



College Affairs Committee

Friday, January 10, 2025

10:00 – 11:30 a.m.

Virtual Zoom Meeting

Click the following link to attend via Zoom:

<https://cocc.zoom.us/j/96383214641>

Dial up: 253-215-8782 | Meeting ID: 963 8321 4641

1. New Business

- a. Spring 2025 Inclusive Access Course Fees, 1st Reading – Frank Payne
- b. Course Fee Increase for Manufacturing Technology, 1st Reading – Amy Ward

2. Old Business

- a. Review Minutes from December 13, 2024 Meeting – Tim Peterson
- b. Proposed Updates to Title IX Polices: G-28-0, G-28-0.1, G-28-0.2, G-28-2, G-28-2.1, N-1-1, N-1-1, N-1-3, N-2-0, N-2-1, N-2-3, N-2-8, N-2-10, N-2-11, N-3-10; 1st and 2nd Reading – Alicia Moore, Andrew Davis and Jeremy Abbey
- c. Discussion Item: Generative Artificial Intelligence (GenAI) Taskforce Update – Tim Peterson

Next Meeting: Friday, February 14, 2025, 10:00 – 11:30 a.m. via Zoom



Presentation/Proposal Form

Inclusive Access Course Fees - Spring 2025

Name: Frank Payne

Date: 01/10/2025

Department: Bookstore

Contact Information: fpayne@cocc.edu

- ❖ Complete Items 1-9 to the best of your ability (see [Instructions](#) form for reference).
- ❖ If an item is not relevant to your specific presentation/proposal, please mark it *N/A*.
- ❖ E-mail the completed Presentation/Proposal Form to the College Affairs chair and committee support specialist no later than 5 pm the Friday prior to the scheduled College Affairs meeting.

1. PRESENTATION/PROPOSAL ABSTRACT (no more than 250 words)

This proposal is to offer required student course materials using Inclusive Access, delivered through Canvas, beginning Spring 2025 term on March 31st. Rather than purchasing course materials directly, students pay a course fee and then receive access to their course materials delivered on the first day of class. The College then pays Redshelf - who delivers the course materials to Canvas - from the course fees collected.

Using Inclusive Access reduces course materials costs for students and allows students who can afford courses, but do not have access to bookstore credit, to have their course materials available on the first day of their classes.

Inclusive Access course materials can be up to 50% cheaper than comparable physical course materials, and are also 10% to 30% less expensive than the same digital products.

Students have the first two weeks of the term to Opt Out of the Inclusive Access Course materials and receive a refund on their course fees.

2. TYPE OF PRESENTATION/PROPOSAL

Information Item and/or Committee Feedback (requires approval of CA Chair)

Action Item:

Procedure/Policy — *typographical correction and/or federal/state mandate update* (Attach current procedure/policy with proposed changes highlighted using track changes.)

Procedure/Policy — *revision* (Attach current procedure/policy with proposed changes highlighted using track changes.)

Procedure/Policy — *new* (Attach proposed procedure/policy separately.)

Identify suggested location in manual:

Course Fee — If applicable, identify a suggested cap for the course fee (for example, a percentage or "increase to not exceed \$X"):

Other:

3. BUDGET IMPACT

BA 217 - Accounting Fundamentals - Course fee: \$129.99

HS 208 - Multicultural Issues Human Services- Course fee: \$83.00

4. IMPACTED DEPARTMENTS AND/OR PROGRAMS

List impacted departments/programs, describe the impact, and identify steps taken to communicate the impact(s)

Business. Human Services.

5. INSTRUCTIONAL REQUIREMENTS/IMPACTS

N/A

6. OPERATIONAL IMPACT

N/A

7. STUDENT IMPACT

BA 217 - Accounting Fundamentals - Course fee: \$129.99

HS 208 - Multicultural Issues Human Services- Course fee: \$83.00

8. ANTICIPATED IMPLEMENTATION TIMELINE

Spring term 2025 - beginning on Monday, March 31st.

9. MOTION TO BE RECOMMENDED



Presentation/Proposal Form

Course Fee Increase for Manufacturing Technology

Name: Amy Ward

Date: 01/06/25

Department: NICR

Contact Information: acward@cocc.edu

- ❖ Complete Items 1–9 to the best of your ability (see [Instructions](#) form for reference).
- ❖ If an item is not relevant to your specific presentation/proposal, please mark it *N/A*.
- ❖ E-mail the completed Presentation/Proposal Form to the College Affairs chair and committee support specialist no later than 5 pm the Friday prior to the scheduled College Affairs meeting.

1. PRESENTATION/PROPOSAL ABSTRACT (no more than 250 words)

MATC (Manufacturing and Advanced Technology Center) Revitalization is an action project of the current strategic plan. This work includes reviews and significant updates to curriculum. Current course fees are out of date and do not reflect the actual cost of materials used by students. The program proposes increasing course fees as reflected in the attached document. Appropriate fees will help students understand and appreciate the value of materials used and better prepare them for employment.

2. TYPE OF PRESENTATION/PROPOSAL

- Information Item and/or Committee Feedback (requires approval of CA Chair)
- Action Item:
 - Procedure/Policy — *typographical correction and/or federal/state mandate update* (Attach current procedure/policy with proposed changes highlighted using track changes.)
 - Procedure/Policy — *revision* (Attach current procedure/policy with proposed changes highlighted using track changes.)
 - Procedure/Policy — *new* (Attach proposed procedure/policy separately.)
 - Identify suggested location in manual:
 - Course Fee — If applicable, identify a suggested cap for the course fee (for example, a percentage or "increase to not exceed \$X"):
 - Other:

3. BUDGET IMPACT

As the cost of materials and supplies increases with inflation, appropriate course fees will offset expenses currently incurred by the program budget.

4. IMPACTED DEPARTMENTS AND/OR PROGRAMS

List impacted departments/programs, describe the impact, and identify steps taken to communicate the impact(s)

Manufacturing Technology faculty and staff have evaluated past expenses to determine the appropriate fee structure. This change is supported by the NICR department chair and Manufacturing Technology Dean.

5. INSTRUCTIONAL REQUIREMENTS/IMPACTS

n/a

6. OPERATIONAL IMPACT

We will communicate the new fee structure to Enrollment Services, Financial Aid, and CAP Center to ensure returning and prospective students receive accurate information.

7. STUDENT IMPACT

This is a significant change for students. The program will proactively communicate the new course fees to all current and returning students with plenty of notice before they go into effect in Fall 2025. This will include email communications, updates to our program web page, and faculty advising. The program will advise to students to work with Financial Aid and seek Foundation scholarships if the fees pose a hardship for students.

8. ANTICIPATED IMPLEMENTATION TIMELINE

March 7 - fees updated in catalog (Amy Ward)

March - communication to Financial Aid, CAP services, Enrollment Services regarding new fee structure

March 15 - email to all current students regarding new course fees (Admin Assistant)

April - communication reinforced during student advising (Faculty)

9. MOTION TO BE RECOMMENDED

I move to revise and update Manufacturing Technology Course Fees according to the schedule provided by the program director.

Subject	CrseNo	Course Title	Current Fee	New Fee
MFG	103	Welding Technology I	\$55.00	\$ 500.00
MFG	105	Welding Technology II	\$55.00	\$ 500.00
MFG	107	Welding Technology III	\$55.00	\$ 500.00
MFG	110	Manufacturing Processes I	\$40.00	\$ 500.00
MFG	112	Manufacturing Processes II	\$40.00	\$ 500.00
MFG	114	Manufacturing Processes III	\$40.00	\$ 500.00
MFG	119	Manufacturing Design/Drafting Techniques		\$ 100.00
MFG	161	CNC Project I	-	\$ 400.00
MFG	201	Bench Work	\$25.00	\$ 250.00
MFG	203	Layout	\$25.00	\$ 250.00
MFG	205	Drill Press	\$55.00	\$ 250.00
MFG	210	Vertical Milling	\$35.00	\$ 250.00
MFG	211	CNC Mill Operator	\$40.00	\$ 500.00
MFG	212	Horizontal Milling		\$ 250.00
MFG	213	CNC Turning Operator	\$40.00	\$ 250.00
MFG	214	Lathe Operator I	\$35.00	\$ 250.00
MFG	216	Lathe Operator II	\$35.00	\$ 250.00
MFG	219	Manufacturing Design/Drafting Techniques II		\$ 100.00
MFG	250	Additive Manufacturing		\$ 100.00
MFG	254	Manufacturing Jigs & Fixtures	\$25.00	\$ 250.00
MFG	277	Production CNC Ops Lathe		\$ 250.00
MFG	257	CNC Mill Setup & Operation	\$40.00	\$ 500.00
MFG	258	Mastercam Mill		\$ 250.00
MFG	259	CNC Lathe Programming	\$40.00	\$ 250.00
MFG	260	CNC Lathe Setup & Operation	\$40.00	\$ 500.00
MFG	261	Mastercam Lathe		\$ 250.00
MFG	264	Automated Cutting		\$ 250.00
	268			\$ 500.00
MFG	267	Oxygen-Fuel and Plasma Cutting	\$55.00	\$ 400.00
MFG	270	CNC Fixture Design Mill		\$ 250.00
MFG	271	SMAW I	\$60.00	\$ 500.00
MFG	272	GMAW I	\$60.00	\$ 500.00
	277			\$ 500.00
MFG	278	CNC Fixture Design Lathe		\$ 250.00
MFG	279	CNC Project II		\$ 250.00
MFG	281	GTAW I	\$55.00	\$ 500.00
MFG	282	FCAW I	\$55.00	\$ 500.00
MFG	287	CNC Press Brake & Shearing		\$ 500.00
MFG	288	Industrial Fabrication		\$ 500.00
MFG	299	Selected Topics: Manufacturing		\$ 250.00



Date: December 13, 2024
Time: 10:00 – 11:30 a.m.
Location: Zoom meeting

Attending	Absent	Guests
Tim Peterson, Chair		Andrew Davis
Tracy Crockett		Jeremy Abbey
Allison Dickerson		
Krissa Harris		
Breana Sylwester		
Marilyn Waller-Niewold		
Thomas Wrisley		
Sara Henson		
Christina Grijalva		
Laurie Chesley, COCC President		
Kyle Matthews, Recorder		

Meeting called to order at 10:05 a.m.

