

ANNUAL SECURITY REPORT

Clackamas Community College

2016



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Education That Works

Dedicated to safeguarding our college community!

Clackamas Community College (“CCC” or “College”) respects and values the safety and well-being of our students, staff, faculty, and visitors. Our college community can only remain safe and secure through the cooperation of community members. By working together, we can continue to make CCC among the safest community colleges in the country.

The Department of Campus Safety prepares the Annual Security Report to provide vital safety information to our campus community. This report is also provided to be in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. The Annual Security Report for CCC is maintained on the Campus Safety website (http://www.clackamas.edu/Crime_Reporting.aspx) or a copy can be requested by contacting Campus Safety at 503-594-6650.

Contents

DEPARTMENT OF CAMPUS SAFETY	3
PROCEDURES FOR REPORTING CRIMES AND OTHER EMERGENCIES	4
Campus Security Authorities (CSA)	5
Campus Alerts	5
Crime and Incident Summary	7
Emergency Response and Evacuation Procedures	7
Sex Offender Information	7
CAMPUS SAFETY AUTHORITY	8
CAMPUS ACCESS, SECURITY, AND MAINTENANCE	9
MONITORING AND RECORDING STUDENT OFF-CAMPUS CRIMINAL ACTIVITY	9
ALCOHOL AND OTHER DRUG USE POLICY	10
Alcoholic Beverage Policy	10
Campus Smoking Policy	10
Substance Abuse	11
Drug-Free Policies	11
Marijuana Policy	11
GETTING HELP: Drug and Alcohol Programs	12
STUDENT CONDUCT AND DISCIPLINARY POLICY	12
SEXUAL AND GENDER-BASED MISCONDUCT POLICY	16
COLLEGE RESPONSE TO SEXUAL AND GENDER-BASED MISCONDUCT	26
STUDENT CONDUCT SYSTEM	28
ANNUAL DISCLOSURE OF CRIME STATISTICS	31
ANNUAL DISCLOSURE OF CRIME STATISTICS – Oregon City Campus APPENDIX A	33
CAMPUS MAP – Oregon City Campus APPENDIX A-1	34
ANNUAL DISCLOSURE OF CRIME STATISTICS – Wilsonville Campus APPENDIX B	35
CAMPUS MAP – Wilsonville Campus APPENDIX B-1	36
ANNUAL DISCLOSURE OF CRIME STATISTICS – Harmony Campus APPENDIX C	37
CAMPUS MAP – Harmony Campus Milwaukie APPENDIX C-1	38

Clackamas Community College (“the College”) and the College’s Department of Campus Safety (DCS) prepares the Annual Security Report and Disclosure of Crime Statistics to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. This report is prepared in cooperation with the local law enforcement agencies surrounding our main campus, our satellite campuses, our alternative community sites, the Behavioral Intervention Team, Title IX Committee and the Dean of Academic Foundations and Connections. Each entity and department provides updated information on their educational efforts and programs to comply with the Act.

Campus crime, arrest and referral statistics include those reported to the DCS, designated campus officials (including but not limited to directors, deans, department heads, student discipline, advisor to students/student organizations, athletic coaches), and local law enforcement agencies. A procedure is in place to anonymously capture crime statistics disclosed confidentially during certain counseling sessions.

Procedures for Preparing the Annual Security Report

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, College Safety prepares and publishes the Annual Security Report and Disclosure of Crime Statistics. The Director of College Safety reviews the Annual Security Report on an annual basis to ensure compliance. The Annual Disclosure of Campus Crime Statistics is prepared by the Director of College Safety in cooperation with representatives of Clackamas Community College.

The report is maintained on the Campus Safety website http://www.clackamas.edu/Crime_Reporting.aspx and is available upon request by calling 503-594-6650. Copies of the report may also be obtained at the DCS office, located in McLoughlin Hall, room 114.

DEPARTMENT OF CAMPUS SAFETY

Clackamas Community College's Campus Safety provides security to our three campuses: Oregon City, Wilsonville and Harmony. While the department and its personnel are responsible for ensuring the campuses remain as safe as possible, the primary responsibility for crime prevention and personal safety rests with each individual.

As with other colleges and universities, property crimes account for the majority of all crimes at CCC. The most common types of crime at CCC are: theft of unattended property such as book bags, laptop computers, purses and briefcases; and theft or burglary from cars. While we are proud that Clackamas Community College has a relatively low crime rate, we know property theft and damage is the most common crime on campus. To help you reduce your chances of your property being stolen or vandalized, we encourage you to follow these simple rules.

1. Never leave your vehicle unlocked, leave your windows down, or leave the keys in the ignition.
2. Never leave spare keys in your vehicle or in known “hiding” spots. Store your spare keys in your wallet or purse.
3. Never leave your vehicle running unattended.
4. Keep valuables out of sight. Lock them in the trunk or store them under your seats.
5. At your house, keep a list of:
 - a. All model numbers/serial numbers of electronics you may bring on campus
 - b. All credit /debit card numbers and company phone numbers in your wallet/purse
 - c. Vehicle registration information
6. Always keep your back pack and books in your possession. Don’t leave them unattended.

Personal safety is an important skill, anywhere you go. Knowledge and awareness is power. Criminals look for the easiest of opportunities. To prevent crime from happening to you, look for and remove any opportunities before criminals spot them. The bottom line is that you don’t necessarily need strength, agility, speed, or expensive security products to stop crime from happening to you; you just need to be ALERT, CAUTIOUS, and SELF-CONFIDENT.

Being alert to your surroundings is a very valuable characteristic. Nothing is fool proof, but being alert, cautious, and self-confident will greatly add to your chances of not becoming a victim. Some tips that we would encourage you to practice are:

1. Keep your head up. Walk confidently and at a steady pace. Make eye contact with people when walking.
2. Avoid dark, vacant areas. Use well-lit and well-traveled areas.
3. Don't be predictable: change your walking patterns when possible.
4. Walk in pairs at night. If you notice a suspicious person, find a common area with other individuals or re-enter a campus building and call campus safety for a walk-out.
5. If you have a purse, carry it as close to your person as possible or loop it around your body.
6. Consider carrying a whistle. Loud noises attract attention AND help, plus it frightens attackers away.
7. Avoid people and situations that make you nervous.
8. Report suspicious individuals on campus to campus safety by calling 503-594-6650
9. TRUST YOUR INSTINCTS! If it doesn't seem right, it isn't.
10. In an emergency, dial 9-1-1. When there is a need for security or related help call the [Campus Safety Office](#) at 503-594-6650. Keep these numbers handy. A best practice is to keep them in your telephone contacts.
11. Sign up for [campus alerts](#) to stay connected to campus news of closures or other safety information.

In an effort to reduce the frequency of crimes at CCC, Campus Safety offers the following crime prevention programs:

Educational and Informational Presentations

On an annual basis, representatives from Student Services, Title IX, the Behavior Intervention Team (BIT) and Campus Safety speak to students and/or parents at new student orientation about crime prevention and personal safety tips, as well as descriptions of the safety and security programs provided by Campus Safety.

Campus Safety Website

As an extension of the crime prevention and community education efforts, Campus Safety maintains a website <http://www.clackamas.edu/CampusSafety/>. The site provides valuable crime prevention information and links to other resources for students and staff at CCC and on the internet. This site is updated regularly.

In addition to seminars, information is disseminated to students and employees through crime prevention awareness packets, security alert posters, displays, brochures, and articles and advertisements on College websites, College publications, and student newspapers. Students are provided with a link to highly recommended student-focused training in such topics as "Bystander Intervention", "Alcohol Awareness", "Campus SaVE Act", and "Intimate Partner Violence" each term.

Safety and Security Surveys

Upon request, Campus Safety conducts crime prevention assessments of offices. The survey describes findings such as physical weaknesses, methods of increasing security, personal and workplace safety and equipment protection. Scheduling an office security survey is available by contacting Campus Safety at 503-594-6650.

PROCEDURES FOR REPORTING CRIMES AND OTHER EMERGENCIES

A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own safety and security as well as to be watchful for the security of others.

Community members, students, faculty, staff, and guests are encouraged to report all campus crimes and safety related incidents to Campus Safety in a timely manner. To report a crime, community members should call Campus Safety at 503-594-6650 or in case of an emergency, 911 for the Clackamas County Sheriff's Office or the Oregon City Police Department. If you are a witness to a crime, suspicious activity, or have observed a crime after the fact, we ask that you contact the on-duty officer at 503-594-6650 or 6650 from any campus phone. If the crime is in progress, please call 9-1-1 right away. CCC Campus Safety will be dispatched through the 9-1-1 call center. Campus Safety will take crime reports for campus crimes and shares jurisdiction with local law enforcement agencies. Officers are on-duty from 7:00 a.m. to approximately 1:00 a.m., seven days a week. All Campus Safety incident reports involving students are shared with the Behavior Intervention Team (BIT) for review and potential welfare and/or disciplinary action.

Campus Security Authorities (CSA)

Community members may also report campus crimes to Campus Security Authorities. Campus Security Authorities report campus crimes and safety related incidents to Campus Safety and/or local police, as necessary. CSAs include officials of CCC who have responsibility for campus security but who are not a member of Campus Safety; any individual identified by the College as someone to whom a crime should be reported, and any CCC official who has significant responsibility for student and campus activities, including but not limited to, by way of example, the Deans, Associate Deans, Directors of student programs, including athletics and coaches.

These individuals and others throughout CCC are required to report crimes disclosed to them to Campus Safety consistent with the confidentiality considerations discussed below. All CSAs should encourage any person who reports a crime or other incident involving campus security to notify Campus Safety immediately. CSAs are not required to disclose confidential information concerning an incident but are required to inform Campus Safety of the existence of all known incidents, including confidential incidents, so that each incident may be recorded for inclusion in the College's Annual Security Report.

Crimes Reported to College Counselors

College counselors, when acting as such, are not considered to be a Campus Security Authority and are not required to report crimes for inclusion in the annual disclosure of crime statistics. As a matter of policy, they are encouraged if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion in the annual crime statistics.

A college counselor is an employee whose official responsibilities include providing psychological counseling to members of the institution's community and who is functioning within the scope of his or her license or certification.

