should be reported;
- Information on a student's right to notify appropriate law enforcement authorities, including on-campus and local police, and a statement that campus personnel will assist the student in notifying these authorities, if the student so requests, and the right to decline to notify these authorities;
- Information about how the College will protect the confidentiality of victims;
- Information for students about existing on- and off-campus counseling, mental health, victim advocacy, legal assistance, or other services for victims;
- Written notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations, if requested and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement;
- Procedures for campus disciplinary action in cases of an alleged domestic violence, dating violence, sexual assault, or stalking including a clear statement that:
 - Such proceedings shall provide a prompt, fair, and impartial resolution;
 - Such proceedings shall be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability;
 - The accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding; and
 - Both the accuser and the accused must be informed of the outcome of any institutional disciplinary proceeding resulting from an alleged domestic violence, dating violence, sexual assault, or stalking, the procedures for the accused and victim to appeal the results of the disciplinary proceeding, of any chances to the results that occurs prior to the time that such results become final, and when such results become final. Compliance with this paragraph does not violate the Family Educational Rights and Privacy Act (FERPA). For the purposes of this paragraph, the outcome of a disciplinary proceeding means the final determination with respect to the alleged domestic violence, dating violence, sex offense, or stalking and any sanction that is imposed against the accused.
- A description of the sanctions the campus may impose following a final determination by a campus disciplinary proceeding regarding rape, acquaintance rape, or other forcible or non-forcible sex offenses, domestic violence, dating violence, or stalking.

Education and Prevention Information

The Deputy Title IX Coordinator shall:

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

Approved: September 11, 2018

Last Revised: September 11, 2018

IV. Campus Drug Free Environment

To foster a drug-free learning environment, college policies and procedures include information on Drug-Free environment and prevention programs, and details regarding your tobacco-free college:

- BP 3550 Drug Free Environment and Drug Prevention Program
- AP 7.030P Tobacco-Free College

References:

Drug Free Schools and Communities Act, 20 U.S. Code Section 1145g;
34 Code of Federal Regulations Parts 86.1 et seq.;
Drug Free Workplace Act of 1988, 41 U.S. Code Section 702

Rescind Policy No. 6.245

The College shall be free from all drugs. Students and employees may not possess, use, or distribute illicit drugs and alcohol.

The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in all facilities under the control and use of the College.

Any student or employee who violates this policy will be subject to disciplinary action (consistent with local, state, or federal law), which may include referral to an appropriate rehabilitation program, suspension, demotion, expulsion, or dismissal.

Health risks associated with the use of illicit drugs and the abuse of alcohol

Alcohol (beer, wine, liquor; illegal if under 21): Alcohol is a depressant, and misuse can lead to risk-taking and physical dependence. Alcohol may cause: addiction, accidents as a result of impaired ability and judgment, fatal overdose when mixed with other depressants, and long-term heart, liver, nerve and brain damage.

Depressants (these include Opiate and Opioid narcotics, such as heroin, morphine, codeine; Sedatives, like Valium, Quaaludes, etc.) Use of Depressants may cause: Tissue dependence; muscle rigidity, withdrawal, tremors/seizures, tissue toxicity, and overdose coma, especially in combination with alcohol. Heroin users who share needles are also at risk of contracting Hepatitis and the HIV/AIDS virus.

Cocaine (including crack): Taken as a stimulant, cocaine is an addictive drug and one of the most difficult to stop. It is an extremely unpredictable and destructive drug physically. Use of Cocaine may cause: Physical dependence, compulsive use, sudden heart attack, seizures, gland exhaustion, and brain disturbances leading to loss of all appetites and pleasure, then craving.

Other Stimulants (Amphetamines --speed, meth, crank, nicotine): Stimulants are the most widely used illegal drugs in the U.S. Use of Other Stimulants may cause: Physical dependence, compulsive use, hyperactivity leading to exhaustion, toxicity, paranoia, depression, confusion, possible hallucinations, and severe weight loss.

Marijuana: In addition to lung cancer causing agents, most studies now show a particular

hormonal problem for younger males, and for women during pregnancy, which can result in miscarriages and genetic disorders. Use of Marijuana may inhibit goal motivation and cause: Panic reaction, permanently impaired short term memory, as well as psychological addiction.

Hallucinogens: (LSD, PCP, MDMA, mushrooms, peyote). Use of Hallucinogens may cause: Unpredictable behavior, emotional instability, and, with PCP, psychosis for susceptible users, violent behavior.