1. Old Business

- a. Review Minutes from November 8, 2024 Meeting – Tim Peterson
 - Sylwester corrected that she did attend the meeting.
 - Motion to approve the meeting minutes with the requested correction.
Motion made by Allison Dickerson. Seconded by Marilyn Waller-Niewold.
 - Motion approved by all voting members.*
- b. Proposed Change to the College Affairs Committee (CAC) Policy: G-6-2, 2nd Reading – Tim Peterson
 - Harris asked if the Board of Directors was aware of the CAC’s comments regarding this change.
 - Chesley confirmed that they are aware.
 - Peterson asked if members of the Board have access to Bobcat Community and COCC Headlines in Outlook.
 - Chesley confirmed that they have access to COCC Headlines in Outlook, but did not know if they could assess Bobcat Community.
 - Motion to approve the second reading of the proposed change to the CAC policy.
Motion made by Breana Sylwester, seconded by Tracy Crockett.
 - Motion approved by all voting members.*

2. New Business

- a. Proposed Updates to Title IX Polices: G-28-0, G-28-0.1, G-28-0.2, G-28-2, G-28-2.1, N-1-1, N-1-1, N-1-3, N-2-0, N-2-1, N-2-3, N-2-8, N-2-10, N-2-11, N-3-10; 1st and 2nd Reading – Alicia Moore, Andrew Davis and Jeremy Abbey**
 - Wrisley asked what would qualify as an official complaint under the proposed updates to COCC’s Title IX policies.
 - Davis said that Title IX includes gender discrimination, which includes gender identify, gender stereotypes, gender characteristics and sexual orientation. The proposed



updates included pregnancy or related conditions, as well as hostile work environments, quid pro quo, sexual harassment, sexual assault, domestic violence, dating violence and stalking. This federal law is broadly written to cover all forms of gender discrimination and guide the College on what it must protect and respond to.

- Wrisley asked if transphobia or homophobia be covered by the new Title IX policies.
- Davis said that it could. COCC's Title IX Coordinator (Moore) or Deputy Coordinator (Abbey) would need to examine the context of any complaint brought to them and they would need to work with the reporting party to determine whether their complaint falls under Title IX or a more general, State or institutional sexual harassment or sexual discrimination policy.
- Peterson asked what the benefit might be of a complaint falling under Title IX or a more general policy.
- Davis and Abbey said there are certain thresholds required for a complaint to qualify under Title IX. Every Presidential administration has changed the language for those thresholds. The latest changes from Biden administration went back to the "severe, pervasive or objectively" standard. If a reporting party has a complaint they want to be investigated and addressed, the coordinators will work with them to determine which set of procedures to follow. Title IX has specific procedures and timelines to follow.
- Wrisley asked whether someone harassed for their gender identity could fall under Title IX, depending on the context of the case.
- Davis confirmed it would depend on the context of the case, as well as what the reporting party wishes to be done, which is another significant portion of Title IX.
- Peterson asked if that threshold was written into the proposed updates to the policies.
- Henson noted that the language asked whether the incident happened on COCC's property and that section G-28-2 included a list of conditions required to be considered a Title IX complaint. She also suggested that the standard Peterson asked about could be found in the policy's glossary.
- Peterson asked if there would be new changes to Title IX that the CAC would need to discuss when the next Presidential administration begins.
 - Davis said that is possible with every new administration.
 - Peterson asked if the proposed changes could be flexible to the changes in the next federal administration without requiring more changes to the policy.
 - Henson suggested that it was written broadly enough that those three standards were not specifically named under the required conditions. It does say that the policies in that section apply only to qualifying Title IX regulations.
 - Davis said that the answer to Peterson's question would depend on what the incoming administration decides to do. In this instance, COCC needed to update its Title IX policies the Biden administration made significant changes. It is possible that the College will need to make further changes if the next administration decides to make significant changes to Title IX as well.



- Abbey noted, under the sexual harassment subtitle in the proposed changes, “severe, pervasive or objectively offensive” is also in reference to gender based unwelcome conduct.
- Henson noted the changed language said “severe *and* pervasive or objectively offensive.”
- Davis said that was a change from the Biden administration, and it has been changed many times by previous administrations.
- Henson had questions regarding the proposed changes.
 - Page 1: Will employees still be required to receive Title IX trainings? Is it included in the proposed policy changes?
 - Abbey suggested that Moore would be the best person to answer this question, but noted that COCC’s Human Resources department currently oversees Title IX trainings for employees.
 - Davis suggested that it is currently a practice and not a policy of COCC, but would prefer for Moore to confirm when able.
 - Grijalva noted that the Title IX trainings administered by HR has changed to include pregnancy and pregnancy related conditions.
 - Page 5: Is Student Disability Services involved when a faculty member is required to provide accommodations to a student that is pregnant or has a pregnancy related condition, or would each student need to ask each of their faculty members for accommodations?
 - Abbey suggested that the regulation states that, if a student notifies a faculty member that they are pregnant or have a pregnancy related condition, the faculty member is required to give the student contact information for the Title IX Coordinators. The student would then need to contact a Coordinator to learn what their options are.
 - Henson clarified that she wanted to know if there were clear directions for faculty to follow.
 - Sylwester suggested that this was covered in a broader sense under N-1-1 Filing a Report.
 - Davis noted that G-28-0.1 Reporting Contact Information included contact information for COCC’s Title IX Coordinators, as well as other employees who would disclose reports to Title IX Coordinators.
 - Henson suggested that explicit directions should be included on how to request accommodations, even if that means directing individuals to contact a Title IX Coordinator.
 - Abbey noted that this information is included in HR’s Title IX training materials. He also said that Moore is working on a QR code driven business card with Title IX Coordinator information, which faculty can hand out to students who disclose one of these conditions.
 - Henson noted that, if procedures are not stated in COCC’s policies, then the College cannot be held accountable for not following its procedures.



- Page 1: Is COCC collecting Title IX complaints, regardless of where it happens?
 - Henson noted that page 5 stated that the policy only applies to incidents that take place on property owned or controlled by COCC, at COCC sponsored events, or in buildings owned or controlled by COCC's recognized student organizations. Does this mean that COCC's Title IX policies would apply to community members as well?
- Pages 1-2 and 7-8: In regards to reporting contact information, it seems unclear whether a reporting party should contact one or both Title IX Coordinators, or the Vice President of People and Technology for some cases regarding age, disability or marital status. It may be a formatting issue.
 - Peterson suggested that the General Policies manual should not name specific individuals who are responsible parties, but rather their positions.
- Henson recalled discussions a few years ago at Wickiup Hall where there was a concern for whether the Dean responsible for Wickiup should be the point of contact as that could be a conflict of interest.
 - Davis was unaware of these concerns.
- Page 2: Henson suggested adding definitions of terms.
 - Discrimination and non-discrimination.
 - General harassment outside of sexual harassment.
 - Gender discrimination, but that may fall under discrimination.
- Page 5: Under G-28-1 Nondiscrimination and Equal Employment/Affirmative Action Statement, what is the reference to "genetic information" as a protected status?
 - Davis understood it as disabilities that are tied to a genetic component. That information would not be shared, disclosed or used as a basis for discrimination. An example would be people who are on the Autism Spectrum.
- Page 5: Under G-28-2, it says that one condition of qualification for Title IX is that the reporting party must be participating or attempting to participate in an educational program or activity. Does that mean the reporting party must be a student, or could they be a faculty or staff member as well?
 - Davis confirmed that the reporting party could also be a faculty or staff member.
 - Abbey added that the language broadens eligible reporting parties to individuals including high school students who tour COCC's campus or someone participating in a club activity.
- Page 6: Does the proposal include the removal of G-28-2.1 Officials With Authority because all COCC faculty and staff are mandated reporters?
 - Davis confirmed this. It is related to the policy that requires all COCC employees to receive Title IX training.
 - Peterson asked if an employee is required to file a report if they observe an incident but no complaint is filed.
 - Davis said that it depends on the situation. Mandatory reporting *is* required for incidents of child abuse, but not if the parties involved are adults. Employees



- might still be ethically obligated to inform individuals who they can talk to in order to file complaints.
 - Abbey added that a reporting party can say they want no action taken.
- Wrisley asked if the proposed changes to the mandatory reporting requirement were a response to changes from the federal government.
 - Davis said that the changes to officials of authority and the mandatory trainings were part of the changed guidelines from the federal government. “Mandatory reporting” has a specific definition in Oregon, so the College needs to be sure to follow it.
 - Henson suggested it might be appropriate to replace the language on officials with authority to language on mandatory trainings in COCC’s updated policies.
- Pages 10, 14, 18 and 23: Does the appeals timeline change if a faculty member is involved and they are about to go off contract or are on hiatus, or if the deadline takes place during finals week? The faculty has tried to allow for appeals that do not require completion while a faculty member is off contract. Could the language be updated to say “five contract days for faculty” or “five business days for students?”
 - Peterson noted that there was language in COCC’s policies for student appeals that could accommodate this issue. He asked if the appeals process is mandated by federal regulations or if it is internal to the College.
 - Davis said that it is an internal policy of COCC, not a federally mandated process.
 - Peterson asked if the federal government gives any guidelines on appeals.
 - Davis said that the federal government leaves it up to each institution to establish, publish and follow its own appeals process.
- Harris noted that the proposal document states that all employees would be required to report any incidents they witness to a Title IX Coordinator. Does that conflict with the language in the proposed changes to COCC’s policies?
 - Peterson noted that this had been discussed earlier in the meeting and would need further clarification.
- Wrisley asked for clarification whether there would be changes to these proposed updates to be considered at the CAC’s next meeting.
 - Peterson said the CAC would vote in this meeting whether they would want to approve a first reading or table it until their next meeting. If the CAC votes to table this, Davis, Abbey and Moore can go over the CAC’s recommendations and present again at the next CAC meeting.
- Motion to table the first and second reading of these proposed changes until the next meeting. Motion made by Thomas Wrisley, seconded by Allison Dickerson.
 - Motion approved by all voting members.

Motion to adjourn the meeting.

Motion made by Thomas Wrisley, seconded by Allison Dickerson.

Meeting adjourned at 10:49 a.m.



NEXT MEETING: Friday, January 10, 2025 at 10:00 a.m. via Zoom

*Harris' camera and microphone were turned off, but she confirmed her vote of approval with Matthews via Zoom chat.

**Moore was unable to attend this meeting, but reviewed a transcript from the recording and provided responses in writing to questions regarding Title IX. Her responses will be included in the meeting packet for January 10, 2025.

DRAFT



Presentation/Proposal Form

Gender Discrimination (Title IX and Sexual Harassment) Policy Update

Name: Alicia Moore

Date: 11.27.24

Department: Student Affairs

Contact Information: amoore@cocc.edu or x7244

- ❖ Complete Items 1–9 to the best of your ability (see [Instructions](#) form for reference).
- ❖ If an item is not relevant to your specific presentation/proposal, please mark it *N/A*.
- ❖ E-mail the completed Presentation/Proposal Form to the College Affairs chair and committee support specialist no later than 5 pm the Friday prior to the scheduled College Affairs meeting.