Federal Timely Warning Reporting Obligations

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, College administrators must issue immediate timely warnings for incidents reported to them that are confirmed to pose a substantial threat of bodily harm or danger to members of the campus community. Federal law prohibits the College from releasing a victim's name. Consistent with the federal regulations, the College will provide information for community members to make safety decisions in light of the danger. Campus Safety is the campus department responsible for issuing timely warnings. The Associate Dean of AFAC, Campus Safety, Athletics and Recreation, Human Resources, advisors to student organizations, and any other official with significant responsibility for student and campus activities are responsible for informing Campus Safety of information that may warrant a timely warning.

Campus Alerts

If a situation arises in which there is an immediate threat to the campus community due to a serious crime or natural disaster, a campus wide "timely warning" will be issued to the community. The warning will be issued through the College electronic mail system to students, faculty, and staff. Students, faculty and staff should take responsibility for regularly checking their email.

The Vice President of Colleges Services, the Director of College Safety and the Public Information Officer (PIO) will compose the appropriate warning language and will use some or all of the systems described below to communicate the threat to the College community or the appropriate segment of the College community, if the threat is limited to a particular building, campus, or segment of the population. The Vice President of College Services, in conjunction with the Director of College Safety will take into account the safety of the community, determine the content of the notification and advise the PIO. The PIO will initiate the notification system, unless issuing a notification will, in the judgment of the first responder(s) (including but not limited to DCS officers, Oregon City Police officers, Clackamas County Sheriff's deputies, Clackamas County Fire District 1, and/or American Medical Response) compromise the efforts to assist a victim or contain, respond to, or otherwise mitigate the emergency.

In the event of a serious incident that poses an immediate threat to members of the College community, the College has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of an immediate threat to the College community. These methods of communication include network emails and emergency messages that can be sent to a phone or PDA. The College will post updates during a critical incident on the College website. Individuals can call the College's recorded information telephone line at 503-594-6000 for updates.

Department of Campus Safety vehicles are equipped with a Public Address System and these can be strategically placed throughout the campus to facilitate communication through the PA system. Members of the larger community who are interested in receiving information about emergencies on campus should sign up for the emergency text message system and should use the College's website for advisories, or alternatively, call the College's information line as 503-594-6000 to obtain updates.

Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the community and individuals, the College's Public Information Officer may post a notice on the campus-wide electronic bulletin board on the College's website providing the College community with more immediate notification. Anyone with information warranting a timely warning should report the circumstances to the College DCS by telephone 503-594-6650 or in person at McLoughlin Hall, room 114.

If it is determined by the Vice President of Colleges Services and the Director of College Safety, in conjunction with local law enforcement and campus authorities, the risk to the campus is not imminent, then the College's Public Information Officer may issue a Timely Warning Notification providing details of the incident or situation via electronic media.

College Bad Weather Closures

If the college is closed due to bad weather, other emergency situations, or if opening will be delayed, the following stations will be informed in time to broadcast the information before 7 a.m. for day classes and 3 p.m. for evening classes:

- A.M. Stations-KOAC (550), KTLK (620), KXL (750), KPDQ (800), KWBY (940), KOTK (1080), KEX (1190), KUIK (1360), KPBS (1450), KFXX (1520);
- F.M. Stations-KPBS (89.9), KOPB (91.5), KGON (92.3), KPDQ (93.7), KISN (97.1), KWJJ (99.5), KKRZ (100.3), KINK (101.9), KKCW (103.3), KLTH/KUPL (106.7/98.7)

In addition to radio announcements, the college will post "college closed" signs at each entrance to the Oregon City campus and at the bus stop. Wilsonville and Harmony campuses post "college closed" signs on building entrances. The most up-to-the-minute information on college closures is available on myClackamas.edu, the CCC website or by calling 503-594-6000 option 8.

- If CCC has a "late opening" classes starting before 10 a.m. will not meet.

Crime and Incident Summary

Campus Safety publishes a Crime/Incident Summary every day. This summary reflects crimes and major incidents occurring during the previous 24-hour period. This summary is provided to key administrators in the College and campus media. It is also available for inspection in the Campus Safety office.

The department also maintains a daily crime log which is normally updated each business day and contains all crimes reported to CCC Campus Safety. This log is available at any time upon request at the Campus Safety Office.

Emergency Response and Evacuation Procedures

The College's Incident Manual includes information about Building Emergency Response Teams (BERTs), Incident Teams, College operating status parameters, incident priorities and performance expectations, shelter-in-place and evacuation guidelines, and local contingency and continuity planning requirements. College departments are responsible for developing contingency plans and continuity of operations plans for their staff and areas of responsibility. The College conducts several emergency response exercises each year, such as table top exercises, field exercises, and tests of the emergency notification systems within the College. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution.

College Campus Safety Officers and other select members of the College have received training in Incident Command and Responding to Critical Incidents on Campus. When a serious incident occurs that causes an immediate threat to the College the first responders to the scene are usually the Campus Safety Officers, Campus Services staff, member of the Oregon City Police Department, Clackamas County Sheriff's Department, Clackamas County Fire District #1, and American Medical Response, depending on the nature of the incident. One or more of these agencies will respond and work together to manage the incident.

General information about the emergency response and evacuation procedures for the College is publicized each year as part of the College's Clery Act compliance efforts and that information is available on the College's website.

All members of the College community are notified on an annual basis that they are required to notify the Department of Campus Safety of any situation or incident on campus that involves a significant emergency or dangerous situation that may involve an immediate or ongoing threat to the health and safety of students and/or employees on campus. The College has the responsibility of responding to, and summoning the necessary resources, to mitigate, investigate, and document any situation that may cause a significant emergency or dangerous situation. In addition, the College's Department of Campus Safety has a responsibility to respond to such incidents to determine if the situation does in fact pose a threat to the community. If that is the case, federal law requires that the College immediately notify the campus community or the appropriate segments of the community that may be affected by the situation.

Sex Offender Information

The Campus Sex Crimes Prevention Act (CSCPA) of 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled or employed at institutions of higher education. This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a state concerning registered sex offenders may be obtained. The CSCPA is an amendment to the Jacob Wetterling Crimes Against Children and Sexually Violent Offenders Act, and the Jeanne Clery Act. The federal law requires state enforcement agencies (in Oregon, it is the Oregon State Police [OSP]), if requested, to provide the College with a list of registered sex offenders who have indicated they are either enrolled, employed or carry on a vocation at Clackamas Community College. The CSCPA further amends the Family Educational Rights and Privacy Act of 1974 (FERPA) to clarify that nothing in the Act can prohibit an educational institution from disclosing information provided to the College concerning registered sex offenders.

This statement is provided in compliance with the Campus Sex Crimes Prevention Act of 2000 and the Oregon Revised Statute 181.599 Failure to Report as Sex Offender.

The College is required to inform the campus community that information regarding registered sex offenders in Oregon is available from the Oregon State Police headquarters which is located in Salem, Oregon. The agency may be contacted by email (ask.osp@state.or.us) or by telephone 503-378-3725, extension 44429. The Office of The Attorney General for the State of Oregon also maintains a website with the Oregon State Sex Offender Registry. This registry is available at <http://sexoffenders.oregon.gov/>.

Registered sex offenders who are employed, carry on a vocation, or are students at Clackamas Community College are required under the Campus Sex Crimes Prevention Act of 2000, as amended, to notify the College they are registered sex offenders. In the State of Oregon, convicted sex offenders are required to register, in compliance with ORS 181.599, with the police department of the city in which they live.

Unlawful use of the information for purposes of intimidating or harassing another is prohibited and willful violations shall be punished as a crime.

Trespass/Exclusions of non-students:

The Department of Campus Safety (DCS) has the authority to exclude or trespass non-students/visitors due to concerning incidents and/or crimes committed on campus. This exclusion/trespass authority is enforced through ORS 164.245 (Criminal Trespass in the Second Degree). If a person is excluded, a DCS "Notice of Exclusion" form will be issued to the individual, which includes the person's rights of appeal.

Exclusion Appeals of non-students:

Appeals must be in writing and submitted to the Director of College Safety within ten business days of the date of issuance of the exclusion. The appeal must explain why the exclusion should be voided or why the length of the exclusion reduced.

The Director of College Safety will respond to the written appeal within ten business days of the receipt of the appeal. If the appeal is upheld, the appellant will be notified of the outcome and the Notice of Exclusion will be removed from the Department of Campus Safety's files. If the appeal is denied, the reason(s) for the denial will be given and the appellant will be notified that they may make a formal written request for review if it is submitted within ten business days of the date of the denial of the appeal by the Director of College Safety. The request for review must be submitted to the Vice President of College Services who will have final review authority on any appeals.

CAMPUS SAFETY AUTHORITY

Campus Safety Officers ("officers") have authority to enforce all rules and regulations promulgated by the college, and in addition may make physical custody arrests for offenses committed in their presence. Campus Safety Officers respond to all manner of calls for service originating on property owned by the college. Under Oregon Revised Statute (ORS) 341.300, the College Board of Education has adopted regulations governing the enforcement of regulation of traffic and parking of vehicles on college property. The above referenced statute gives Campus Safety Officers the authority of peace officers in enforcing regulations adopted by the Board. Officers are trained in a variety of law enforcement related topics, carry normal defensive weapons, including handcuffs, baton and pepper spray, and have received first-aid and Automated External Defibrillator (AED) training. Clackamas's Campus Safety Officers do not carry fire arms.

If minor offenses involving College rules and regulations are committed by a College student, the Campus Safety officers may also refer the individual to the College's disciplinary process in lieu of criminal proceedings. Major offenses such as rape, murder, aggravated assault, robbery, and auto theft may also

be cause for joint investigative efforts with the appropriate local law enforcement agency in an attempt to solve these serious felony crimes in a timely manner.

Campus Safety Officers work closely with local municipal police agencies as well as with the Clackamas County Sheriff's Office. The prosecution of all criminal offenses, both felony and misdemeanor are conducted by the district attorney for the county of venue, usually the Clackamas County District Attorney's Office. The College's DCS is also a part of the C-COM (Clackamas County Communications dispatch authority), which is the county's 9-1-1 emergency system.

CAMPUS ACCESS, SECURITY, AND MAINTENANCE

All Clackamas Community College students, faculty, and staff are issued a College identification card for the purpose of photo identification as a CCC student, faculty or staff member. During regular business hours the College will be open to all individuals adhering to College rules and state laws. Some facilities may have individual hours which may vary at different times of the year. Examples are Randall Hall (Physical Education), Dye Learning Center (the library), and Niemeyer Center. In these cases the facility will be secured according to schedules developed by the departments responsible for the facility. The general public may also attend events at specified locations on campus. Parking on campus is restricted to business hours.