Inhalants: (gas, aerosols, nitrites, Rush, White Out): Chemicals in existing products, intended for other uses, are now being abused. Abuse of such substances can unpredictably result in severe damage to the brain and all vital organs, much of which is irreversible. Use of Inhalants may cause: Unconsciousness, suffocation, nausea and vomiting, damage to brain and central nervous system, sudden death.

The President shall assure that the College distributes annually to each student and employee the information required by the Drug-Free Schools and Communities Act Amendments of 1989 and complies with other requirements of the Act.

Adopted: September 11, 2018

Last Revised: September 11, 2018

BP 7.030P Tobacco-Free College Procedure

(Procedure 7.030/7.030 P-1; adopted 3-20-18)

1. The use, distribution, or sale of tobacco, including any smoking device or e-cigarette, nicotine delivery device, or carrying of any lighted smoking instrument, in College buildings or on College premises is prohibited. This includes, but is not limited to, all College sidewalks, parking lots, landscaped areas, recreational areas, and buildings on any College property and in College-owned, rented, leased vehicles or private vehicles, and at events on College-owned or leased property.
2. The inhaling, exhaling, burning, or carrying of any lighted smoking material, including cigarettes, e-cigarettes, cigars, or pipes, is prohibited on College property. The use of other tobacco products, such as smokeless or chewing tobacco and use of devices that simulate smoking, is also prohibited on College property. This does not include FDA-approved nicotine replacement therapy products for the purpose of cessation.
3. All tobacco products in use must be disposed of appropriately prior to entering upon any College-owned or leased property, which includes exiting a vehicle. Improper disposal includes, but not limited to:
 - a. Spitting smokeless tobacco product;
 - b. Littering (i.e. discarded cigarette butts, throwing or disposing of cigarette butts out of windows, leaving spit container);
 - c. Anything that creates fire hazards.
4. The tobacco-free policy may not apply to specific activities used in connection with the practice of cultural activities by American Indians that are in accordance with the American Indian Religious Freedom Act. All ceremonial use exceptions must be approved in advance by the College President or designee.
5. The implementation plan for the tobacco-free policy will address:
 - a. Data gathering on current campus tobacco use patterns;
 - b. Resources for cessation;
 - c. Educational plan including kickoff event, orientations and outreach to the community;
 - d. Enforcement with an emphasis on educating students, faculty and staff on how to handle violations;
 - e. An evaluation plan to assess progress and address challenges to improve the procedures outlined above.

Compliance

1. All students, faculty, staff, vendors, volunteers, and visitors are expected to comply with the Tobacco-Free Campus Policy 7.030. Individuals are encouraged and empowered to respectfully inform others about the policy in an ongoing effort to support individuals to be tobacco free, improve health, and encourage a culture of compliance.
2. College employees are expected to support individuals becoming tobacco free and to promote compliance in their areas of responsibility and on the College's campuses.

3. Continued failure by students to comply with the directions of College employees to abide by these rules may be reported to the Dean of Students as a violation of College policy 6.210 and procedure 6.210P. Further sanctions may be imposed including, but not limited to, written reprimand, probation and/or suspension. Other individuals in violation of this procedure can be reported to the Director of Human Resources.

Advertising/Sponsorships

1. No advertising or sponsorship promoting the use of tobacco shall be permitted on College-owned or leased property, at College-sponsored events, or in publications produced by the College, with the exception of advertising in a newspaper or magazine that is not produced by the College and which is lawfully sold, bought, or distributed on campus property.
2. The College shall neither solicit nor accept any grant, gift or anything else of value from a manufacturer, distributor, or retailer whose principal business is tobacco products.
3. The free distribution (sampling) of tobacco products and associated products is prohibited on College-owned or leased property.

Additional Information

As a recipient of federal funding the College is required to continue to prohibit the use and possession of all federally controlled substances (including marijuana) on College owned or leased property.

Legal References: Federal Drug-free Workplace Act (1988) Federal Drug-free Schools and Campuses Act (1990)

See Also 6.210 Student Code of Conduct

V. Grades, Records, and FERPA

To establish appropriate expectations regarding your rights and the college policies and procedures, this section contains information regarding grading, student records, and the Family Educational Rights and Privacy Act (FERPA)

- AP 5.016P Grading
- AP 6.025P Student Records Procedures

AP 5.016P Grading

(Reference, Procedure 5.016P; adopted 11/2010; revised 5/17/11, 12/6/11 and 3/18/14)

By Friday of the first week of classes each term, you will be provided a course syllabus for each credit class in which you are enrolled. The course syllabi will provide required and recommended course syllabus components established in the Office of Instruction Course/Instructional Program Handbook.

If you understand the objectives and know how well you have done in achieving them, you will generally not be disappointed with your grades.