1. PRESENTATION/PROPOSAL ABSTRACT (no more than 250 words)

President Biden issued new Title IX regulations in summer 2024. The proposed changes aligns with those requirements and addresses minor grammatical issues with the current policy. A summer of the Biden administration changes include:

- identifies Title IX as "gender discrimination" and includes gender identity, gender stereotypes, gender characteristics, sexual orientation, pregnancy or related conditions (childbirth, false pregnancy, termination of pregnancy, lactation or recovery from these conditions); includes but is not limited to hostile environment sexual harassment, quid pro quo sexual harassment, sexual assault, domestic violence, dating violence, and stalking.

- changes to the threshold by which something may be considered Title IX

- addition of protections for students who are pregnant or experiencing pregnancy related conditions (childbirth, false pregnancy, termination of pregnancy, lactation or recovery from these conditions)

- removes the requirement that the alleged victim be the person to notify the College and instead, requires that all employees notify the Title IX Coordinator or Deputy Coordinator if they witness an potential Title IX incident and/or are told about a potential Title IX incident

- requires that all employees take an annual Title IX training (although this is not included in the proposed policy statement)

Note that the proposed changes include sections that do not have any changes. Keeping those as part of the proposal provides clarity to the overall edits.

2. TYPE OF PRESENTATION/PROPOSAL

Information Item and/or Committee Feedback (requires approval of CA Chair)

Action Item:

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Procedure/Policy — *revision* (Attach current procedure/policy with proposed changes highlighted using track changes.)

Procedure/Policy — *new* (Attach proposed procedure/policy separately.)

Identify suggested location in manual:

Course Fee — If applicable, identify a suggested cap for the course fee (for example, a percentage or "increase to not exceed \$X"):

Other:

3. BUDGET IMPACT

The new legislation requires that the Title IX Coordinator, Deputy Coordinator, Investigators and Hearings Officers engage in annual, in-depth training. While this is not included in the policy changes, it will require approximately an additional \$10,000 annually to support this requirement. Oregon law also requires that institutions partner with an existing victim's advocate agency. Together, these requirements will add an additional \$25,000 to the COCC budget. This will be included in 2025-26 budget proposals.

4. IMPACTED DEPARTMENTS AND/OR PROGRAMS

List impacted departments/programs, describe the impact, and identify steps taken to communicate the impact(s)

Requires that all employees notify the Title IX Coordinator or Deputy Coordinator if they witness an potential Title IX incident and/or are told about a potential Title IX incident. Additionally, if notified that a student is pregnant, requires that all employees give the student the Title IX Coordinator's contact information.

5. INSTRUCTIONAL REQUIREMENTS/IMPACTS

If notified that a student is pregnant, requires that instructors provide accommodations specific to the student's situation so that the student can complete (or later re-engage) their course or program.

6. OPERATIONAL IMPACT

Primary impacts are to the Title IX Coordinator and/or Deputy Coordinator. Those can be absorbed within existing structure.

7. STUDENT IMPACT

Expands supports for students, including protections based on gender identity, gender stereotypes, gender characteristics, sexual orientation and pregnancy or related conditions.

8. ANTICIPATED IMPLEMENTATION TIMELINE

Immediate.

9. MOTION TO BE RECOMMENDED

College Affairs recommends that the changes to COCC's Title IX and Sexual Harassment policies be updated based on the changes provided in the attached document.

TITLE IX POLICIES

G-28-0 TITLE IX AND SEXUAL HARASSMENT INTRODUCTION

Central Oregon Community College's goal is to provide an atmosphere of mutual support and respect and foster an awareness, acceptance and encouragement of different cultures, values and viewpoints. To ensure compliance with federal and state regulations, and to affirm its commitment to promoting diversity and inclusion for students, employees and guests, COCC developed policies and procedures that provide a prompt, fair and equitable process for addressing allegations of discrimination or harassment on the basis of a protected class status (see G-28-0.2 for those identified as a protected class).

The goal of the following policies is to extend equal opportunity for employment, admission, and participation in the College's programs, services, and activities to all persons.

- [Nondiscrimination](#)
- [Equal Opportunity/Affirmative Action](#)
- [Title IX \(federal policies regarding sexual harassment, sexual assault, domestic violence, dating violence, and stalking\)](#)
- [Title IX: Pregnancy and Pregnancy Related Conditions](#)
- [COCC sexual harassment, sexual assault, domestic violence, dating violence, and stalking](#)

Any person who believes they have been discriminated against, harassed, or retaliated against by a College employee, representative, student, or community member based on being a member of a protected class is encouraged to address those concerns by reporting it via the College's [incident report](#) system or talking with any of the individuals listed [below in the next section](#). These individuals have primary responsibility for coordinating COCC's efforts related to investigation, resolution, and implementation of corrective actions.

G-28-0.1 REPORTING CONTACT INFORMATION

Anyone who believes they were discriminated, harassed or retaliated against due to their protected class status, as well as anyone who witnesses such actions, ~~are~~ **is** encouraged to complete an incident report using the College's incident reporting system, [talking with any of the individual's listed below or reporting it to a College employee, noting that the employee will share the information with the College's Title IX Coordinator](#). They are also welcome to contact any of the individuals below for support or guidance on any aspect of this policy and associated processes.

Area of Concern

Discrimination or harassment on the basis of gender, [including](#) gender identity, [gender stereotypes](#), [gender characteristics](#), [sexual](#)

Contact

Alicia Moore
Vice President of Student Affairs
(VPSA)/Title IX Coordinator

[orientation, pregnancy or related conditions \(childbirth, false pregnancy, termination of pregnancy, lactation or recovery from these conditions\)](#); includes but is not limited to [hostile environment](#) sexual harassment, [quid pro quo sexual harassment](#), sexual assault, domestic violence, dating violence, and stalking.

2600 NW College Way
Coats Campus Center, Room 213
Bend, OR 97703
amoore@cocc.edu or 541-383-7244

[Jeremy Abbey](#)
[Care & Conduct Coordinator](#)
[2600 NW College Way](#)
[Wickiup Residence Hall 2203](#)
jabbey@cocc.edu or 541-383-7525

Discrimination or harassment on the basis of age, disability, marital status, national origin, ethnicity, color, race, religion, genetic information, citizenship status, veteran status or any other classes protected by State and federal statute.

Laura Boehme (if employee or College representative involved)
Chief Human Resources Officer
2600 NW College Way
Newberry Hall, Room 109
Bend, OR 97703
lboehme@cocc.edu or 541.383.7219

Andrew Davis (if only students involved)
[Director of Student and Campus Life](#)
[Dean of Student Engagement](#)
2600 NW College Way
Coats Campus Center, Room 211
Bend, OR 97703
apdavis@cocc.edu or 541.383.7591

In addition to the above, individuals are welcome to contact Campus Safety to file a report: 2600 NW College Way, Boyle Education Center, Room 161, Bend, OR 97703, publicsafety@cocc.edu, or 541.383.7272.

External inquiries may be made ~~externally~~ to:

Oregon Resources

[Office of Community Colleges and Workforce Development](#)
255 Capitol Street NE
Salem, OR 97310
ccwd.info@state.or.us or 503.947.2401

[Bureau of Labor and Industries \(BOLI\) Civil Rights Division](#)
800 NE Oregon St.
Suite 1045
Portland, OR 97232
crdemail@boli.state.or.us or 971.673.0764

Federal Resources

[Office for Civil Rights \(OCR\)](#)
[U.S. Department of Education](#)

[Equal Employment Opportunity Commission \(EEOC\)](#)

400 Maryland Avenue, SW
Washington, D.C. 20202-1100
Customer Service Hotline: (800) 421-3481
TDD: (877) 521-2172
OCR@ed.gov
[Complaint form:](#)

Federal Office Building
909 First Avenue
Suite 400
Seattle, WA 98104-1061
(800) 669-4000
TTY: (800) 669-6820
ASL Video Phone: (844) 234-5122

G-28-0.2 DEFINITION OF TERMS

The following definitions are used in sections G-28, N-1, N-2, and N-3.

- **Advisor of Choice:** A person chosen by either the reporting or responding parties or by COCC to accompany the parties related to the report (e.g., investigation, hearing, etc.). The role of the advisor is to advise individuals on the Title IX and COCC process and for Title IX, conduct cross-examination in Title IX hearings without disrupting proceedings.
- **Complainant:** A student or employee who is alleged to have been subjected to conduct that could constitute gender discrimination under Title IX. The term “complainant” applies to Title IX incidents only and is in compliance with federal law.
- **Complaint (Title IX –Formal):** means aAn oral or written report to the College alleging that a respondent engaged in conduct that violates a Title-IXgender discrimination policy.
- **Dating Violence:** Violence and abuse committed by a person to exert power and control over a current or former dating partner. Dating violence often involves a pattern of escalating violence and abuse over a period of time. Dating violence covers a variety of actions, and can include physical abuse and psychological or emotional abuse, and sexual abuse. It can also include “digital abuse”, the use of technology, such as smartphones, the internet, or social media, to intimate, harass, threaten, or isolate a victim. For a full definition of dating violence, see the Violence Against Women Act.
- **Domestic Violence:** A pattern of abusive behavior in a relationship that is used by one partner to maintain power and control over another current or former intimate partner. Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behavior that intimidates, manipulates, humiliates, isolates, frightens, terrorizes, coerces, threatens, hurts, injures, or wounds someone. For a full definition of domestic violence, see the Violence Against Women Act.
- **Education Program or Activity:** Locations, event or circumstances where COCC exercises substantial control over both the respondent and the context in which the ~~sexual harassment or gender~~ discrimination occurs; this also includes any building owned or controlled by a student organization that is officially recognized by COCC. Note that this definition applies to Title IX only and that Oregon law! may include incidents that take place between COCC-affiliated parties at an off-campus location not controlled by the institution if that behavior inhibits a person’s ability to access or participation in an educational program or activity.