Campus Safety is in operation approximately 18 hours a day on the Oregon City Campus. These times will vary in accordance with classes and events occurring on the Wilsonville and Harmony campuses. Campus Safety officers regularly patrol our campuses. Many areas of the campus, both inside and outside select facilities, are monitored by video cameras that are operated by Campus Safety. Video surveillance is not a substitute for eyewitness reports of crimes and safety hazards. Community members and guests are encouraged to report any suspicious person(s) or circumstance as soon as possible. It is also important to provide as complete a description and current location of the person(s) as possible. Campus Safety will respond and confront any suspicious person(s).

Emergencies may necessitate changes or alterations to any posted schedules. Areas that are revealed as problematic have security surveys conducted on them. The Director of College Safety reviews these results. These surveys examine security issues such as landscaping, locks, alarms, lighting, and communications. Additionally, during the academic year, the Dean of Campus Services, the Director of Campus Services, and the Director of College Safety meet weekly to discuss issues of pressing concerns.

MONITORING AND RECORDING STUDENT OFF-CAMPUS CRIMINAL ACTIVITY

Local law enforcement agencies may provide crime statistics for the property adjacent to our three campuses for inclusion in the College's Annual Disclosure of Crime Statistics. The Clackamas Community College Department of Campus Safety also provides the Behavior Intervention Team (BIT) reports of students who are issued citations or arrested. The BIT addresses any potential violations of the Student Conduct Code.

The Oregon City Police Department is the proper law enforcement agency for any off-campus crime and safety concerns surrounding the Oregon City Campus. Off-campus crimes occurring around the Wilsonville Campus should be reported to the Wilsonville Police Department. Crimes occurring off-campus of the Harmony Campus should be reported to the Milwaukie Police Department. The Clackamas Community College Department of Campus Safety routinely communicate about serious incidents occurring on campus or in the immediate neighborhood and business areas surrounding our campuses with the respective law enforcement agencies.

ALCOHOL AND OTHER DRUG USE POLICY

Alcoholic Beverage Policy

The Alcoholic Beverage Policy of Clackamas Community College is based on the central and fundamental educational focus of the College to create an environment that fosters learning—Education that Works! The College believes in personal responsibility, moral growth and development, awareness of communal consequences of personal choices, obligation of citizenship, and responsible decision making. Clackamas Community College is focused upon creating lifetime opportunities for success through responsive education. We strive to build a community that fosters personal growth and academic excellence, recognizes the inherent goodness of all people, models personal and academic integrity, respects diversity and shows concerns for the needs and feelings of others.

In compliance with Public Law 101-226, the Drug-Free Schools and Community Act amendments of 1989, the College's administrative rules prohibit anyone from bringing alcohol (unless approved for educational purposes or an approved Foundation event), or illegal drugs onto campus. Additionally, the College's Alcoholic Beverage Policy is set in the context of the legal requirements governing the sale, consumption, and distribution of alcoholic beverages and in the context of community expectations for not only upholding the laws but also sharing responsibility for the safety and welfare of other members of the community. The College will not tolerate disregard for the law, or behaviors and practices that counter the education of the whole person, compromise rigorous and imaginative scholarship, inhibit moral and spiritual development, and constrain the College's fundamental values. Consequently, the College does not condone underage drinking and considers intoxication, disorderliness, or offensive behavior deriving from the use of alcoholic beverages to be unacceptable, regardless of a person's age. To cultivate a campus environment consistent with the stated goals and purposes of an educational institution, the College has adopted the following policies and procedures for the use of alcoholic beverages.

1. Prohibition of Narcotics, Intoxicants and Use of Tobacco Products

At no time will any person:

- a. Bring alcohol or illegal drugs onto College property;
- b. Illegally distribute alcohol or other drugs at a College-sponsored event/program on or off campus;
- c. Attend a College-sponsored event/program on or off campus under the influence of illegal drugs or visibly impaired by alcohol;
- d. Smoke tobacco products in locations other than designated outdoor smoking areas;
- e. Use non-smoke tobacco products.

2. Exceptions

- a. Alcoholic beverages and other drugs may be used only for instructional purposes, related to course or lab work, approved instructional demonstrations, or as prescribed by a licensed physician.
- b. Alcoholic beverages may be served at special events sponsored by the College Foundation where the target audience is not primarily students and with prior approval of the President and notification of the Board. The serving of alcoholic beverages will be managed and handled by a state licensed food service contractor.

2. Student Educational Programs

The College will provide classes that include alcohol and other drug information. Program/special events may be sponsored by Associated Student Government or instructional/student services departments.

Campus Smoking Policy

Use of tobacco on College premises is restricted to designated outdoor areas ONLY. Those areas are located in the Barlow parking lot, McLoughlin parking lot, Community Center parking lot, the FRC parking lot, between Gregory Forum and Niemeyer Center, between Barlow Hall and Pauling, and near the bus turn around by the Community Center. For the purposes of this policy, "tobacco" is defined to include any

lit cigarette, cigar, pipe, bidi, clove, cigarette, electronic cigarette and any other lit smoking product; and smokeless or spit tobacco, also known as dip, chew, snuff or snus, in any form or personal vaporizer.

Substance Abuse

The College is dedicated to maintaining standards resulting in quality education meeting the needs of students and the community. Recognizing the deleterious effect of substance abuse on students and staff, the College has established rules prohibiting the on-campus use of alcohol and other mind-altering drugs.

The College will provide procedures covering each of the following areas as they pertain to use of alcohol, other drugs and tobacco:

1. Campus prohibition;
2. Educational programs;
3. Staff training;
4. Prevention programs;
5. Student assistance and/or referral program;
6. Staff assistance and/or referral program;
7. Foundation-sponsored events.

All regulations and procedures will be in compliance with appropriate federal or state confidentiality regulations governing substance abuse issues for both students and staff.

Individuals who are not Clackamas Community College employees, but who perform work at the College for its benefit (e.g., independent contractors, temporary employees provided by agencies, visitors engaged in joint projects at Clackamas Community College, volunteers, and so forth) are required to comply with the College's Drug and Alcohol policy. Such individuals who unlawfully manufacture, distribute, dispense, possess, or use controlled substances or unlawfully use, possess, or distribute alcohol in the Clackamas Community College workplace may be barred from further work for and at Clackamas Community College.

Drug-Free Policies

It is the goal of Clackamas Community College to maintain a drug-free workplace and campus. The unlawful manufacture, distribution, dispensation, possession, and/or use of controlled substances or the unlawful possession, use, or distribution of alcohol is prohibited on the CCC campus, in the workplace, or as part of any of the College's activities. This includes the unlawful use of controlled substances or alcohol in the workplace even if it does not result in impaired job performance or in unacceptable conduct.

The unlawful presence of any controlled substance or alcohol in the workplace and campus itself is prohibited. The workplace and campus are presumed to include all Clackamas Community College premises where the activities of the College are conducted.

Violations will result in disciplinary action up to and including termination of employment for faculty and staff or expulsion of students. Disciplinary processes outlined in the Faculty Handbook, Classified Staff Handbook, and Student Handbook, will be followed as appropriate. Disciplinary action may also include the completion of an appropriate rehabilitation program. Violations may also be referred to the appropriate authorities for prosecution.

The policy information is distributed on an annual basis to all faculty, staff and students. New staff employees are given a copy during the New Employee Orientation. New faculty employees are given a copy during the New Faculty Orientation.

Marijuana Policy

Clackamas Community College does not permit the use of marijuana on College property. Students who qualify to use marijuana for medical purposes are not permitted to possess, store, provide, or use the marijuana on College-owned or controlled property (including, but not limited to, academic buildings, athletic

facilities, and parking lots), or during a College-sanctioned activity regardless of the location. Students who fail to follow this policy are in violation of the Student Conduct Policy and are subject to disciplinary action.

GETTING HELP: Drug and Alcohol Programs

Faculty or Staff members who are concerned about substance use, abuse, and rehabilitation are strongly encouraged to contact their physicians, health plan, the Employee Assistance Program or the Department of Human Resources, which can refer them to appropriate resources (community or private agencies) that provide complete, confidential substance abuse counseling. Many health insurance plans provide coverage for substance abuse programs to address substance abuse and rehabilitation as well. Successful completion of an appropriate rehabilitation program, including participation in aftercare, may be considered as evidence of eligibility for continued or future employment.

Students who are concerned about substance use, abuse, and rehabilitation are urged to contact the Counseling Center for referral.

Other outside sources for Faculty, Staff, and Students Find a Treatment Center in Your Community (Nationwide)

<http://alcoholism.about.com/cs/pro/a/blpro.htm>

<http://www.alcoholscreening.org/Get-Help.aspx>

Alcoholics Anonymous

Al-Anon & Alateen Information

Narcotics Anonymous

<http://www.aa-oregon.org/>

<http://www.oregonal-anon.org/>

<http://www.portlandna.com/>

See the personnel manual or student mailing for complete delineation of policy and educational programs for drug and alcohol abuse.

PLEASE NOTE: Clackamas Community College does not endorse or collaborate with any of the above-listed programs.

STUDENT CONDUCT AND DISCIPLINARY POLICY

The College disciplinary proceedings are listed in the Student Handbook AND listed below:

STUDENT CONDUCT AND DISCIPLINARY POLICY

All students and other members of the academic community are expected to conduct themselves in accordance with the following guidelines for conduct. These rules are designed to support the College's mission and help achieve its educational purpose. Anyone entering a College campus or using College resources assumes a responsibility to conduct him/herself in a manner compatible with the College's function as an educational institution. Although Clackamas Community College is dedicated to an open, free society, there are some actions incompatible with an institution of higher education.

A. Specific Conduct Situations

The following section (B) sets forth general grounds for formal disciplinary action but there are some more specific situations in which disciplinary action may occur:

1. Conduct that disrupts the educational environment can result in immediate removal from class and/or activity or Summary Suspension. (See Article V of the Student Handbook)
2. Students participating in co-curricular activities, athletics and/or special programs, may be subject to stricter standards in addition to or instead of these rules.

3. Students enrolled in the programs of the Health Sciences Division are bound by ORS statute that has precedent over this policy. More information can be found in the student handbook for the programs in the Health Sciences Division.
4. In cases of cheating or plagiarism, the instructor is solely responsible for the academic consequences in the course where the conduct takes place. The instructor may: (a) require the assignment be redone; or (b) issue a failing grade for the assignment on which the cheating or plagiarism occurred; or (c) issue the student a failing grade for the class. Additionally, the instructor may initiate conduct proceedings under section VI. B.