Grades for academic work at Clatsop Community College are based on the following guidelines (grade point value is also indicated):

A - Excellent (4.0):

1. Scores superior on examinations and/or assignments.
2. Shows independent thinking in terms of the subject matter of the course.
3. Shows a grasp of the relationships among various parts of the subject.
4. Asks questions which are appropriate and which stimulate relevant discussion by the instructor and/or students.
5. Complies with the stated criteria set forth by the instructor.

B - Commendable (3.0):

1. Scores above average on examinations and/or assignments.
2. Presents sound ideas on subject matter of the course.
3. Shows a grasp of the general organization of the subject matter.
4. Asks appropriate questions which clarify the presentation of the subject.
5. Complies with the stated criteria set forth by the instructor.

C - Satisfactory (2.0):

1. Scores average on examinations and does average work on assignments.
2. Presents evidence of a grasp of the subject matter of the course.
3. Asks relevant questions.
4. Complies with the stated criteria set forth by the instructor.

D - Minimal (1.0):

1. Scores below average on examinations; completes assignments at below average level, or fails to complete them.
2. May follow the course of discussion by others, but contributes little.
3. Shows some grasp of portions of the subject matter but little grasp of the overall picture.
4. Complies with the stated criteria set forth by the instructor.

F - Unacceptable (0.0):

1. Scores unsatisfactory on examinations; completes assignments at an unsatisfactory level or fails to complete them.

2. Shows little or no grasp of the subject matter.
3. Does not comply with the stated criteria set forth by the instructor.
4. A student has not attended, or attended but not completed any work that can be evaluated in a credit class or workshop that does not follow the traditional academic term.

NC - No Credit (0.0):

A designation used for a student who does not do passing work in a Pass/No Credit class. The designation can also be used when a student has not attended, or attended but not completed any work that can be evaluated in a credit class or workshop that does not follow the traditional academic term.

I - Incomplete (0.0):

At the request of the student, an instructor may award an incomplete if at least 70 percent of the course work has been completed and the student demonstrates intent to finish the required work. An instructor will provide the student with a statement describing work needed to complete the course and a copy of such statement will be maintained in the Registrar's office through the SeaNet grading system.

An incomplete does not imply an offer of tuition-free re-enrollment in the class. Students will be allowed a maximum of one academic term to correct deficiencies noted on the statement of incomplete status. Incompletes received for spring term may be corrected during fall term of the following academic year. Under extenuating circumstances as approved by the Vice President for Academic and Student Affairs, students will be allowed an extension beyond the deadline noted above for finishing an incomplete. Incompletes are temporary notations. If courses are not completed, an instructor-designated grade will be issued.

W – Withdrawal (N/A):

A student-initiated withdrawal.

P – Pass (N/A):

A student earns credit for a course which is graded on a Pass/No Credit basis. The "P" grade denotes a level of accomplishment of "C" or higher. You may apply a maximum of 24 credits of "pass" grades toward a degree.

AU - Audit (N/A):

Students who do not wish credit for a course may register for audit. The following conditions apply to course audits:

1. Some courses cannot be audited.
2. Instructors accepting auditors may expect those students to meet some or all of the same course requirements as credit seeking students. These requirements will be made clear on the course syllabus or by the instructor.
3. An audit does not satisfy requirements for entry into courses where prerequisites are specific. For example, auditing Writing 121 will not satisfy the prerequisite for Writing 122.
4. Audited courses do not meet requirements for enrollment status required for Veterans, Social Security benefits, or Financial Aid. For example, a student needs twelve credits to be a full-time

financial aid student, none of the twelve credits can have an audit status. Students should be aware that scholarships or funding from outside agency sources may be adversely affected by auditing a course.

5. Registration, tuition and fees are the same as for credit courses.
6. Changing from audit to credit requires instructor approval.
7. Changing from audit to credit or from credit to audit must be completed by the end of the 7th week of the academic quarter except for summer quarter, where changes must be completed by the end of the 6th week.

AP 6.025P-1 Student Records Procedure

(Family Educational Rights & Privacy Act)

(Reference, Procedure 6.025P-1; adopted 6-6-02; revised 11-21-02, 5-20-03, 8-25-04)

I. Scope of Act

The Family Educational Rights and Privacy Act (FERPA) of 1974 is designed to protect the privacy of education records, to establish the right of students to inspect and review their records, and to provide guidelines for the correction of inaccurate or misleading data through informal and formal hearings. Students also have the right to file complaints with the U.S. Department of Education's Family Policy Compliance Office concerning alleged failures by the College to comply with the Act. Notices regarding the availability of this publication informing students of these rights are published in the College's schedule, catalog, student handbook, and on the College's web site.