- **Finding:** A conclusion by the preponderance of evidence standard that the alleged conduct occurred and whether violated ~~gender discrimination~~ Title IX policy.
- **Formal Procedure:** Process to formally investigate conduct prohibited by a Title IX or COCC sexual harassment policy; see N-2-11 and N-3-10 for process details.
- **Hearings Officer/Decision-Makers:** Personnel who have decision-making and sanction or remedy authority within COCC's Title IX and internal sexual harassment, sexual assault, domestic violence, dating violence, or stalking victim formal processes.
- **Hostile environment harassment:** Unwelcome conduct that is objectively offensive and so severe or pervasive that it limits or denies a person's ability to participate in or benefit from an education program or activity. A hostile environment is evaluated on the degree to which the conduct affected the complainant's ability to access an education program or activity; the type, frequency, or duration of the conduct; the parties' ages, roles within the education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct; and/or the location of the conduct and the context in which the conduct occurred.
- **Investigator:** Personnel charged by COCC with gathering facts about an alleged violation of ~~Title IX or COCC's gender discrimination policy sexual harassment, sexual assault, domestic violence, dating violence, or stalking victim policies~~, assessing relevance of information presented, synthesizing evidence, and compiling information into an investigation report.
- **Notice:** Notice occurs when an employee, student, or third party informs the Title IX Coordinator or other ~~Official with Authority~~ College employee that conduct potentially violated ~~ing Title IX or COCC sexual harassment, sexual assault, domestic violence, dating violence, or stalking~~ COCC's gender discrimination victim occurred or is alleged to have occurred ~~policies.~~
- **Official with Authority (OWA):** ~~A COCC employee with responsibility for managing COCC's Title IX or internal sexual harassment, sexual assault, domestic violence, dating violence, or stalking victim policies and procedures, as well as those individuals with assigned to be hearings officers/decision makers. COCC OWA are the Vice President of Student Affairs/Title IX Coordinator, Chief Human Resources Officer, and the Director of Student and Campus Life.~~
- **Pregnancy or Related Conditions:** Pregnancy, childbirth, false pregnancy, termination of pregnancy, or lactation; includes any related medical conditions and/or recovery from these conditions
- **Protected Class:** Includes age, disability, sex, marital status, national origin, ethnicity, color, race, religion, sexual orientation, gender identity, genetic information, citizenship status, veteran or military status, pregnancy or any other classes protected under federal and state statutes in any education program, activities or employment.
- **Quid pro quo harassment:** A type of sexual harassment when a person in a position of authority conditions a benefit, service, education or related activity on a student or employee participating in an unwelcome sexual conduct.

- **Reasonable Person:** Viewing the circumstances from the perspective of a reasonable person in the same or similar circumstances, including the context in which the alleged incident occurred and any similar, previous patterns that may have occurred.
- **Remedy:** Actions taken by COCC after a decision to address the safety of the Complainant/Reporting Party and/or community to prevent future conduct that violates either Title IX or the College's sexual harassment policy and to restore access to education programs or activities or the workplace.
- **Reporting Party:** A person(s) who is the recipient of gender-based discrimination as defined under Title IX and COCC policy.
- **Responding Party:** A person alleged to have engaged in conduct that violates Title IX or COCC ~~internal gender-based discrimination, sexual harassment, sexual assault, domestic violence, dating violence, or stalking victim~~ policies.
- **Responsible Employees:** All COCC employees, with the exception of mental health counselors. Responsible employees must report incidents of sexual harassment to the College's Title IX ~~Officer~~ Coordinator should they be made aware of or have reasonably known about a sexual harassment incident.
- **Sanction:** A consequence imposed by COCC on a respondent who is found responsible for violating a Title IX or COCC sexual harassment policy.
- **Sexual Assault:** Any type of sexual contact or behavior that occurs without consent of the recipient. Sexual assault includes sexual activity such as forced sexual intercourse, sodomy, molestation, incest, fondling, and attempted rape. It includes sexual acts against people who are unable to consent either due to age or lack of capacity. For a full definition of sexual assault, see the Violence Against Women Act.
- **Sexual Harassment:** Under Title IX, sexual harassment is defined as gender-based unwelcome conduct ~~of a sexual nature~~ that is considered so severe, and pervasive and or objectively offensive that it effectively denies a person(s) equal access to an education program or activity, as defined under the reasonable person standard. Under state of Oregon law, sexual harassment is defined as severe, pervasive, or objectively offensive. ~~In either case, it includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature and may come in the form of a hostile or intimidating environment or quid pro quo.~~
- **Stalking:** Pattern of repeated and unwanted attention, harassment, contact, or any other course of conduct directed at a specific person that would cause a reasonable person to feel fear. ~~Stalking is dangerous and can often cause severe and long-lasting emotional and psychological harm to victims. Stalking often escalates over time and can lead to domestic violence, sexual assault, and even homicide.~~ Stalking can include frightening communications, direct or indirect threats, and harassing a victim through the ~~internet~~ electronic communications or a third party. For a full definition of stalking, see the Violence Against Women Act.
- **Title IX Coordinator:** An official or officials designated by COCC to ensure compliance with Title IX and COCC's Title IX program.
- **Title IX Deputy Coordinator:** An official(s) designed by COCC to support Title IX work, including process counseling and training.

G-28-1 NONDISCRIMINATION AND EQUAL EMPLOYMENT/AFFIRMATIVE ACTION STATEMENT

The goal of Central Oregon Community College is to provide an atmosphere that encourages our faculty, staff and students to realize their full potential. In support of this goal, it is the policy of Central Oregon Community College that there will be no discrimination or harassment on the basis of age, disability, sex, marital status, national origin, ethnicity, color, race, religion, sexual orientation, gender identity, genetic information, citizenship status, veteran or military status, pregnancy or any other classes protected under federal and state statutes in any education program, activities or employment. Persons with questions about this statement should contact Human Resources at 541.383.7216 or the Vice President for Student Affairs at 541.383.7211.

This policy covers nondiscrimination in both employment and access to educational opportunities. When brought to the attention of the appropriate parties, any such actions will be promptly and equitably responded to according to the process outlined in general procedures sections N-1, N-2, or N-3.

G-28-2 TITLE IX: ~~SEXUAL~~**GENDER-BASED DISCRIMINATION, INCLUDING SEXUAL HARASSMENT, SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING**

Title IX refers to the federal law prohibiting ~~gender discrimination on the basis of gender stereotypes, characteristics, pregnancy or related conditions, sexual orientation, and gender identity~~~~sexual-sex-based harassment, sexual assault, domestic violence, dating violence and stalking~~ on college campuses. ~~It includes sexual harassment, sexual assault, dating violence, domestic violence and stalking.~~ The policies listed in this section apply only to qualifying Title IX ~~allegations-regulations~~ specifically prohibited by Title IX of the Education Amendments of 1972. ~~According to the Federal Office for Civil Rights and the U. S. Department of Education, Title IX's reach is limited in scope. However, state of Oregon laws and COCC policies prohibit more activities than Title IX.~~ See G-28-3 and N-3 for policy and procedure details. ~~It is important to note that sexual-based harassment, sexual assault, domestic violence, dating violence, or stalking may be committed by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity of those involved.~~

The following conditions must be met for an incident to be considered a potential Title IX complaint:

- An incident must take place within the geographic boundaries of the United States;
- An incident must take place on property owned or controlled by the College, at COCC-sponsored events, or in buildings owned or controlled by COCC's recognized student organizations (~~an incident may be considered a Title IX violation if it took place between COCC-affiliated parties at an off-campus location not controlled by COCC if that behavior restricts a person's access to or participation in an educational program or activity~~);
- The complainant must be participating in or attempting to participate in an education program or activity at the time of filing the complaint; and

- The complainant must report the incident(s) to a COCC employee or submit an incident report to an “official with authority” (see G-28-0.1 for contact information).

~~For other forms of based harrasment the incident must be considered so severe, pervasive, or and objectively offensive that it effectively denies a person(s) equal access to an education program or activity, as defined under the reasonable person standard. This standard does not apply to sexual assault, domestic violence, dating violence or stalking.~~

Alleged sexual harassment/gender discrimination actions that do not fall within the above scope may be reported as a potential violation of COCC’s sexual harassment, sexual assault, domestic violence, dating violence, or stalking victim policy, G-28-3.

G-28-2.1 OFFICIALS WITH AUTHORITY

~~Under Title IX, a College may only investigate an alleged Title IX incident if it was reported to an “Official with Authority” (OWA) employee. An OWA is defined as a COCC employee with responsibility for managing COCC’s Title IX or internal sexual harassment, sexual assault, domestic violence, dating violence, or stalking victim policies and procedures, as well as those individuals assigned to be hearings officers/decision makers. COCC OWA are the Vice President of Student Affairs/Title IX Coordinator, Chief Human Resources Officer, or the Director of Student and Campus Life; see G-28-0.1 for contact information.~~

N-1-0 NONDISCRIMINATION INTRODUCTION

Central Oregon Community College’s goal is to provide an atmosphere of mutual support and respect and fostering an awareness, acceptance and encouragement of different cultures, values and viewpoints. To ensure compliance with federal and state regulations, COCC offers the following processes to guide investigations into discrimination, Title IX, or other sexual harassment (including sexual assault, domestic violence, dating violence and stalking) reports.

N-1-1 FILING A REPORT

Any person who believes they have been discriminated against, harassed, or retaliated against by a College employee, representative, student, or community member based on being a member of a protected class is encouraged to address those concerns by reporting it via the College’s [incident report system](#), ~~or~~ by talking with any of the individuals listed below or reporting it to a College employee, noting that the employee will share the information with the College’s Title IX Coordinator. These individuals have primary responsibility for coordinating COCC’s efforts related to investigation, resolution, and implementation of corrective actions.

These individuals can also provide support or guidance on any aspect of this policy and associated processes.

Area of Concern

Discrimination or harassment on the basis of gender, including gender identity, gender stereotypes, gender characteristics, sexual orientation, pregnancy or related conditions (childbirth, false pregnancy, termination of pregnancy, lactation or recovery from these conditions); or sex discrimination; includes but is not limited to hostile environment, sexual harassment, quid pro que sexual harassment, sexual assault, domestic violence, dating violence, and stalking.

Discrimination or harassment on the basis of age, disability, marital status, national origin, ethnicity, color, race, religion, genetic information, citizenship status, veteran status or any other classes

Contact

Alicia Moore
 Vice President of Student Affairs
 (VPSA)/Title IX Coordinator
 2600 NW College Way
 Coats Campus Center, Room 213
 Bend, OR 97703
amoore@cocc.edu or 541.383.7244

[Jeremy Abbey](#)
[Care & Conduct Coordinator](#)
[2600 NW College Way](#)
[Wickiup Residence Hall 2203](#)
jabbey@cocc.edu or 541-383-7525

Laura Boehme (if employee or College representative involved)
 Chief Human Resources Officer
 2600 NW College Way
 Newberry Hall, Room 109

Bend, OR 97703
lboehme@cocc.edu or 541.383.7219
Andrew Davis (if only students
involved)
Director of Student and Campus Life
2600 NW College Way
Coats Campus Center, Room 211
Bend, OR 97703
apdavis@cocc.edu or 541.383.7591

In addition to the above, individuals are welcome to contact Campus Safety to file a report:
2600 NW College Way, Boyle Education Center, Room 161, Bend, OR
97703, publicsafety@cocc.edu, or 541.383.7272.

N-1-2 SUPPORTING PARTIES

Reporting or responding parties may bring a supporting party to any aspect of the informal or formal process.

Role of Supporting Parties: In all cases, the supporting party should not have information that may inform the investigation, but instead, attends solely in a supporting role. The support person is not permitted to speak during the meetings associated with this process. This allows the reporting party to best share their experience using their own words.