Please consult the class syllabus for classroom expectations. The instructor may also initiate disciplinary proceedings under this section, which may result in additional sanctions as set forth below.

- B. Grounds for Disciplinary Action shall include, but not be limited to, the following:
1. Dishonesty, including but not limited to cheating, plagiarism, or knowingly furnishing false information to the College.
 2. Forgery, alteration or misuse of college documents or identification.
 3. Obstruction or disruption of teaching, instructional or instructional research, administration of the college, disciplinary procedures or other college activities including, but not limited to, meetings of the Board of Education, community service functions, or authorized activities on College premises.
 4. Physical abuse, harassment, threats, bullying, or intimidation of any person on College-owned or controlled property or at college-sponsored functions, or any other conduct which threatens or endangers the health or safety of any such person. This includes acts of sexual misconduct (including assault and/or harassment), stalking, and intimate partner violence.
 5. Theft of, vandalism, or damage to property of the college or of a member of the college community or of a visitor to the campus.
 6. Unauthorized entry or occupancy of college facilities; blocking access to or egress from such areas.
 7. Unauthorized use of college supplies, equipment and funds.
 8. Violation of college policies or of campus regulations including, but not limited to, campus regulations concerning student organizations, the use of College facilities, the campus smoking policy, use of student records, or the time, place and manner of public expression.
 9. Illegal use, possession or distribution of drugs on College-owned or controlled property or at College sponsored or supervised functions where the student is a representative of the College.
 10. Use, possession or distribution of alcoholic beverages or marijuana (THC) on College-owned or controlled property or at College sponsored or supervised functions or at functions where the student is a representative of the College.
 11. Driving of college vehicles with any percentage of alcohol in the blood or while impaired.
 12. Disorderly conduct; lewd, indecent, or obscene conduct or expression; breach of peace; aiding, abetting or recruiting another to breach the peace on college owned or controlled property or at College sponsored or supervised functions.
 13. Failure to comply with directions of College officials acting in the performance of their duties.
 14. Possession or use of firearms, explosives, dangerous chemicals, substances or instruments or other weapons which can be used to inflict bodily harm on any individual or damage upon a building or grounds of the College-owned property or at a college-sponsored and supervised function without written authorization.
 15. Failure to conduct oneself in a safe manner in all College programs where there is an ability for an individual to cause harm to self or others. This may include but is not limited to unsafe handling of equipment or materials.

Hazing/Harassment/Intimidation/Bullying/Menacing

Hazing, harassment, intimidation, menacing, bullying, including cyberbullying, by students, staff or third parties is strictly prohibited and shall not be tolerated by the College.

Students whose behavior is found to be in violation of this policy will be subject to discipline, up to and including expulsion. Staff whose behavior is found to be in violation of this policy will be subject to discipline,

up to and including dismissal. Third parties whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the President or Board. Individuals may also be referred to law enforcement officials.

The President or designee is directed to develop administrative regulations to implement this policy. Regulations shall include descriptions of prohibited conduct, reporting and investigative procedures, and provisions to ensure notice of this policy is provided to students, staff and third parties.

Hazing/Harassment/Intimidation/Bullying/Menacing Complaint Procedures

The following definitions and procedures shall be used for reporting, investigating and resolving complaints of hazing, harassment, intimidation and menacing:

Definitions

- a. "Third parties" include, but are not limited to, volunteers, parents, visitors, service contractors or others engaged in College business, such as employees of businesses or organizations participating in cooperative programs with the College and others not directly subject to College control at intercollegiate and intra collegiate athletic competitions or other events.
- b. "College" includes College facilities, College premises and non-College property if the student or employee is at any College-sponsored, College-approved or College-related activity or function, where students are under the control of the College or where the employee is engaged in College business.
- c. "Hazing" includes, but is not limited to, any act that recklessly or intentionally endangers the mental health, physical health or safety of a student/staff for the purpose of initiation or as a condition or precondition of attaining membership in, or affiliation with, any College co-curricular or extracurricular activity, program or year in school, i.e., personal servitude, sexual stimulation/sexual assault, forced consumption of any drink, alcoholic beverage, drug or controlled substance, forced exposure to the elements, forced prolonged exclusion from social contact, sleep deprivation or any other forced activity that could adversely affect the mental or physical health or safety of a student/staff; requires, encourages, authorizes or permits another to be subject to wearing or carrying any obscene or physically burdensome article, assignment of pranks to be performed or other such activities intended to degrade or humiliate regardless of the person's willingness to participate.
- d. "Harassment" includes, but is not limited to, any act which subjects an individual or group to unwanted, abusive behavior of a nonverbal, verbal, written or physical nature on the basis of age, race, religion, color, national origin, disability, sexual orientation, physical characteristic, cultural background, socioeconomic status or geographic location.
- e. "Intimidation" includes, but is not limited to, any threat or act intended to tamper, substantially damage or interfere with another's property, cause substantial inconvenience, subject another to offensive physical contact or inflict serious physical injury on the basis of race, color, religion, national origin or sexual orientation.
- f. "Cyberbullying" means the use of any electronic communication device to convey a message in any form (text, image, audio or video) that intimidates, harasses or is otherwise intended to harm, insult or humiliate another in a deliberate, repeated or hostile and unwanted manner under a person's true or false identity. In addition, any communication of this form which substantially disrupts or prevents a safe and positive educational or working environment may also be considered cyberbullying. Students and staff will refrain from using personal communication devices or College equipment to harass or stalk another.
- g. "Menacing" includes, but is not limited to, any act intended to place a school employee, student or third party in fear of imminent serious physical injury.

Complaint Procedures

The compliance officer for complaints related to students is the Dean of Academic Foundations and Connections (or designee); the compliance officer for complaints related to employees is the Dean of

Human Resources (or designee); and the compliance officer for complaints not involving employees nor students is the Dean of Campus Services (or designee).

The responsible compliance officer and the President have responsibility for investigations concerning hazing, harassment, intimidation or menacing. The investigator(s) shall be a neutral party having had no involvement in the complaint presented.

All complaints will be investigated in accordance with the following procedures:

- Step 1 Any hazing, harassment, intimidation or menacing information (complaints, rumors, etc.) shall be presented to the compliance officer. Complaints may also be presented to any College administrator who will immediately notify the College official responsible for investigations. Complaints against the compliance officer shall be filed with the President. Complaints against the President shall be filed with the Board chair. All such information will be reduced to writing and will include the specific nature of the offense and corresponding dates.
- Step 2 The College official receiving the complaint shall promptly investigate. The College official will arrange such meetings as may be necessary with all concerned parties within five working days after receipt of the information or complaint. The parties will have an opportunity to submit evidence and a list of witnesses. All findings related to the complaint will be reduced to writing. The College official(s) conducting the investigation shall notify the complainant as appropriate, in writing, when the investigation is concluded and a decision regarding disciplinary action, as warranted, is determined. A copy of the notification letter shall be forwarded to the President.
- Step 3 If the complainant is not satisfied with the decision at Step 2, he/she may submit a written appeal to the President. Such appeal must be filed within 10 working days after receipt of the Step 2 decision. The President will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal. The President shall provide a written decision to the complainant's appeal within 10 working days.
- Step 4 If the complainant is not satisfied with the decision at Step 3, a written appeal may be filed with the Board. Such appeal must be filed within 10 working days after receipt of the Step 3 decision. The Board shall, within 20 working days, conduct a hearing at which time the complainant shall be given an opportunity to present the appeal. The Board shall provide a written decision to the complainant within 10 working days following completion of the hearing.

Direct complaints related to educational programs and services may be made to the U.S. Department of Education, Office for Civil Rights. Direct complaints related to employment may be filed with the Oregon Bureau of Labor and Industries, Civil Rights Division, or U.S. Department of Labor, Equal Employment Opportunities Commission or other agencies as deemed appropriate.

Documentation related to the incident may be maintained as a part of the student's education records or employee's personnel file.

The following are disciplinary sanctions that may be imposed:

- Censure: Students can receive written warnings or reprimands for minor misconduct. Notes of censure are recorded in the student's formal disciplinary file for internal purposes only. It may be considered in further conduct cases, but it is not part of the student's permanent record that must be divulged by the student to external authorities.
- Disciplinary Probation: Disciplinary Probation is appropriate for repeated minor misconduct, single incidents which contain multiple minor violations of misconduct, or for more serious misconduct that falls short of suspension-level misconduct. In order for the student to be allowed to continue classes, the student will receive a sanction letter outlining probationary conditions which spell out prohibited conduct and/or activities. Notes of disciplinary probation are recorded in the student's formal disciplinary file for internal purposes only. They may be considered in further conduct cases, but it is not part of the student's permanent record that must be divulged by the student to external authorities.

- Suspension*: Suspended students are forbidden to attend classes for a specified period of time, up to two academic years (eight terms). Specific conditions on re-enrollment after the period of suspension may apply. While suspended, student will be denied the ability to enroll in classes and will be identified in campus systems as prohibited from being on campus without prior arrangement with the Associate Dean of AFAC or designee, who will notify campus security staff. Suspensions must be self-reported to external authorities if asked.
- Expulsion*: Termination of student status for an indefinite period of time. Expulsions must be self-reported to external authorities.

*Suspended and expelled students may also be excluded from campus or issued a no-trespass order by the Campus Safety office.

SEXUAL AND GENDER-BASED MISCONDUCT POLICY

Purpose Statement

Clackamas Community College upholds a zero tolerance policy for sexual and gender-based misconduct and does not discriminate on the basis of sex in its educational programs. The College is committed to educating the student community about sexual and gender-based misconduct.

When an allegation of misconduct is brought to an appropriate administrator's attention, and a respondent is found to have violated this policy, serious sanctions will be used to reasonably ensure that such actions are never repeated. This policy has been developed to reaffirm these principles and to provide recourse for those individuals whose rights have been violated. It applies on campus and it may apply off campus if the conduct negatively affects a victim's school experience or the overall school environment. This policy is intended to define community expectations and to establish a mechanism for determining when those expectations have been violated.