Definition of Educational Records

Educational Records are defined as those records, files, documents, electronic media, and other materials maintained by the institution that contain information directly related to a student and that are maintained in connection with the student's attendance at the institution.

Educational records do not include:

- Records of instructional, supervisory, and administrative personnel and educational personnel ancillary thereto which are in the sole possession of the maker thereof and which are not accessible or revealed to any other person except a substitute (20 U.S.C. & 1232g(a)(4)(B)(i));
- Records maintained by a law enforcement unit of the educational agency or institution that were created by that law enforcement unit for the purpose of law enforcement (20 U.S.C. & 1232g(a)(4) (B)(ii));
- In the case of persons who are employed by an educational agency or institution but who are not in attendance at such agency or institution, records made and maintained in the normal course of business which relate exclusively to such person in that person's capacity as an employee and are not available for use for any other purpose (20 U.S.C & 1232g(a)(4)(B)(iii); or
- Records on a student who is 18 years of age or older, or is attending an institution of postsecondary education, which are made or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting in his/her professional, and which are made, maintained, or used solely in connection with the provision of treatment to the student, and are not available to anyone other than the persons providing such treatment, except that such records can be personally reviewed by a physician or other appropriate professional of the student's choice (20 U.S.C & 1232g(a)(4)(B)(iv)).

Parental Access to Educational Records

Although FERPA allows the College to provide information to parents who can prove the student is dependent as defined by the Internal Revenue Code, the College has elected to first request written permission from the student prior to releasing information. This policy is considered necessary in order to reduce staff time spent attempting to verify the identity of parents and their eligibility to receive information. It also ensures privacy of student records and ensures privacy of student records and

maintains an adult learning environment. If a dependent student refuses to sign a release to provide access to his or her educational records, the College will then verify the student's status as dependent by requiring IRS documentation verifying the student is a dependent or requiring a sworn notarized statement to that effect.

Exception to Requirement for Written Consent from Student

In addition, no one outside the institution shall have access to, nor will the institution disclose, any information from a student's educational record without the written consent of a student except to those persons and entities listed below:

- To teachers, professors or instructors, or other college officials who have a legitimate educational interest. 34 C.F.R. § 99.31(a)(1).

[A college official is a person employed by the institution in an administrative, supervisory, academic or research, or support staff position (including campus security personnel and health staff); a person or company with whom the institution has contracted (such as an attorney, auditor, collection agent, or official of the National Student Clearinghouse); a person serving on the Board of Directors; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another college official in performing his or her tasks. A college official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.]

- To officials of another college or postsecondary institution where the student seeks to enroll. 34 C.F.R. § 99.31(a)(2).
- To authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the Secretary of the Department of Education, or state and local educational authorities. 34 C.F.R. § 99.31(a)(3), as amended 7/6/2000.
- In connection with the application for or receipt of financial aid. 34 C.F.R. § 99.31(a)(4).
- To state and local juvenile justice systems or their officials. 34 C.F.R. § 99.31(a)(5).
- To organizations conducting educational studies. 34 C.F.R. § 99.31(a)(6).
- To accrediting organizations. 34 C.F.R. § 99.31(a)(7).
- In compliance with a judicial order or other lawfully issued subpoena. 34 C.F.R. § 99.31(a)(9).
- To a court, without consent, court order or subpoena, if a parent or student has initiated legal action against the institution or if the institution has initiated legal action against a parent or student. 34 C.F.R. & 99.31 (a) (9)(iii), as amended 7/6/2000.
- In connection with a health or safety emergency. 34 C.F.R. § 99.31(a)(10).
- If designated as directory information. 34 C.F.R. § 99.31(a)(11).
- The final results of disciplinary proceedings by postsecondary institutions concerning a crime of violence or nonforcible sex offense. 20 U.S.C. § 1232g(b)(6) as amended by § 951 of the Higher Education Amendments of 1998 and 34 C.F.R. & 99.31 (a)(13) and (14) as amended 7/6/2000.
- To parents of an eligible student under the age of 21 in connection with use or possession of alcohol or a controlled substance in violation of law or institutional policy. 20 U.S.C. § 1232g(i), added by § 952 of the Higher Education Amendments of 1998 and 34 C.F.R. & 99.31 (a)(15), as amended 7/6/2000.

Directory Information

At its discretion the institution may release “Directory Information” in accordance with the provisions of the Act to include: student name, address, major field of study, terms attended, and degrees and awards received.