Students, Community Members or Non-Represented Employees: If the reporting party is a student, community member, or employee not represented by a bargaining unit of the College, the individual may have a support person present at any time during the process. If a supporting party is not available, the student, community member, or employee may request a College-appointed supporting party.

Represented Employees: If an employee is represented by the Classified Association of Central Oregon Community College (CACOCC), the Central Oregon Community College Faculty Forum (COCCFF), or the COCC Adult Basic Skills Instructors - Oregon School Employees Association, the employee may have a representative from her/his bargaining unit or other supporting party present with her/him at any time during the process; they may also request that the College assign a College-appointed individual in this role.

N-1-3 PROCESS OVERVIEW

The following process provides guidance on the College's informal and formal process for investigating and resolving any report of discrimination, noting that any form of gender-based discrimination, Title IX and other sexual harassment reports follows a separate process. Gender-based discrimination is defined as discrimination based on gender identity, gender stereotypes,

gender characteristics, sexual orientation, pregnancy or related conditions (childbirth, false pregnancy, termination of pregnancy, lactation or recovery from these conditions); includes but is not limited to hostile environment, sexual harassment, quid pro quo sexual harassment, sexual assault, domestic violence, dating violence, and stalking. (See N-2 for Title IX incidents and N-3 for COCC sexual harassment, sexual assault, domestic violence, dating violence or stalking incidents) for details.

The COCC Director of Student and Campus Life Dean of Student Engagement will serve as the lead staff person for student-to-student reports and the Director of Human Resources Vice President for People and Technology will serve as the lead staff member if an employee is involved.

N-1-4 INFORMAL PROCESS

The College recognizes that some individuals may wish to resolve an incident(s) on their own, but may need support to do so. In the event that the reporting party wishes to resolve a situation on their own, they are encouraged first to report the incident(s) to the lead staff person. That person will document the incident(s) and can then coach the reporting party on how to resolve the situation, provide options for personal support, and discuss the formal process. The reporting party is encouraged to notify the lead staff member as to whether the concerns were resolved.

Note that the College reserves the right to move the concern to a formal process if the reported action is a repeated behavior and/or a threat to the health and safety of the College.

N-1-5 FORMAL PROCESS

Note that the College will work to resolve all issues within the timelines listed below. It reserves the right for an extension to these timelines should multiple individuals be involved or more complex issues arise. If this happens, the College will make a good faith effort to notify the reporting and responding party(ies).

1. The student, employee or community member files a report through the College's incident report system or by contacting any of the parties listed in section G-28-0.1.
2. The report is routed to the Director of Student and Campus Life for student-to-student concerns or the Director of Human Resources Officer if an employee is involved (hereafter referred to as the "lead staff member").
3. The lead staff member, or their designee, will meet with the concerned individual(s) within five business days of receiving the report to review the concerns, discuss confidentiality, determine the reporting parties' desired next steps, determine the proper avenue for addressing the complaint, and assess the health and safety of the COCC community.

4. Based on the meeting with the reporting party, the lead staff member will make an initial assessment to determine if the alleged actions violate COCC's nondiscrimination policy. If the initial assessment indicates no policy violation has occurred, the lead staff member will work directly with the reporting party towards a resolution.
5. If the report appears that it may violate the College's nondiscrimination policy and if the reporting party requests the College continue with the investigation, the lead staff member, or designee, will appoint an investigator to review the situation.
6. The investigator will meet with the reporting and responding parties individually, as well as other individuals associated with the report as appropriate. Note that either party may bring a supporting party to the meetings (see section N-1-2).
7. Upon completion of the investigation, the investigator will compile a fact-based report and give to the lead staff member.
8. The lead staff member will review the report to determine whether a violation of the College's nondiscrimination policy occurred and if so, appropriate next steps. For students, this could be a student conduct hearing. For employees, this will be based on the process associated with their employee group's contract or handbook.

N-1-6 APPEALS PROCESS

The reporting or responding party may appeal the final decision under the following circumstances:

- Violation of the process detailed in this section;
- In light of new evidence not reasonably available at time of investigation;
- Evidence of bias on part of the lead staff member; or
- Evidence of conflict of interest of the lead staff member (see G-28-6 for "Conflict of Interest" definition)

The appeal must be filed within five business days of the final decision. If the original decision was made by the Director of Student and Campus Life, the appeal should be filed with the Vice President of Student Affairs. If the original decision was made by the Director of Human Resources, the appeal should be filed with the Chief Information and Human Resources Officer. The request for an appeal will be denied if any one of the above conditions are not met or if it not filed within five business days.

If an appeal is warranted, the Vice President of Student Affairs or the Chief Information and Human Resources Officer will serve as the appeals officer to review the decision, investigative report, and any evidence. The appeals officer will notify all parties of their decision within ten business days of being appointed to the process. The appeals officer's decision is final.

N-2-0 TITLE IX INTRODUCTION

Title IX refers to the federal law prohibiting gender discrimination on the basis of gender stereotypes, characteristics, pregnancy or related conditions (childbirth, false pregnancy, termination of pregnancy, lactation or recovery from these conditions), sexual orientation and general identity on college campuses. It includes sexual harassment, sexual assault, domestic violence, dating violence and stalking ~~on college campuses~~. The policies listed in this section

apply only to qualifying Title IX allegations specifically prohibited by Title IX of the Education Amendments of 1972. ~~According to the Federal Office for Civil Rights and the U. S. Department of Education, Title IX's reach is limited in scope. However, state of Oregon laws and COCC policies prohibit more activities than Title IX.~~ See G-28-3 and N-3 for policy and procedure details.

Please see G-28-0.2, Definition of Terms, for the terms used in this section.

N-2-1 FILING A COMPLAINT

The reporting party (hereafter referred to as "complainant") ~~files an initial incident~~ report via the College's [incident reporting system](#) or by talking with any employees. ~~If reported to a College employee, the employee will notify the College's Title IX Coordinator or Deputy Coordinator. Report additionally may be an oral or written request to the recipient that objectively can be understood as a request for the recipient to investigate and make a determination about alleged discrimination under Title IX listed in G-28-0.1. To be given Title IX consideration, the report must be filed by the complainant or Title IX Coordinator; third party complaints are not allowed. Additionally, the report must include a description of the allegation, request that the College investigate the incident(s), and be signed (electronic or physical) by the complainant or Title IX Coordinator. If the complaint is not complete, the Title IX Coordinator will work with the complainant to finalize the report if they wish to do so.~~

N-2-2 DISMISSAL OF COMPLAINT

The College is required to dismiss a complaint at any point during an investigation or hearing if it does not meet the conditions listed in G-28-2 or if sufficient evidence cannot be gathered. If this occurs, the complainant may pursue actions under the College's Sexual Harassment Policy, G-28-3. Additionally, the College will dismiss the complaint at any point during an investigation or hearing if a complainant notifies the Title IX Coordinator in writing they would like to withdraw the complaint.

Parties will be notified in writing in the event of a dismissal.

N-2-3 PROCESS COUNSELING

Upon receipt of the complaint, the College's Title IX Coordinator will contact the reporting party to:

- Explain reporting options, including option to report to law enforcement;
- Provide guidance on how to file a complaint;
- Review the informal and formal investigation process; and
- Provide information on available support resources, [including access to a confidential victim's advocate.](#)

N-2-4 AMNESTY CLAUSE

In order to encourage complainants and witnesses to report potential Title IX incidents, the College will not pursue disciplinary action against complainants or witnesses who disclose personal alcohol or other drug use if the report is made in good faith or the actions did not place the health or safety of any other person at risk. The College may initiate an assessment or educational discussion or pursue other non-disciplinary options regarding alcohol or other drug use.

N-2-5 STANDARD OF EVIDENCE

The College will apply the “preponderance of evidence” standard for both the informal or formal process. Preponderance of evidence is defined as the facts and evidence demonstrate that the alleged policy violation is more likely to have happened than not.

N-2-6 RESPONDING PARTY AND PRESUMPTION OF INNOCENCE

The respondent is presumed not responsible for the alleged actions until the hearings officer has an opportunity to review the investigatory report and make their determination.

N-2-7 CONSOLIDATION OF COMPLAINTS

During the course of an informal or formal investigation, the College may learn additional information that leads to additional allegations and/or involve more than one complainant. In these instances, the College reserves the right to consolidate cases and investigate under one process or treat each as separate incidents. The complainant(s) and responding parties will be notified through the appropriate procedures should this occur.

N-2-8 ADVISOR OF CHOICE

~~Title IX requires that a~~ All complainants and respondents have the right to have an advisor present during the investigation, hearings, and appeals processes. Parties can opt for their own advisor or COCC can appoint a trained advisor if the parties choose~~select from a pool of COCC-trained advisors; if a party does not do so, the meeting will be paused and an advisor automatically assigned.~~

The role of the advisor is to primarily advise parties on the process, help parties track information, advise parties on their rights, and if a COCC-trained advisor, refer parties to on- and off-campus supports. In all cases, the advisor ~~should~~ shall not have information that may inform the investigation. The advisor is not permitted to speak during the meetings associated with this process, with the exception that they are the only party allowed to cross-examine others during a hearing.

N-2-9 RANGE OF POTENTIAL SANCTIONS AND REMEDIES

Title IX violations solely involving students in which an individual(s) is found responsible may result in sanctions including, but is not limited to, warning, suspension, summary suspension, expulsion or other sanctions deemed appropriate by the hearings officer. Remedies could include, but are not limited to, providing an alternative class schedule and increasing training for students and employees.

Title IX violations in which an employee is found responsible may result in just cause for discipline, which includes, but not limited to, warning, temporary dismissal, dismissal or other sanctions deemed appropriate by the hearings officer. Remedies could include, but are not limited to, providing an alternative work schedule and increasing training for students and employees.

N-2-10 INFORMAL INVESTIGATION, DECISION AND APPEAL

The College will utilize the following process should the complainant wish to pursue an informal process, noting that other activities may take place at the discretion of the Title IX ~~Officer~~ Coordinator or Deputy Coordinator and as appropriate to the investigation. The timelines listed below are estimates only and the College reserves the right for additional time should complex situations arise.

Note that this process is only available in situations involving a student(s) as the responding party. If the responding party is an employee, the College must pursue an investigation under the formal process (N-2-11).

Initial Notification and Determination of Process

1. The Title IX ~~Officer~~ Coordinator or Deputy Coordinator will meet with the complainant to explain reporting options and processes, including the option to report to law enforcement; review the informal and formal investigation process; confidentiality; and provide information on available support resources.
2. Should the complainant wish to move forward with an informal investigation, the Title IX ~~Officer~~ staff will notify the respondent, in writing, of the alleged complaint.
3. The Title IX ~~Officer~~ staff will review the informal and formal investigation process with the complainant and respondent independently. Both parties must agree, in writing, to pursue the informal investigation.
4. Should both parties agree, the College will assign an investigator who does not have a conflict of interest with either party (see G-28-6). Should one or both parties not agree, and if the complainant wishes to pursue a formal investigation, the College will use the formal process (see N-2-11).