The College seeks to provide a consistent, caring, and timely response when sexual and gender-based misconduct occurs within the College community. Sexual misconduct includes sexual harassment, sexual assault (non-consensual sexual contact and non-consensual sexual intercourse), and sexual exploitation. Gender-based misconduct includes violent actions, discrimination, hazing, bullying, domestic violence, dating violence, and stalking when such behaviors are perpetrated because of one's gender. Members of the College community, guests and visitors have the right to be free from sexual and gender-based misconduct and the College prohibits such behavior. Sexual and gender-based misconduct can occur between people of different sex or gender or of the same sex or gender. All members of the campus community are expected to conduct themselves in a manner that does not infringe upon the rights of others.

This policy was created to:

- Increase the safety of the campus community;
- Clarify expectations of behavior;
- Cultivate a campus environment that both expedites and encourages the prompt reporting of sexual and gender-based misconduct;
- Cultivate a climate of community involvement in sexual and gender-based misconduct prevention;
- Adjudicate cases through the College Conduct System;
- Facilitate the recovery of a victim by providing prompt and compassionate support ;
- Ensure accurate reporting of crime statistics; and
- Maintain compliance with Title IX of the Higher Education Amendment Act of 1972 which is federal legislation that prohibits discrimination on the basis of sex, inclusive of sexual harassment and sexual assault, in education programs that receive federal funding, and other related legislation: the Campus Sexual Violence Elimination Act, Campus Sexual Assault Victims' Bill of Rights, Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, and the Violence Against Women Act.

Individuals are encouraged to report all instances of sexual and gender-based misconduct. Complainants who have engaged in alcohol or other drug use at the time of the misconduct will not be subject to disciplinary action for such use. Every effort will be made to ensure that students are informed of rights and resources, including options for reporting through the College and/or the appropriate police department.

Overview of Policy Expectations with Respect to Physical Sexual Misconduct

The expectations of our community regarding sexual misconduct can be summarized as follows: Prior to engaging in and during sexual activity, there must be consent. Consent is clear, knowing and voluntary permission. Consent can be given by word or action. However, non-verbal consent is not as clear as talking about what one wants sexually and what one doesn't want. Consent to some form of sexual activity cannot be automatically taken as consent to any other form of sexual activity. Silence--without actions demonstrating permission--cannot be assumed to show consent. Additionally, there is a difference between coercion and seduction. Coercing someone into sexual activity violates this policy in the same way as physically forcing someone into sex. Coercion happens when someone is pressured unreasonably for sex and/or any sexual act.

Engaging in any sexual act with someone whom one knows to be or should have known to be incapacitated (mentally or physically) is a violation of this policy. Because alcohol or other drug use can place the capacity to consent in question, sober sex is less likely to raise such questions. When alcohol or other drugs are being used, a person will be considered unable to give valid consent if that person cannot fully understand the details of a sexual interaction (Who, What, When, Where, Why, and How) because the individual lacks the capacity to reasonably understand the situation. An awareness of all six must be present. Any time sexual activity takes place where the alleged victim did not understand any one of these six conditions, incapacity is at issue. Under this policy, "No" always means "No," and "Yes" may not always mean "Yes," therefore, anything but a clear, knowing, and voluntary consent to any sexual activity is equivalent to a "No." Additionally, silence is not consent. The absence of resistance is not consent. In other words, "The absence of some form of a 'No' is not the presence of a 'Yes.'"

The disciplinary procedures for reviewing allegations of sexual and gender-based misconduct allow for the respondent and the complainant to have another community member with them during the conduct proceedings. Both the respondent and complainant are informed of the outcome of the conduct process. A student who is held accountable for a first offense sexual misconduct violation, and any subsequent violation, is subject to the full range of conduct sanctions, including expulsion, independent of the outcome of any criminal proceedings in the state courts. Student complainants have the right to academic accommodations if such changes are reasonably available.

Overview of Policy Expectations with Respect to Consensual Relationships

There are inherent risks in any romantic or sexual relationship between individuals in unequal positions (such as teacher and student, supervisor and employee). These relationships may be less consensual than perceived by the individual whose position confers power. The relationship also may be viewed in different ways by each of the parties, particularly in retrospect. Furthermore, circumstances may change, and conduct that was previously welcome may become unwelcome. Even when both parties have consented at the outset to a romantic or sexual involvement, this past consent may not remove grounds for a later charge of a violation of applicable sections of the faculty/staff handbooks.

The College does not wish to interfere with private choices regarding personal relationships when these relationships do not interfere with the goals and policies of the College. Because of the potential for exploitation, favoritism, and conflicts of interest, the College prohibits any consensual dating, romantic, or sexual relationship between an employee and a student over whom that employee has any instructional, supervisory, advising, or evaluative responsibility. This policy applies to faculty, staff, and student employees. Employees who violate this policy are subject to sanctions for misconduct under the policies of the Faculty Handbook, Staff Policy Manual, or Student Employment Handbook, as appropriate to their employment status. Employees or students with questions about this policy should contact the Clackamas Community College Human Resources Department.

Sexual Misconduct Offenses Include, But Are Not Limited To:

1. Sexual Harassment
2. Sexual Assault: Non-Consensual Sexual Contact (or attempts to commit same)
3. Sexual Assault: Non-Consensual Sexual Intercourse (or attempts to commit same)
4. Sexual Exploitation

1. *SEXUAL HARASSMENT:*

Sexual Harassment is

- unwelcome, gender-based (including sexual orientation based) verbal or physical conduct that is,
- sufficiently severe, persistent or pervasive that it,
- unreasonably interferes with, denies or limits someone's ability to participate in or benefit from the College's educational program and/or activities, and
- based on power differentials (quid pro quo), or the creation of a hostile environment, or retaliation.

Examples include: an attempt to coerce an unwilling person into a sexual relationship; to repeatedly subject a person to unwelcome sexual attention; to punish a refusal to comply with a sexual-based request; to condition a benefit on submitting to sexual advances; sexual violence; intimate partner violence, stalking; gender-based bullying.

2. *SEXUAL ASSAULT: NON - CONSENSUAL SEXUAL CONTACT:*

Non-Consensual Sexual Contact is

- any intentional sexual touching,
- however slight,
- with any object,
- by any person upon another person,
- that is without consent and/or by force.

Examples include: Intentional contact with the mouth, breasts, buttock, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth or other orifice.

3. *SEXUAL ASSAULT: NON - CONSENSUAL SEXUAL INTERCOURSE:*

Non-Consensual Sexual Intercourse is

- any sexual intercourse
- however slight,
- with any object,
- by any person upon another person,
- that is without consent and/or by force.

Examples include: vaginal penetration by a penis, object, tongue or finger, anal penetration by a penis, object, tongue, or finger, and oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact.

4. *SEXUAL EXPLOITATION*

Occurs when a person takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that

behavior does not otherwise constitute one of the other sexual misconduct offenses. Examples include, but are not limited to:

- invasion of sexual privacy;
- non-consensual video (including photographs) or audio-taping of sexual activity;
- going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex); engaging in voyeurism;
- failure to disclose to a sexual partner one's STI or HIV infection;
- exposing one's genitals in non-consensual circumstances; inducing another to expose their genitals;
- sexually-based stalking and/or bullying may also be forms of sexual exploitation.

Campus Sexual Assault Victims' Bill of Rights

In compliance with the Campus Sexual Assault Victims' Bill of Rights, sexual misconduct victims have the right to be informed:

1. About notifying appropriate law enforcement authorities with the assistance of College personnel if requested;
2. About existing on- and off-campus counseling, mental health, or other ;
3. That the College will change academic situations after an alleged report if those changes are requested by the victim and are reasonably available;
4. That the victim and the accused are entitled to the same opportunities to have others present during a College disciplinary proceeding and to any related meetings; and
5. About the outcome of the College disciplinary proceeding and the opportunity to request an appeal.

The rights specified in items 1 through 3 are applicable to any victim regardless of whether the accused is a student at Clackamas Community College. If the accused is not a student at Clackamas Community College then items 4 and 5 are not applicable because there is no basis for a College disciplinary proceeding.

Gender-Based Misconduct

The behaviors listed below are misconduct offenses that fall under this policy if they are based upon gender which is inclusive of gender identity, gender expression, and sexual orientation. If any of these behaviors are not gender-based, then the Student Conduct Code applies and the matter is processed and addressed via the Student Conduct Process on formal discipline.

1. Violent actions, defined as, threatening or causing physical harm, extreme verbal abuse, or other conduct which threatens or endangers the health or safety of any person;
2. Discrimination, defined as actions that deprive other members of the community of educational or employment access, benefits or opportunities on the basis of gender;
3. Intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another;
4. Hazing, defined as any method of initiation or pre-initiation into a student organization or student body, whether or not the organization or body is officially recognized by the College, which is likely to cause serious bodily injury, psychological harm, or social ostracism, to any former, current, or prospective student.
5. Bullying, defined as repeated and/or severe aggressive behavior likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally (that is not speech or conduct otherwise protected by the First Amendment of the Constitution).
6. Domestic violence, defined as a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner. Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone.
7. Dating violence, defined as, violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim is dating violence. The existence of such a relationship shall be determined based on a consideration of the following factors:
 - a. The length of the relationship

- b. The type of relationship
 - c. The frequency of interaction between the persons involved in the relationship
8. Stalking, defined as, a 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.

Sexual Harassment

The College is committed to the elimination of sexual harassment in its programs, services and intercollegiate activities. Sexual harassment is strictly prohibited and shall not be tolerated. This includes sexual harassment of students or staff by other students, staff, Board members or third parties. "Third parties" include, but are not limited to, volunteers, parents, visitors, service contractors or others engaged in College business, such as employees of businesses or organizations participating in cooperative programs with the College and others not directly subject to College control at athletic competitions or other events. "College" includes College facilities, College premises and non-College property if the student or employee is at any College-sponsored, College-approved or College-related activity or function where students are under the control of the College or where the employee is engaged in College business.

Sexual harassment of students and staff shall include, but is not limited to, unwelcome sexual advances, requests for sexual favors and other verbal, nonverbal or physical conduct of a sexual nature when:

1. The conduct or communication has the purpose or effect of demanding sexual favors in exchange for benefits;
2. Submission to or rejection of the conduct or communication is used as the basis for educational decisions affecting a student or employment or assignment of staff;
3. The conduct or communication is so severe, persistent or pervasive that it has the purpose or effect of unreasonably interfering with a student's educational performance or with an employee's ability to perform his/her job; or creates an intimidating, offensive or hostile educational or working environment. Relevant factors to be considered will include, but not be limited to, did the individual view the environment as hostile; was it reasonable to view the environment as hostile; the nature of the conduct; how often the conduct occurred and how long it continued; age and sex of the complainant; whether the alleged harasser was in a position of power over the student or staff member subjected to the harassment; number of individuals involved; age of the alleged harasser; where the harassment occurred; and other incidents of sexual harassment at the College involving the same or other students or staff.