II. PROCEDURES

(A) Withholding Directory Information

Currently enrolled students may withhold disclosure of “Directory Information” under the Family Educational Rights and Privacy Act of 1974. To withhold disclosure students must provide written notification to the Registrar’s office by completing a *Request for Non-Disclosure of Student Information Form*. Forms are available at the Registrar’s Office on the main campus, South County Campus, and MERTS campus. Once non-disclosure of directory Information is requested, such information can only thereafter be released upon the student’s prior written consent or upon revocation of the non-disclosure form in writing to the Registrar’s Office.

(B) Releasing Information to a Third Party

To authorize a release of educational records to a third party, (in situations where FERPA mandates consent) students must submit a written request to the Registrar’s Office. Forms are available in the Registrar’s Office to assist students in providing the correct information in their request.

(C) Accessing Educational Records

Students wishing to inspect and review their education records must complete a Student Request to Inspect and Review Education Records form available in the Registrar’s Office. Students requesting their educational records will be provided with the opportunity to inspect and review all institutional records created and maintained in connection with the student’s attendance at Clatsop Community College.

Students may not inspect and review the following as outlined by the Act: financial information submitted by their parents; confidential letters and recommendations placed in their files prior to January 1, 1975, provided those letters are used only for the purposes for which they were collected. Confidential letters and recommendations placed in their files after January 1, 1975, may not be inspected and reviewed if the student has waived, in writing, his or her right to inspect and review those letters and statements and the letters and statements are related to a student’s admission to the institution, application for employment, or receipt of an honor or honorary recognition. In addition, a student may not inspect or review education records containing information about more than one student, in which case the institution will permit access only to that part of the record which pertains to the inquiring student.

The Registrar will make arrangements for access to all records covered by the Act. The institution will comply with the request as soon as possible, but in no case more than 45 days from the request in accordance with FERPA regulations.

A student may request copies of his or her educational records but must specify, in writing, which Records should be copied. The College will impose a charge, generally, not to exceed \$1 per page for each copy. Students may have copies of their records with certain restrictions (e.g., a copy of an academic record for which a financial “hold” exists).

If the records request is excessively broad and a large number of records are involved, the College may elect to have the student inspect and review, in person, his or her education records rather than making copies. The Registrar, or his/her designee, will establish a date, time, and place for the review and a College official will remain present during this review. An exception to this procedure will be made, if necessary, as indicated by Section 99.10(d)(1) of the FERPA regulations which require that copies be made for the student if circumstances effectively prevent the student from exercising the right to inspect and review his or her records.

(D) Challenging the Content of Educational Records

Students who believe that their education records contain information that is inaccurate, misleading, or is otherwise in violation of their privacy rights may submit a written request to the Registrar requesting corrections. In their written request, students must provide:

- (a) information that the student claims is inaccurate, misleading, or in violation of the students' privacy rights,
- (b) identify education records in which the student believes the information is contained,
- (c) the basis for the student's claim (i.e., why the student believes the information is inaccurate, misleading, etc., and
- (d) the change the student is requesting.

If the Registrar is in agreement with the students' requests, the appropriate records will be amended. If not, the students will be notified that the records will not be amended; and will be informed by the Registrar of their right to a formal hearing.

(E) Requesting a Formal Hearing

Student requests for a formal hearing must be made in writing to the Registrar within ten working days of receiving notification that the Registrar will not amend the records. The Registrar, within a reasonable time, will inform students of the date, place, and the time of the hearing. In their written request, students must provide:

- (a) information that the student claims is inaccurate, misleading, or in violation of the students' privacy rights,
- (b) identify education records in which the student believes the information is contained,
- (c) the basis for the student's claim (i.e., why the student believes the information is inaccurate, misleading, etc., and
- (d) the change the student is requesting.

Students may be assisted or represented at the hearing by one or more persons of their choice, including attorneys, at the student's expense. Students wishing to be represented by an attorney at the formal hearing must notify the College of their intent to be represented by legal counsel so that the College may also make arrangements for representation.

The hearing officer who will conduct the formal hearing will be a College official designated by the President. Decisions of the hearing officer will be final, will be based solely on the evidence presented at the hearing, and will consist of written statements summarizing the evidence and stating the reasons for the decisions, and will be delivered to all parties concerned. The education records will be amended in accordance with the decisions of the hearing officer.

F) Submitting Explanatory Statements in Educational Files

The student may place with the education records statements commenting on the information in the records, or statements setting forth any reasons for disagreeing with the decisions of the hearing officer. The statements will be placed in the education records, maintained as part of the students' records, and released whenever the records in question are disclosed.

(G) Appeals

Students who believe that their rights have been abridged may file complaints with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-4605.

*Any of the timelines in this procedure may be modified with agreement by both parties.