Investigation and Decision

1. The investigator will meet independently with both parties, allowing each to share their perspective on the alleged incident(s), ask questions for clarity, information about potential witnesses, appropriate evidence, and any other information needed to best

determine the facts associated with the incident. The investigator will meet with witnesses as appropriate.

2. After meeting with all parties, the investigator will complete a written report summarizing all facts and evidence within ten business days.
3. The report will be forwarded to the Title IX Coordinator. If the complaint is between students only, or if the respondent is a student, the report will be sent to the ~~Director of Student and Campus Life~~ Dean of Student Engagement to consider if a potential policy violation exists. If so, the ~~Dean of Student Engagement~~ Director of Student and Campus Life will hold a student conduct hearing and determine potential sanctions or remedies (see N-2-9). If the complaint involves an employee as the complainant, the report will be sent to the ~~Director Human Resources~~ Vice President of People and Technology to consider if a potential policy violation exists and any appropriate next steps. Note that the College is required to shift the complaint to the formal process if the responding party is an employee.

Appeals

The complainant or respondent party may appeal the decision under the following circumstances:

- Violation of the process detailed in this section;
- light of new evidence not reasonably available at time of investigation;
- Evidence of bias on part of the investigator(s), ~~Director of Campus and Student Life or Director of Human Resources~~ or hearings officer to; or
- Evidence of conflict of interest of the investigator(s); or hearings officer ~~Director of Campus and Student Life or Director of Human Resources~~ (see G-28-6 for "Conflict of Interest" definition)

The appeal must be filed within five business days of the final decision and submitted to the ~~Dean of Student Engagement~~ Director of Campus and Student Life or Vice President of People and Technology ~~Director of Human Resources~~.

Request for appeal involving only students will be reviewed by the Vice President of People and Technology (VPPT) ~~Chief Information and Human Resources Officer (CIHRO)~~; in the absence of the ~~VPPT~~ CIHRO, the ~~VPPT~~ CIHRO will designate an alternate. The request for an appeal will be denied if any one of the above conditions are not met or if it not filed within five business days. If an appeal is warranted, the ~~VPSA~~ VPPT will review the decision, investigator report, and evidence. The ~~VPSA~~ VPPT will notify all parties of their decision within ten business days unless extenuating circumstances exist. The ~~VPSA's~~ VPPT's decision is final.

Request for an appeal involving employees will be reviewed by the ~~Chief Information and Human Resources Officer (CIHRO)~~ Dean of Student Engagement (DSE); in the absence of the ~~CIHRO~~ DSE, the Title IX Coordinator will designate an alternate. The request for an appeal will be denied if any one of the above conditions are not met or if it not filed within five business days. If an appeal is warranted, the ~~CIHRO~~ DSE will review the decision, investigative report, and any

evidence. The CHRO-DSE will notify all parties of their decision within ten business days unless extenuating circumstances exist. The CHRO's-DSE decision is final.

N-2-11 FORMAL INVESTIGATION, DECISION AND APPEAL

The College will utilize the following process should the complainant wish to pursue a formal Title IX investigation and resolution process. The timelines listed below are estimates only and the College reserves the right for additional time should complex situations arise.

Initial Notification and Determination of Process

1. The complainant files an initial report via the College's incident reporting system or by talking with any employees listed in section G-28-0.1. ~~To be considered a Title IX complaint, the report must be filed by the complainant or Title IX Coordinator; third-party complaints are not allowed. Additionally, the report must include a description of the allegation, request that the College investigate the incident(s), and be signed (electronic or physical) by the complainant or Title IX Coordinator. If the complaint is not complete, the Title IX Coordinator will work with the complainant to finalize the report if they wish to do so.~~
2. The College will make an initial assessment to ensure that the complaint meets Title IX regulatory standards (see section G-28-2). If the complaint does not appear to meet these standards, ~~the Title IX Officer-staff~~ will discuss alternative investigatory options with the complainant.
3. If the complaint appears to meet Title IX standards, ~~the Title IX Officer-staff~~ will meet with the complainant to explain reporting options, requirements, and processes, including reporting to law enforcement; discuss options for an advisor and the advisor's role; review the informal and formal investigation process; review confidentiality options; provide information on available support resources, including access to a confidential victim's advocate; and determine complainant wishes for next steps.
4. If the complainant wishes, the College will implement interim measures designed to ensure the complainant's right to access their education, develop safety plans for potential future interactions, and provide academic accommodations reasonable and appropriate to the nature of the alleged incident(s).

Investigation Process

1. ~~The Title IX Coordinator-staff~~ will provide written notice of the allegations and investigation to the respondent. This notice will include:
 - a. A summary of the allegations;
 - b. Date(s) and location(s) of incident(s), if known;
 - c. Identity of parties, if known;
 - d. The alleged policy violation;
 - e. Description of the Title IX formal investigatory and appeals process;

- f. Potential sanctions and remedies;
 - g. Evidentiary standard, including a statement that the respondent is presumed not responsible for the alleged actions until the hearings officer has an opportunity to review the investigatory report;
 - h. Statement on COCC's non-retaliation policy;
 - i. Statement on process privacy;
 - j. A statement on each party's requirement option to have a College-appointed advisor or advisor-of-choice each stage of the process and how to request a College-appointed advisor if needed;
 - k. A statement that COCC prohibits participants from knowingly making false statements during the course of this process;
 - l. Details on how to request accommodations for those with disabilities;
 - m. The names and contact information for the investigator and hearings officers, along with an opportunity for the respondent to identify potential conflicts of interest between the respondent and investigator and/or hearings officer; and
 - n. Directions to preserve any evidence directly related to the investigation.
- The notice of allegations and investigation will be delivered in two or more of the following ways: Delivered in person, mailed to permanent or temporary address, or emailed to the parties' COCC email. Once delivered, mailed or emailed, the College will presume the letter was received.
2. The College will appoint an investigator(s) free from conflict of interest for both the complainant and respondent.
 3. Upon receipt of the notice of allegations and investigation, the investigator(s) will typically take the following steps, although not necessarily in the order listed:
 - a. Individually interview the complainant(s) and respondent(s), noting that the College will provide a college-appointed advisor should the complainant or respondent not have someone serving this capacity. The investigator will schedule the meeting at a mutually agreed-upon date and time no more than ten days after being appointed as an investigator.
 - b. Notify the complainant and respondent of interview dates, including interviews with witnesses;
 - c. Interview potential, relevant witnesses, noting that any witness may have a supporting party in attendance (see section N-1-2).
 - d. Collect and document relevant evidence.
 4. Upon conclusion of the interviews with complainant, respondent, and witnesses, the investigator(s) will draft a report to include, at a minimum, the following:
 - a. Background (e.g., date of report and incident(s), alleged policy violation, names of complainant(s) and respondent(s) and their advisors, interim measures);
 - b. Verification that the complaint met Title IX regulatory standards;
 - c. Factual summary of investigatory findings
 - d. List of all parties interviewed, dates, and times;
 - e. Narrative of interviews;

- f. Description of evidence collected;
- g. Institutional standard of evidence statement and how the allegations meet or do not meet this standard; and
- h. Other information which may assist the hearings officer in making their determination.

The report will not include information not directly related to the alleged violation, unless it is evidence of a pattern of behavior on behalf of the respondent, the character of the complainant or respondent, or the complainant's past sexual activity unless offered to prove that someone else conducted the alleged violation.

- 5. The draft investigatory report will be sent to ~~the~~ Title IX ~~Coordinator~~ staff.
- 6. ~~The~~ Title IX ~~Coordinator~~ staff will send the report and copies of any evidence to the complainant, respondent, and their advisors.
- 7. The complainant or respondent will have ten business days by which to contest any factual information included in the report and must provide evidence to support this request. The investigator, at their discretion, will modify the report if appropriate. If not, the investigator will provide an addendum to the report with the complainant or respondent's requested modification.

Hearing/Decision Process

- 1. ~~The~~ Title IX ~~Coordinator~~ staff will assign a hearings officer to review the report. The hearings officer will be the Dean of Student Engagement (or designee) ~~the Director of Student and Campus Life~~ if the incident(s) only involve students or the ~~Director of Human Resources~~ Vice President for People and Technology (or designee) if the incident(s) involve an employee.
- 2. Upon review of the final investigator report, the Hearing Officer shall determine if a hearing is warranted. If no, the complaint will be dismissed and complainant and responding parties notified.
- 3. If the hearing is warranted, the complainant and respondent will be notified of the hearing date, time, location/modality. A hearing will be scheduled no sooner than 10 days after the release of the investigative report. If requested by either party, the complainant and respondent can be in different rooms, but connected via appropriate technology supports. The request may be made prior to or during any part of the hearing by either party.
- 4. The complainant and respondent are permitted to bring an advisor of choice to the hearing (see N-2-8). If they do not do so, the College will appoint someone to serve in this capacity.
- 5. Record of Hearing: All hearings will be recorded either by an audio or video transcript.
- 6. The investigator will present a summary of their report at the start of the hearing and be available throughout the hearing to answer any questions or provide clarification of information provided by complainant or respondent during the hearing.
- 7. The hearings officer will ask needed questions of both parties.
- 8. Each party has an opportunity to cross-examine one another, noting that only the advisor of choice may ask the questions. The hearing officer will determine whether the

questions are relevant. Questions about past sexual activity may not be part of any questioning unless the question demonstrates a pattern of behavior directly connected to the allegations. If a party does not respond to cross-examination questions, then the hearings officer may only rely on information in the investigator's report when making their decision.

9. The hearing will conclude.
10. The hearing officer will provide written notification of their decision to the complainant, respondent, and advisors within ten business days of the hearing. This notice will include the finding of responsible or not responsible, rationale for the decision, any sanctions, remedies, options for appealing the decision, and a statement of non-retaliation (see G-28-5).

Appeals Process

The complainant or respondent party may appeal the decision under the following circumstances:

- Violation of the process detailed in this section;
- In light of new evidence not reasonably available at time of investigation;
- Evidence of bias on part of the investigator or hearing officer; or
- Evidence of conflict of interest of the investigator or hearing officer (see G-28-6 for "Conflict of Interest" definition)

The appeal must be filed within five business days of the hearings to the hearing officer. Request for appeal involving only students will be reviewed by the [Chief Information and Human Resources Officer/Vice President of People and Technology \(VPPT\)-\(CIHRO\)](#); in the absence of the [CIHRO/VPPT](#), the [CIHRO-VPPT](#) will designate an alternate. The request for an appeal will be denied if any one of the above conditions are not met or if it not filed within five business days. If an appeal is warranted, the [VPSA-VPPT](#) will review the decision, investigator report, and evidence. The [VPSA-VPPT](#) will notify all parties of their decision within ten business days unless extenuating circumstances exist. The [VPSA's-VPPT's](#) decision is final.