Examples of sexual harassment may include, but not be limited to, physical touching or graffiti of a sexual nature, displaying or distributing of sexually explicit drawings, pictures and written materials, sexual gestures or obscene jokes, touching oneself sexually or talking about one's sexuality in front of others or spreading rumors about or rating other students or others as to appearance, sexual activity or performance.

All complaints about behavior that may violate this policy shall be promptly investigated. Any student or employee who has knowledge of conduct in violation of this policy or feels he/she is a victim of sexual harassment must immediately report his/her concerns to the compliance officer or department supervisor who has overall responsibility for all investigations or any College administrator. A student may also report concerns to an instructor or counselor who will promptly notify the appropriate College official. The student or staff member who initiated the complaint shall be notified of the findings of the investigation and, if appropriate, that remedial action has been taken.

The initiation of a complaint in good faith about behavior that may violate this policy shall not adversely affect the educational assignments or study environment of a student complainant or any terms or conditions of employment or work environment of the staff complainant. There shall be no retaliation by the College against any person who, in good faith, reports, files a complaint or otherwise participates in an investigation or inquiry of sexual harassment.

It is the intent of the Board that appropriate corrective action will be taken by the College to stop the sexual harassment, prevent its recurrence and address negative consequences. Students in violation of this policy shall be subject to discipline up to and including expulsion and/or counseling or sexual harassment awareness training, as appropriate. Employees in violation of this policy shall be subject to discipline, up to and including dismissal and/or additional sexual harassment awareness training, as appropriate. Other individuals whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the President or designee.

Additionally, the College may report individuals in violation of this policy to law enforcement officials. The President shall ensure appropriate periodic sexual harassment awareness training or information is provided to all supervisors, staff and students and that annually, the name and position of College officials responsible for accepting and managing sexual harassment complaints, business phone numbers, addresses or other necessary contact information is readily available. This policy as well as the complaint procedure will be made available to all students and staff in student and staff handbooks.

Sexual Harassment Complaint Procedure

The Dean of Human Resources is the College's compliance officer. The compliance officer has the responsibility for investigating allegations of sexual harassment and for investigations of sexual harassment.

Step 1 Any sexual harassment information (complaints, rumors, etc.) shall be presented to the compliance officer. Complaints may also be presented to any College administrator who will immediately notify the official responsible for sexual harassment investigations. All such information shall be reduced to writing and will include the specific nature of the sexual harassment and corresponding dates. Complaints against the compliance officer shall be reported to the President. Complaints against the President shall be submitted to the Board chair.

Step 2 The designated College official receiving the information or complaint shall promptly initiate an investigation. They will arrange such meetings as may be necessary to discuss the issue with all concerned parties within five working days after receipt of the information or complaint. All findings of the investigation, including the response of the alleged harasser, shall be reduced to writing. The designated College official(s) conducting the investigation shall notify the complainant in writing when the investigation is concluded. The parties will have an opportunity to submit evidence and a list of witnesses.

A copy of the notification letter shall be forwarded to the President.

Step 3 If a complainant is not satisfied with the decision at Step 2, he/she may submit a written appeal to the President. Such appeal must be filed within 10 working days after receipt of the Step 2 decision. The President will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal. The President shall provide a written decision to the complainant within 10 working days.

Step 4 If a complainant is not satisfied with the decision at Step 3, he/she may submit a written appeal to the Board. Such appeal must be filed within 10 working days after receipt of the Step 3 decision. The Board shall, within 20 working days, conduct a hearing at which time the complainant shall be given an opportunity to present the appeal. The Board shall provide a written decision to the complainant within 10 working days following completion of the hearing.

Step 5 If the complaint is not satisfactorily settled at the Board level, the employee may appeal to the U.S. Department of Labor, Equal Employment Opportunity Commission or Oregon Bureau of Labor and Industries; the student may appeal to the Regional Civil Rights Director, U.S. Department of Education, Office for Civil Rights, Region X, 915 2nd Ave., Room 3310, Seattle, WA 98174-1099. Additional information regarding filing of a complaint may be obtained through the compliance officer or President.

All documentation related to sexual harassment complaints may become part of the student's education record or employee's personnel file as appropriate. Additionally, a copy of all sexual harassment complaints and documentation will be maintained as a confidential file and stored in the human resources or student services office, as appropriate.

In the event the President is the subject of the investigation, reports, when required, shall be made by the Board chair or individual appointed by the Board chair.

Federal Statistical Reporting Obligations

The College seeks to provide accurate and timely information to the campus community related to public safety. In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, certain campus officials have a duty to report sexual assault and other identified crimes for federal statistical reporting purposes. All personally identifiable information is kept confidential, but statistical information must be passed along to campus law enforcement regarding the type of incident and its general location (on- or off-campus, in the surrounding area, but no addresses are given) for publication in the Annual Security Report. This report helps to provide the community with a clear picture of the extent and nature of campus crime, to ensure greater community safety.

The campus officials with a duty to report include, but may not be limited to, faculty and staff members in AFAC, Campus Safety, Athletics and Recreation, Human Resources, advisors to student organizations, and any other official with significant responsibility for student and campus activities. The information to be shared includes the date, the location of the incident (using Clery location categories) and the Clery crime category. This reporting protects the identity of the complainant and may be done anonymously.

SEXUAL AND GENDER-BASED MISCONDUCT REPORTING PROTOCOL

If you are the victim of sexual and gender-based misconduct, your personal safety is most important. You are encouraged to go to a safe place if you are somewhere you do not feel comfortable. If or when you are comfortable, share what has occurred with someone you trust. Sharing as much specific information as you can remember, along with any physical evidence, with this individual may help in the event that you decide you want to report the incident to College officials and/or the police.

If you are a victim of this type of misconduct, and particularly if you are a victim of sexual assault...

Preserve Evidence

Do what you can to preserve any evidence, even if you are not certain you want to file a report with the police department or the College. Preserving evidence now will give you options should you decide to report later. It is best for any physical evidence to be collected within the first 24 hours.

If you can avoid it, do not wash your face or hands, bathe, brush your teeth, drink or eat, douche, or change clothes. If you must change your clothes, place each garment in a separate paper (not plastic) bag.

Access On and Off Campus Counseling

You are encouraged to seek out the support of family, friends, and/or a counselor.

We encourage you to make an appointment with Counseling, located in the Community Center at Clackamas Community College, 503-594-3176. If you do not want to wait, you can request to see the on-call counselor for the day. Except in cases when students are under the age of 18, counseling is not required to report incidents of sexual assault.

Clackamas Women's Services Crisis Hotline is available as a resource and support for you. The confidential hotline is open 24 hours a day, 7 days a week and can be contacted at 888-654-2288 or you may access their website: <http://www.cwsor.org/>. You do not need to be in crisis in order to contact a counselor.

Counselors are trained to help victims and offer support and information about legal, medical, and mental health resources. The hotline is also available to anyone providing support to a victim of sexual misconduct.

Tend to Your Physical Health

You are encouraged to be examined by medical staff as soon as possible for injuries you may not be able to see and other health implications. You might also want to preserve evidence this way. Medical health care providers are required to report crimes such as sexual assault to the police.

Learn About the Campus Advocate Program and Academic Accommodations

The Associate Dean of AFAC, located in Dye Learning Center, Room 142, or at 503-594-3392, can assist you by informing you of 1) your rights, 2) on- and off-campus resources, 3) reporting options, and 4) your options through the College Conduct System. The on-campus resources include a counselor who is a trained staff or faculty member. A counselor is available to support you through the College reporting process. You can also choose to request assistance with academic accommodations. The person you meet with will inform you of the law enforcement reporting process and your options regarding filing a criminal complaint. More detailed information about College and local resources are available through the Associate Dean of AFAC.

Understand Reporting Requirements – (Also see “Reporting Options”)

College personnel on campus have different reporting responsibilities and different abilities to maintain confidentiality, depending on their roles at the College, College policy, and applicable laws.

When consulting campus resources, all parties should be aware of confidentiality, privacy and mandatory reporting in order to make informed choices. On campus, some resources can offer you confidentiality, sharing options and advice without any obligation to inform others unless you want them to do so. Other resources are expressly there for you to report crimes and policy violations and they will take action when you report your victimization to them. It is possible for a victim to seek assistance from College officials without starting a formal process that is beyond the victim’s control, or goes against her/his desire for privacy.

College Personnel Not Required to Report

Unless there is a statutory duty to do so, College personnel who are not required to report include:

1. clergy and professional counselors when acting in those roles (though note the sentence that follows after item 3),
2. faculty who do not advise student groups,
3. licensed counsellors,
4. trained advocates,
5. clerical or support staff.

In some instances, there is a statutory duty on the part of clergy to report knowledge of a sexual assault.

Certain counselors are not required by law to notify law enforcement if they have reason to believe or know a client has been sexually assaulted. However, if the client is believed to be a danger to him/herself or others, or gravely disabled (as a result of a mental disorder, one is unable to care for him/herself and no one else able to care for him/her) then the psychologists and therapists are required to notify law enforcement.

College Personnel Required to Report

Faculty and staff who have significant responsibility for student and campus activities are required to inform Campus Safety of allegations of sexual and gender-based misconduct. When this happens, Campus Safety will notify the Associate Dean of AFAC or their designee. If preferred, faculty and staff can contact the Associate Dean of AFAC or their designee to assist with the process of notifying Campus Safety. College personnel who are required to report include, though are not limited to, the Associate Dean of AFAC, Campus Safety, Athletics and Recreation, Human Resources, advisors to student organizations, and any

other official with significant responsibility for student and campus activities. Faculty and staff are encouraged to consult with the Associate Dean of AFAC about accessing campus resources to support student victims.

Supervisors of student employees are required to report to the Human Resources Office allegations of sexual and gender-based misconduct that happened in the context of employment.

REPORTING OPTIONS

To Report Confidentially

If you prefer that details of the incident be kept confidential, you should speak with someone in Counseling, or off-campus rape crisis resources who can maintain confidentiality. The retention counselors in Counseling are available to help you.

To Report Anonymously

The college is committed to a community in which all violations of law or policy are reported without fear. You may desire to file a report anonymously for instances of suspicious behavior, misconduct, or situations of concern, including but not limited to, sexual harassment. The Title IX Coordinators and any other official with significant responsibility for student and campus activities may take this report and not require you share your identity. From there, you can submit a detailed report and maintain your anonymity. The campus official(s) who receives the report will act promptly to appropriately pursue the matter. Campus official(s) will communicate with you for purposes such as acknowledging the receipt of the report, clarifying information, or relaying, as appropriate, the disposition of the report.

Anonymous reports or tips should be sent to the department of Campus Safety or to any college employee, who will inform the Campus Safety Department. Reports may be made by telephone, via a third party or by using the [Anonymous Reporting Form](#).

Crime victims may be able to pursue other reporting options which are not criminal. The college has trained on-campus advocates and licensed professional counsellors. Additionally, the college has also established a partnership with The Family Justice Center (also called "A safe Place") to provide off-campus advocacy services to students who do not wish to report crimes on campus and/or who need support services.

To Report for Statistical Purposes

Even if one is not required to report a crime, everyone at a minimum is encouraged to report instances of sexual and gender-based misconduct for the purpose of collecting accurate statistics. These reports can be made without identifying the victim. In such instances, the report of the incident, when applicable, will be included in the College's Annual Disclosure of Crime Statistics in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Statistical reports can be filed with the Associate Dean of AFAC, Campus Safety, Athletics and Recreation, Human Resources, advisors to student organizations, and any other official with significant responsibility for student and campus activities.

To Report for Criminal or Student Conduct

There are two types of reports: a police report and a College incident report. If you decide to submit either type of a report, you will be asked to give a detailed account of what has occurred. This can be a difficult process and you are encouraged to bring a friend or advocate for support. Clackamas Women's Services advocates can support you with off-campus proceedings and the Counseling team can assist you with on-campus proceedings. When these reports are received, only persons who need to know will be told, and information will be shared only as necessary with investigators, the complainant, the respondent, witnesses, campus officials, and with others as lawfully permitted.

1. Filing a Police Report

If you are interested in filing a police report, call 911 for immediate response, or call the police department in the city where the sex crime occurred. If the sex crime occurred on any of our three campuses, contact the Clackamas Community College Department of Campus Safety, 503-594-6650 or if the crime occurs during non-school hours, your local police agency. A CCC Campus

Safety Officer can meet you on campus such as at the Campus Safety office. Part of the investigation, with your permission, may include a medical and forensic exam at a nearby hospital or medical facility. You have a legal right to have a Clackamas Women's Services advocate present during your interviews and interactions with the police department. The Clackamas Women's Services Center is the recognized advocate provider for Clackamas Community College.

2. *Filing a College Report*

You are encouraged to speak to Office of Human Resources, Title IX Coordinator and/or Campus Safety to make a report with the College. Notice to them is official notice to the College. You have the right, and can expect to have, reported incidents of sexual and gender-based misconduct taken seriously by the College, and to have those incidents investigated and properly resolved through administrative procedures. If you do file a College report, only persons who need to know will be told, and information will be shared only as necessary with investigators, witnesses, the accused individual, and campus officials.

In cooperation with local law enforcement agencies, the Clackamas Community College Department of Campus Safety will notify the respective department of reports of sex crimes. The Associate Dean of AFAC or their designee and/or Campus Safety will assist you with this process or will provide the report on your behalf. You may choose to either participate or not participate in a criminal investigation. If you choose not to participate, it is highly unlikely criminal charges will be filed.

You can begin the process for filing a report through any of the following departments:

Call Campus Safety at 503-594-6650 to file a report, even if the incident took place off-campus. Campus Safety can also connect you to the appropriate police department to file a report.

Call the Associate Dean of AFAC (503-594-3392) in the Dye Learning Center, to schedule an appointment or request a same day appointment. You may simply state you want to meet with a counseling staff member to discuss a "student welfare matter." The Associate Dean of AFAC or their designee will introduce you to a counselor, if you agree to meet with one, who can support you through the campus reporting process, explain the resources available to you, including the student conduct disciplinary process, and if applicable, arrange for you to file a report with Campus Safety and/or local law enforcement.

In addition to contacting the Associate Dean of AFAC or Campus Safety, if the perpetrator is a staff or faculty member, you can also report the incident to the CCC Human Resources Office (Barlow room 204), Clackamas Community College, Oregon City, OR 97045 or at 503-594-3300. Faculty/staff should report any sexual and gender-based misconduct committed in the context of College employment by another member of the College community to the Human Resources Office.

If during the reporting process you decide you want your report to be confidential and for the College to not take any action, the College may still be required to investigate and take reasonable action regarding the allegation. Your request for confidentiality and no action may limit the College's capacity to investigate and take any additional action. If you insist 1) on confidentiality, or 2) that there is not an investigation, the College reserves the right to undertake an appropriate inquiry, issue a no-contact order, and take interim measures to ensure the safety of the campus community.

Your request for confidentiality and no action will be weighed against the following factors:

1. The circumstance of the alleged sexual violence (e.g. was it perpetrated with a weapon, or any threats by the accused student to repeat the sexual violence);
2. Whether there have been other complaints against the same accused student; and

3. The risk of the alleged student committing additional acts of sexual violence (e.g. any threats for further sexual violence).
4. Such other circumstances which may pose a threat to individuals or the campus community.

If it is determined that confidentiality cannot be maintained, you will be informed.

COLLEGE RESPONSE TO SEXUAL AND GENDER-BASED MISCONDUCT

As authorized by the Board of Trustees and the College president, the Associate Dean of AFAC or designee will adjudicate a charge of sexual and gender-based misconduct under the Student Conduct Code. Sexual or gender based misconduct cases are adjudicated under the following sections of the Student Conduct Code in the context of the Sexual and Gender-Based Misconduct Policy.

Section 12 Disorderly, lewd, indecent, or obscene conduct; excessive or prolonged noise; behavior that interferes with the orderly functioning of the College, or interferes with an individual's pursuit of an education on College-owned or controlled property or during an authorized College class, field trip, seminar, competition or other meeting, or College-related activity.

Section 15 Detention, physical abuse, or conduct that threatens imminent bodily harm or endangers the physical well-being of any person, including harm to self.

Section 4 Nonconsensual physical contact of a sexual nature such as sexual misconduct, sexual assault, and rape.

Section 16 Hazing, harassing, threatening, degrading language or actions, including bullying, stalking, or any practice by a group or individual that degrades a student or employee, endangers health, jeopardizes personal safety, or interferes with an employee's duties or with a student class attendance or a person's educational pursuits.

In certain circumstances, other sections of the Student Conduct Code may be applicable.

The College reserves the right to review all student conduct occurring on and off campus when such behavior is inconsistent with the Student Conduct Code.

Violations of the Student Conduct Code do not necessarily constitute violations of the law. A report of sexual and gender-based misconduct filed with the College is evaluated according to College standards through a College process and is separate from a criminal investigation. Any sanction within the full range of disciplinary action, including expulsion, may be imposed upon a student who is found responsible for committing a violation.

Disciplinary sanctions for findings of sexual misconduct will be imposed regardless of whether the nonconsensual sexual activity was preceded or followed by consensual sexual activity. Additionally, sexual and gender-based misconduct can occur between people of different sex or genders or of the same sex or gender. For reference to the pertinent state statutes on sex offenses, see Oregon Revised Statutes 163.305 through 163.479.

The use of alcohol and other drugs can blur the distinction between consensual and nonconsensual sexual activity. If the accused person knew or reasonably should have known that the victim was incapable of providing consent due to the use alcohol or another drug, the accused person is in violation. The accused person's use of alcohol or other drugs does not diminish his or her responsibility for committing the sexual misconduct. Use of alcohol or other drugs is not a defense to a violation of this policy.

After a report is made, the College will provide reasonable protection against further acts of misconduct, harassment, or retaliation as needed, as well as resources to allow the continued equal access to an education at Clackamas Community College.

The complainant may request, or the College may impose, communication and contact restrictions to prevent further potentially harmful interaction. A complainant may request a change in their academic situation after a report of sexual misconduct by speaking with the Associate Dean of AFAC or their designee. Upon request the College will inform the complainant of the options, and will accommodate the request if those changes are reasonably available. In some cases the College may carry out these changes without a request.

In some cases involving a student complainant and student respondent, the complainant or the respondent may pursue a temporary restraining order. This is a civil proceeding independent of the College. If a court order is issued the College will, to the extent possible, assist the protected person in benefitting from the restrictions imposed by the court, and also to the extent possible will facilitate the restricted person in complying with the order. The court enforces the order through law enforcement and as such the CCC Department of Campus Safety will enforce the order. The College will abide by the court to the degree possible.

It is important to note a civil court order may, unless the court is fully informed, prevent the College from conducting a hearing in which students who are subject to the order want to be present and provide information. A student can always return to the court to request modification of the order.

College Investigation

When the College receives information alleging sexual and gender-based misconduct, an investigation will be conducted by a professional staff member (herein referred to as “investigator”) who has received training in these types of cases. The role of the investigator is to be a neutral fact-finder. Ordinarily, an administrative investigation will include a review of statements obtained from either party, interviews with both parties, interviews with witnesses as appropriate, and review of relevant documentary evidence. The complainant and respondent have the same opportunity to present witnesses for the investigator to interview. The investigator has the right to forgo interviewing a witness if the investigator determines that the person does not have information that is relevant to the proceedings. The College does not allow individuals who function as character witnesses to participate in this process.

The completed investigative report will contain summaries of the interviews and any related evidence including, though not limited to, relevant reports filed by Campus Safety, Associate Dean of AFAC, and law enforcement.

In formal disciplinary proceedings, the College never assumes a student is in violation of College policy. Campus reviews are conducted to take into account the totality of all evidence available, from all relevant sources.

The College reserves the right to take whatever measures it deems necessary in response to an allegation of sexual and gender-based misconduct in order to protect students’ rights and personal safety. Such measures include, but are not limited to, interim suspension from campus pending a hearing, and reporting the matter to the local police. Not all forms of misconduct will be deemed to be equally serious offenses, and the College reserves the right to impose different sanctions, ranging from warning to expulsion, depending on the severity of the offense. The College will consider the concerns and rights of both the complainant and the respondent.