Request for an appeal involving employees will be reviewed by the [Chief Information and Human Resources Officer \(CIHRO\)/Dean of Student Engagement \(DSE\)](#); in the absence of the [CIHRO/DSE](#), the Title IX Coordinator will designate an alternate. The request for an appeal will be denied if any one of the above conditions are not met or if it not filed within five business days. If an appeal is warranted, the [CIHRO-DSE](#) will review the decision, investigative report, and any evidence. The [CIHRO-DSE](#) will notify all parties of their decision within ten business days unless extenuating circumstances exist. The [CIHRO's-DSE's](#) decision is final.

N-3-0 INTRODUCTION - COCC'S SEXUAL HARASSMENT, SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING PROCEDURES

The definition for sexual harassment under Title IX (N-2-0) is limited in scope and as such, COCC adopted a process for sexual harassment, sexual assault, domestic violence, dating violence and

stalking that aligns with state of Oregon law. This section describes the process used should a report not fall within the jurisdiction of or standards associated with Title IX.

Under Oregon law, sexual harassment is defined as unwelcome conduct of a sexual nature and can include unwelcome sexual advances, requests for sexual favors, or other verbal, nonverbal or physical conduct where such conduct is sufficiently severe or pervasive that it has the effect, intended or unintended, of unreasonably interfering with an individual's work or academic performance or it has created an intimidating, hostile, or offensive environment and would have such an effects on a reasonable person. This includes sexual assault, domestic violence, dating violence, and stalking (see G-28-0-2 definitions of sexual assault, domestic violence, dating violence, and stalking). Sexual harassment may happen between individuals of the same or different genders and may be based on gender stereotypes, sexual orientation and gender identity. It may occur between COCC parties at either on- or off-campus location(s). Please see the definition of terms (section G-28-0.2) for the terms used in this section.

N-3-1 FILING A COMPLAINT

The reporting party files an initial report via the College's [incident reporting system](#) or by talking with any employees listed in section G-28-0.1.

N-3-2 DISMISSAL OF REPORT

The College may dismiss a report at any point during an investigation or hearing if it does not meet the definition in N-3-0 or if sufficient evidence cannot be gathered. Additionally, the College will dismiss the report if at any point during an investigation or hearing if the reporting party notifies the VPSA/Title IX Coordinator in writing they would like to withdraw the complaint.

In the event of a dismissal, all parties will be notified in writing.

N-3-3 PROCESS OF COUNSELING

Upon receipt of the complaint, the College's VPSA/Title IX Coordinator will contact the reporting party to:

- Explain reporting options, including option to report to law enforcement;
- Provide guidance on how to file a complaint;
- Review the informal and formal investigation process; and
- Provide information on available support resources.

N-3-4 AMNESTY CLAUSE

In order to encourage complainants and witnesses to report potential Title IX incidents, the College will not pursue disciplinary action against complainants or witnesses who disclose personal alcohol or other drug use if the report is made in good faith or the actions did not place the health or safety of any other person at risk. The College may initiate an assessment or educational discussion or pursue other non-disciplinary options regarding alcohol or other drug use.

N-3-5 STANDARD OF EVIDENCE

The College will apply the “preponderance of evidence” standard for both the informal or formal process. Preponderance of evidence is defined as the facts and evidence demonstrate that the alleged policy violation is more likely to have happened than not.

N-3-6 RESPONDING PARTY AND PRESUMPTION OF INNOCENCE

The responding party is presumed not responsible for the alleged actions until the hearings officer has an opportunity to review the investigatory report and make their determination.

N-3-7 CONSOLIDATION OF REPORTS

During the course of an informal or formal investigation, the College may learn additional information and/or involve more than one responding party. In these instances, the College reserves the right to consolidate cases and investigate under one process or treat each as separate incidents. The reporting and responding parties will be notified through the appropriate procedures should this occur.

N-3-8 SUPPORTING PARTIES

Reporting or responding parties may bring a supporting party to any aspect of the informal or formal process.

Role of Supporting Parties: In all cases, the supporting party should not have information that may inform the investigation, but instead, attends solely in a supporting role. The support person is not permitted to speak during the meetings associated with this process. This allows the reporting party to best share their experience using their own words.

Students, Community Members or Non-Represented Employees: If the reporting party is a student, community member, or employee not represented by a bargaining unit of the College, the individual may have a support person present at any time during the process. If a supporting party is not available, the student, community member, or employee may request a College-appointed supporting party.

Represented Employees: If an employee is represented by the Classified Association of Central Oregon Community College (CACOCC), the Central Oregon Community College Faculty Forum (COCCFF), or the COCC Adult Basic Skills Instructors - Oregon School Employees Association, the employee may have a representative from her/his bargaining unit or other supporting party present with her/him at any time during the process; they may also request that the College assign a College-appointed individual in this role.

N-3-9 INFORMAL INVESTIGATION, DECISION, AND APPEAL

The College recognizes that some individuals may wish to resolve an incident(s) on their own, but may need support to do so. In the event that the reporting party wishes to resolve a situation on their own, they are encouraged first to report the incident(s) via the College’s [incident reporting system](#) or by talking with any employees listed in section G-28-0.1.

That person can then coach the reporting party on how to resolve the situation, provide options for personal support, and discuss the formal process. The reporting party is encouraged to notify the lead staff member as to whether the concerns were resolved.

Note that the College reserves the right to move the concern to a formal process if the reported action is a repeated behavior and/or a threat to the health and safety of the College.

N-3-10 FORMAL INVESTIGATION, DECISION, AND APPEAL

The College will utilize the following process should the reporting party wish to pursue a formal investigation and resolution process. The timelines listed below are estimates only and the College reserves the right for additional time should complex situations arise.

Initial Notification and Determination of Process

1. If a College employee (see "responsible party," G-28-3.1) is notified of a potential sexual harassment, sexual assault, domestic violence, dating violence, and stalking incident(s), they must notify the College's VPSA/Title IX ~~Officer~~Coordinator. Alternatively, an individual may file their own report via the College's [incident reporting system](#) and/or speak with any staff member listed in section G-28-0.1.
2. The Title IX ~~Officer~~Coordinator will meet with the reporting party to explain reporting options, requirements, and processes; discuss the role of supporting parties; discuss options to report to law enforcement; review the informal and formal investigation process; review confidentiality options; provide information on available support resources; and determine reporting party's wishes for next steps.
3. If the reporting party wishes, the College will implement interim measures designed to ensure the reporting party's right to access their education, develop safety plans for potential future interactions, and provide academic accommodations reasonable and appropriate to the nature of the alleged incident(s).
4. If the report appears to violate the College's sexual harassment, sexual assault, domestic violence, dating violence, and stalking policy, and if the reporting party so desires, the College will initiate an investigation. The reporting party may withdraw their request for the investigation at any point of the process.

Investigation Process

1. The College will appoint an investigator(s) free from conflict of interest (see G-28-6) for both the reporting party and responding party.
2. The investigator will contact the reporting and responding parties for individual interviews. In the case of the responding party, the investigator will provide information about the nature of the allegations and names of reporting parties in line with the reporting party's wishes for confidentiality. This information will be delivered in two or more of the following ways: Delivered in person, mailed to permanent or temporary address, or emailed to the parties' COCC email. Once delivered, mailed or emailed, the College presume the letter was received.

3. Upon receipt of the notice of investigation, the investigator(s) will typically take the following steps, although not necessarily in the order listed:
 - a. Individually interview the reporting party(s) and responding party(s), noting that the College will provide a college-appointed advisor should the reporting or responding party not have someone serving in this role. The investigator will schedule the meeting at a mutually agreed-upon date and time no more than ten days after being appointed as an Investigator.
 - b. Interview potential, relevant witnesses, noting that any witness may have a supporting party in attendance (see section N-1-2).
 - c. Collect and document relevant evidence.
4. Upon conclusion of the interviews with reporting party, responding party, and relevant witnesses, the investigator(s) will write a report to include, at a minimum, the following:
 - a. Background (e.g., date of report and incident(s), alleged policy violation, names of reporting party(s) and responding party(s) and their advisors, interim measures);
 - b. List of all parties interviewed, dates, and times;
 - c. Summary of interviews;
 - d. Description of evidence collected;
 - e. Other information which may assist the hearings officer in making their determination.

The report will not include information not directly related to the alleged violation unless it is evidence of a pattern of behavior on behalf of the responding party, investigator judgment about the character of the reporting party or responding party, or the either party's past sexual activity unless offered to prove that someone else conducted the alleged violation.

5. The investigatory report will be sent to the VPSA/Title IX Coordinator.

Hearing/Decision Process

1. The Title IX Coordinator will assign a hearings officer to review the report. The hearings officer will be the [Dean of Student Engagement](#) ~~Director of Student and Campus Life~~ if the incident(s) only involve students or the Director of Human Resources if the incident(s) involve an employee.
2. Upon review of the final investigator report, the hearing officer shall determine if a hearing is warranted. If no, the report will be dismissed and reporting party and responding parties notified.
3. If the hearing is warranted, the responding party will be notified of the hearing date, time, and location/modality.
4. Record of Hearing: All hearings will be recorded either by an audio or video transcript.
5. The hearings officer will ask additional questions as needed.
6. The hearing will conclude.

7. The hearings officer will provide written notification of their decision to the reporting party, responding party, and advisors/supporting parties within ten business days of the hearing. This notice will include the finding of responsible or not responsible, rationale for the decision, any sanctions or remedies, options for appealing the decision, and a statement of non-retaliation (G-28-5).

Nothing in the policy precludes any person from filing a formal grievance in accordance with applicable collective bargaining agreements or with the Bureau of Labor and Industries (BOLI) or the Equal Employment Opportunity Commission (EEOC).

Appeals Process

The reporting party or responding party may appeal the decision under the following circumstances:

- Violation of the process detailed in this section;
- In light of new evidence not reasonably available at time of investigation;
- Evidence of bias on part of the hearings officer; or
- Evidence of conflict of interest of the hearings officer (see G-28-6 for "Conflict of Interest" definition)
- The appeal must be filed within five business days of the hearings to the hearings officer.

Request for appeal involving only students will be reviewed by the ~~Chief Information and Human Resources Officer (CIHRO)~~Vice President of People and Technology (VPPT); in the absence of the CIHRO, the CIHRO will designate an alternate. The request for an appeal will be denied if any one of the above conditions are not met or if it not filed within five business days. If an appeal is warranted, the VPSA will review the decision, investigator report, and evidence. The VPSA will notify all parties of their decision within ten business days unless extenuating circumstances exist. The VPSA's decision is final.

Request for an appeal involving employees will be reviewed by the ~~Chief Information and Human Resources Officer (CIHRO)~~VPPT; in the absence of the ~~CIHRO~~VPPT, the Title IX Coordinator will designate an alternate. The request for an appeal will be denied if any one of the above conditions are not met or if it not filed within five business days. If an appeal is warranted, the ~~CIHRO~~VPPT will review the decision, investigative report, and any evidence. The ~~CIHRO~~VPPT will notify all parties of their decision within ten business days unless extenuating circumstances exist. The ~~CIHRO's~~VPPT decision is final.

**COLLEGE AFFAIRS COMMITTEE
TITLE IX PROPOSAL**

Title IX v. Sexual Harassment

Title IX is the federal law that prohibits all forms of gender discrimination on the basis of gender stereotypes, characteristics, pregnancy or related conditions, sexual orientation, and gender identity.

It also includes sexual harassment, sexual assault, dating violence, domestic violence and stalking on college campuses or at college-sponsored events, or any of these incidents that happen off campus, but may impact someone's learning.

It is important to note that the State of Oregon also has its own sexual harassment regulations, an umbrella term that includes sexual harassment, sexual assault, dating violence, domestic violence and stalking on college campuses. There are subtle differences between the two – including the threshold for defining what constitutes a violation as well as procedural requirements. COCC's policy regarding sexual harassment (including sexual harassment, sexual assault, dating violence, domestic violence and stalking) mirrors State regulations.

The majority of proposed changes relate to recent changes in the federal Title IX regulations.

Is transgender a protected class under Title IX?

The new regulations expands the definition of gender to be very inclusive. That is, it includes protections for individuals, regardless of their sex assigned at birth, gender identity or sexual orientation.

Is the new threshold written into the policy?

The threshold for the former Title IX regulations was that an incident(s) must be severe, pervasive *and* objectively offensive. The new threshold is that it must be severe and pervasive, or objectively offensive.

Could an updated policy be brought to College Affairs in April (referring to the change of I. S. presidents)?

Every president in recent memory has made changes to Title IX. Some do so within a few months of inauguration, while others do so within a couple of years. Some make sweeping changes, other make minor changes. In all cases, some of the changes are positive and others not so much. That said, President-Elect Trump has indicated that he will reverse some of the Biden administration Title IX changes so it is likely that at some point in the next couple of years that additional changes will take place. Regardless, the proposed changes align with existing law and as such need to be adopted as soon as possible.

Can the policy be written in a way that's flexible – flexible to the policy and not the administration?

No. The Title IX policy needs to be written to align with existing regulations.

The proposal cover page indicates that training is now required of all employees, but this is not written in the policy. I'm curious why it is not included?

The types of training, who is required to participate, and how trainings are delivered tends to change more frequently than other aspects of the regulations. Additionally, we have other required trainings across the College that are not codified in policy. Therefore, this was not included to be in alignment with these other trainings.

The current policy is to do a training – Is there a change?

Prior regulations require that institutions *distribute* a training to all employees. The new regulations require that all employees *take* the training and track who completes it. When I share this, I am frequently asked, "what happens if someone does not complete the training?" The answer is that nothing can compel an employee to take the training. However, should that employee be named in a Title IX incident and they did not complete the training, then the employee could be held personally liable for their role in the issue.

Page 5 – Instructional Impacts – says if a student notifies an instructor that they are pregnant requires, the instructors must provide accommodations specific to the student situation. I'm assuming that this is all happening through student disability services, not individual students going to their faculty and each negotiating an accommodation.

The regulations are not clear in this regard, but instead, directs that instructors must work with students to provide reasonable accommodations that enable the student to complete their course or program (or engage in educational activities) to the degree it does not unreasonably interfere. Reasonable accommodations are those that do not create an undue hardship on the program and/or fundamentally alter the nature of the program. Instructor's *cannot* ask for documentation other than the exception described in the attached FAQ's. A non-exhaustive list of potential accommodation examples include, but are not limited to:

- Providing breaks for lactation or to attend to health needs
- Intermittent absences to attend medical appointments
- Access to online or homebound education
- Extension of time for coursework
- Rescheduling of exams or tests
- Using a footrest
- Retention of scholarship resources

- Medical leave of absence, including allowing the student to return to the same academic status as before the medical leave began (including for cohort-based programs, internships or other programs)
- Retaking a quarter, allowing the student additional time in a program or finishing at a later date (typically true only for longer periods of leave)
- Other changes to policies, practices, and procedures that enable a student to continue their education.

Determining these accommodations are not determined by the Office for Students with Disabilities as they are too specific to 1) the course, program or activity content and 2) the student's specific medical needs. If instructors or students are not able to determine a reasonable accommodation, they can work with the appropriate instructional dean and/or Alicia Moore for assistance.

How do students actually go about requesting the accommodation? And how do we let faculty know what process to use, so we don't have a whole bunch of one-off decisions.

Students individually notify their instructor and the instructor and student determine the accommodation/adaptation needed (see previous response). Because the situation is unique to the student's condition, there will likely be individual decisions.

“The proposal makes a general statement: ‘Any person who believes they've been discriminated against harassed or retaliated against by a college employee, represented student or community member, based on being a member of a protected class, is encouraged to address these concerns by reporting it via the incident system.’ I read that and said, Oh, okay, so are we collecting complaints, no matter where they happen or you could. This is saying, you know, members of the community. So, if at your workplace, which is at Walmart, you think something happened? Should we be reporting it to COCC later on?”

No, this is not the intent of the statement. It reads with the word “college” as a predecessor to employee, student or community member; rather, it could read college employee, college student or college community member. The term community member is included as that allows us to respond to situations in which someone might be a guest on campus and engage in inappropriate actions.

Incidents that happen off campus with individuals not affiliated with COCC should not be reported to COCC.

Does this apply to property owned by student organizations?

COCC student organizations do not own property.

As it prints out, it's confusing to know who to talk to if you have a gender-based concern.

As presented, this is a formatting challenge from transferring information from our [website](#) to a Word document. To clarify, gender-based discrimination should be reported to Alicia Moore (Title IX Coordinator) or Jeremy Abbey (Title IX Deputy Coordinator). Other forms of discrimination can be reported to Andrew Davis (for student incidents) or Laura Boehme (for employee incidents). Anyone can also use the College's incident reporting system.

Should we remove the names of the individuals and only list the positions?

We do that wherever possible in the proposed changes. However, the regulations require that we provide the names, telephone and emails of those responsible for investigating discrimination reports.

Is there a conflict of interest with Andrew or Alicia if a Wickiup Hall incident is reported? This question came up a few years ago.

All of those involved with discrimination concerns are specifically trained to separate their roles in order to make the most objective decision possible. This plays out in colleges and universities across the country, especially smaller institutions in which someone may be both the Coordinator, Investigator and Hearings Officer/Decision Maker. In particular to COCC, Andrew also has oversight for all student conduct, Wickiup Hall or otherwise. Some of those conduct situations result in a residence hall student being suspended and/or no longer allowed to live in the hall. COCC, nor Andrew or Alicia, put Wickiup Hall occupancy needs above holding students accountable for policy violations.

Discrimination or nondiscrimination not in definition of terms.

It is not included in the definition of terms because it is included in its own policy. Additionally, the definition of terms applies specifically to the Title IX and Sexual Harassment section, not the nondiscrimination section.

Harassment is not in definition of terms.

Sexual harassment is listed in the definition of terms. General harassment is not as that is a separate COCC policy, not related to Title IX or Sexual Harassment.

What is genetic information?

See the second paragraph of <https://www.eeoc.gov/genetic-information-discrimination> for a definition of genetic information.

What is meant by participating in educational program or activity?

Under G-28-2, “participating in or attempting to participate in an education program or activity” is the regulatory language referring to whether someone is a current or admitted student.

Why remove “officials with authority?” Because we are all mandatory reporters?

The old regulations required that institutions designate who is an “official with authority” or rather, those with Title IX responsibilities. They required that reporting parties could only submit information to “officials with authority” and that others could not submit on their behalf.

The new regulations remove this language and instead, require that all employees must report a Title IX incident if they witness it or are told about it.

It is important to clarify that “mandatory reporter” language refers to a State requirement for employees to report if someone under the age of 18 is a victim of sexual abuse. While the intent is similar – employees are required to report Title IX incidents and are mandatory reporters for sexual abuse of minors – the language refers to different regulations.

Are we required to report? Even if the person doesn’t want to do anything about it?

Yes, all COCC employees are required to report a potential Title IX or sexual harassment incident if they are made aware of it or witness it, even if the student or employee does not want to respond. The follow up is done for two reasons:

- Research and practice shows that individuals who experience some form of trauma will respond in different ways. In some cases, they want to take action immediately, others may initially not want follow up, and others may never follow up. Regardless, students and employees need to know that COCC is here to support them. Having the Title IX Coordinator Deputy Coordinator initiate the communication is critical to giving the student or employee a choice in next steps.
- Contact the student or employee is required by the regulations.

Note that it is routed to only those people with Title IX responsibility. College Affairs Committee members are encouraged to watch the training as this topic is addressed with a little more detail in the training.

When are we required to report (even if person wants confidentiality)? What if there is no complainant?

I’m not sure I understand this question. If there is no complainant, then there is no need to report something.

Is it required to report a change in the regulations?

It is a change in the federal regulations, but is not a change in the State regulations or COCC policy.

There are timelines built into the appeals process. What about when faculty or staff are off-contract or on sabbatical?

Many of the complex Title IX regulations put into place during the Obama, Trump and Biden administrations were a result of colleges and universities not responding in a timely manner. While the regulations do not give specific timelines, they use language such as “timely” and “prompt” throughout. The timelines provided are in line with best practices and guidance from Title IX legal experts and build in exceptions for extenuating circumstances.

Legality aside, COCC is committed to ensuring a trauma-informed, equity-minded, and responsive process. This cannot (legally) and should not (ethically) be delayed because someone is off-contract or on sabbatical.

Title changes?

I did not see where any position titles did not align with current titles, but will double check that once track changes are accepted and prior to publishing in the GP manual.

Process/approval: How are others made aware of these changes?

All current employees were sent an individual email with a link to the Title IX training. New employees will receive it as part of their onboarding. The training incorporates the new regulations.

All current students will receive an individual email in early winter quarter, with a link to the training, which is based on the new regulations.

All trainings will be updated annually, if needed, and sent to all employees and students.

Additionally, we have done customized trainings for various groups, including residence hall staff and various cohort-based programs. We are more than happy to do custom trainings for any other interested groups, including CTE Council and/or ChairMoot.