Advisor of One’s Choice or College Support Person

The complainant and the respondent are each entitled to have one advisor present for any meetings about the allegation(s) including the conduct proceedings. The role of the advisor is limited to support and consultation. The advisor is permitted to speak privately with the party being advised. The advisor is not

permitted to speak on the behalf of the individual, comment, or ask questions. In addition to this, during the disciplinary proceedings, the advisor is not permitted to question or address any party involved in the proceedings.

Violation of this expectation will result in the advisor being removed from the meeting or conduct proceeding at the discretion of the presiding officer or student conduct administrator. In the interest of conducting this process in an expeditious fashion, meetings will not normally be delayed if an advisor is unavailable.

The Associate Dean of AFAC can provide a college support person. This person is an employee who can offer emotional support and assist with connecting the student to campus resources throughout this process. This person does not provide legal advice.

Retaliation/False Charges

Retaliation against any person who reports, is thought to have reported, files a complaint or otherwise participates in an investigation or inquiry is prohibited. Such retaliation shall be considered a serious violation of Board policy and independent of whether a complaint is substantiated. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

Sanction Statement

Any sanction within the full range of disciplinary action, including expulsion, may be imposed upon a student who is found responsible for committing sexual misconduct. This range of sanctions is inclusive of a no contact directive which is an official notice to a student that he/she is not permitted to have any type of contact with an identified person(s). This includes, but is not limited to, person-to-person contact, contact through a third party, and contact by way of mail, email, telephone, voice mail, text messaging, etc. For a detailed description of the full range of disciplinary action, see the Student Handbook.

- Any student found responsible for violating the policy on non-consensual physical contact of a sexual nature such as sexual misconduct [Non-Consensual or Forced Sexual Contact (where no intercourse has occurred)] will likely receive a sanction ranging from probation to expulsion, depending on the severity of the incident, and taking into account any previous student conduct code violations.
- Any student found responsible for violating the policy on non-consensual physical contact of a sexual nature such as sexual assault or rape (Non-Consensual or Forced Sexual Intercourse) will likely face a recommended sanction ranging from temporary suspension to expulsion, depending on the severity of the incident, and taking into account any previous student conduct policy violations.
- Any student found responsible for violating the policy on sexual exploitation or sexual harassment will likely receive a recommended sanction ranging from warning to expulsion, depending on the severity of the incident, and taking into account any previous student conduct code violations.

The range of sanctions for gender-based misconduct (violent actions, discrimination, intimidation, hazing, bullying, domestic violence, dating violence, and stalking) covered by this policy are subject to the full range of disciplinary action, inclusive of a warning to expulsion. This range of sanctions is inclusive of a no contact directive which is an official notice to a student that he/she is not permitted to have any type of contact with an identified person(s). This includes, but is not limited to, person-to-person contact, contact through a third party, and contact by way of mail, email, telephone, voice mail, text messaging, etc.

STUDENT CONDUCT SYSTEM

College Investigation and Student Conduct System for Sexual or Gender-Based Misconduct

Sexual and gender-based misconduct involving students, regardless of whether the misconduct has been reported to a police agency, should also be reported to the College for investigation and resolution through

College processes. The Human Resources Office addresses student sexual and gender-based misconduct reports that occur in the context of employment. The Associate Dean of AFAC addresses student sexual and gender-based misconduct reports outside of the context of employment. The College addresses instances of sexual and gender-based misconduct that occur on and off campus if the conduct negatively affects a person's school experience or the overall school environment.

If the investigator determines there are no reasonable grounds to believe a violation occurred, the matter under this policy is closed, but the investigator may refer the complaint to another College office for resolution.

If the evaluation indicates this policy may have been violated, the investigator will notify the complainant of available options, including informal or formal complaint resolution. *Informal complaint resolution is not used for cases of alleged non-consensual sexual intercourse.*

Informal Complaint Resolution

After reviewing the investigative report, the complainant may opt for an informal resolution to the case by informing the investigator or the Associate Dean of AFAC or designee. Participation in the informal process does not require face to face interaction between the complainant and respondent. At any time prior to a hearing the respondent may claim responsibility for the alleged sexual and gender-based misconduct. In either situation, the Associate Dean of AFAC, or designee, will propose a resolution and sanctions to the complainant and respondent.

If both the complainant and the respondent agree to the proposed sanctions, then the complaint is resolved without a hearing and without any further rights of appeal by either party.

If either the complainant or the respondent disagrees with the proposed sanctions, then a hearing will take place in order to determine the sanction(s).

Formal Complaint Resolution

For formal complaint resolutions the investigator prepares a report for the Behavior Intervention Team (BIT), with or without the cooperation of the complainant, to determine if the student respondent committed a violation. Participation in the informal process does not require face to face interaction between the complainant and respondent.

Each case is evaluated on its own unique circumstances. The BIT bases the determination of responsibility on all of the relevant information presented at the hearing. Whether consent was given or obtained is a key factor in determining responsibility for a violation of the Sexual and Gender-Based Misconduct Policy. The College evaluates whether consent was provided using the following guidelines:

1. Was the complainant informed about the sexual act? Did the complainant understand the Who, What, When, Where, Why, and How with respect to the sexual activity?
2. Was the complainant incapable of providing consent because the person was incapacitated (physically or mentally)? Should it have been reasonably apparent to the respondent that the complainant was incapacitated? (The use of alcohol or other drug by the accused is not a valid defense to this policy.)
3. Was the complainant coerced? Was permission freely and actively given?
4. Was permission provided by way of mutually understandable words or actions to engage upon the sexual activity in question?

All of these considerations do not need to be present to determine responsibility for a violation by the respondent.

If the information presented at the hearing does not support a determination of responsibility for a violation of the Sexual and Gender-Based Misconduct Policy based on the standard of more likely than not (preponderance of evidence), the hearing office or Board may still determine responsibility for a related

violation of the Student Conduct Code. Complainants who have engaged in alcohol or other drug use at the time of the assault will not be subject to disciplinary action for such use.

Conduct Procedures for Incidents of Alleged Sexual and Gender-Based Misconduct

The Associate Dean of AFAC will discuss potential options with the complainant for resolving the complaint. A complainant may request the College initiate student conduct and/or student conduct proceedings against the accused student. The College investigator, in consultation with the Associate Dean of AFAC, will consider all the facts of the case, including a complainant's request, and determine which procedural steps are the most appropriate response to resolve the situation.

The complainant and respondent (presuming the respondent was notified of the complaint) will be informed of this decision. The reporting party will be provided with an explanation and if applicable an alternate means of resolving the complaint. The College will base its decision on the preponderance of the evidence. This means the College weighs the evidence and determines whether it is more likely than not a violation has occurred.

The investigator prepares a written report of the incident for the BIT. Information obtained through the administrative investigation will be used for consideration by the BIT, with or without the cooperation of the complainant.

During the BIT meeting, evidence regarding a respondent's past sexual conduct will ordinarily not be permitted, except in those instances where there was a prior sexual relationship between the complainant, or another person, and the respondent and the testimony may be relevant to the issue of consent. If the respondent is found responsible for the conduct alleged in the complaint, his or her past sexual misconduct, if any, may be considered in determining the appropriate sanction.

For sexual and gender-based misconduct student conduct cases the complainant and respondent will:

1. Receive equivalent notice of the student conduct process;
2. Be provided the same opportunity to review the investigator's report; (Neither party is provided a copy of the report for their own keeping.)
3. Be informed in writing of the outcome of the BIT meeting;
4. Have the same opportunity to request an appeal of the BIT meeting outcome.

Appeal Process for Sexual and Gender-Based Misconduct Cases

1. The outcome of the initial BIT finding is subject to one request for appeal. In cases involving an allegation of sexual and gender-based misconduct, the request can be initiated by the respondent and/or the complainant. If both parties file a request, and if one or both of the requests are granted, that constitutes the one allotted appeal request. A request for appeal will be granted only if one or more of the following criteria are met:
 - A. The disciplinary action appears to be grossly disproportionate to the conduct infraction.
 - B. The procedures provided for in the Student Handbook were not followed in the hearing.
 - C. New relevant information is available that was not available at the time of the hearing.
 - D. The decision is not supported by substantial information.
2. Either party may request an appeal of the College's BIT finding in writing within five business days of notification from a BIT representative. This request must include answers to the questions on the form in accordance with the criteria described in No. 1 above.
3. The request for review, along with other pertinent information, is reviewed by the Associate Dean of AFAC, or designee, to determine the validity of the request for review in accordance with the criteria described in No.1 above. In general, a request for review is granted only when there is a preponderance of evidence that a procedural or substantive error occurred at the original hearing that effectively denied the student a fair and reasonable review in accordance with the intent of the Student Handbook.

4. The respondent and complainant must be informed of the decision pertaining to the request for appeal within five business days of submitting the request. In exceptional circumstances, the five business days notification requirement may be extended to allow adequate consideration of the request for appeal. If this is the case, the student(s) are notified.
5. If the request for review is granted, the case may be referred back to the original conduct officer, the original conduct board, a new conduct officer (who could be the Associate Dean of AFAC), or a new conduct board. The Associate Dean of AFAC, or designee, may also choose to modify the sanction(s) without granting a second review.
6. A request for review may only be filed one time by either the respondent or the complainant. If a request for review is denied, a second request for review cannot be filed. If a request for review is granted, the outcome of any subsequent proceedings may not be appealed by either the respondent or the complainant.

Time Frames for Sexual and Gender-Based Misconduct Cases

The time frames listed here are guides and may be extended because of circumstances. Each case is unique and the process for handling the incident will be impacted by factors such as the complexity of the investigation and situation, the parties' schedules and availability, and the academic calendar. Generally speaking, the College will complete the investigative stage within 30 calendar days of receiving a report. If a conduct hearing or other student conduct processes are used, that will occur within 45 calendar days of the end of the investigation. Parties will be notified of the final outcome within 14 calendar days of the hearing or other action which concludes the complaint process. The College will attempt to provide parties with periodic status updates. In no case will these time frames delay the College from providing or enacting other measures to assist the reporting party.

Questions, Concerns, and Oversight

The College Title IX Coordinator is responsible for oversight of response to reports and complaints of sexual and gender-based misconduct. This includes insuring compliance with the regulations of Title IX, providing assistance and support to Deputy Title IX Coordinators (College employees who respond to reports or complaints and addressing concerns about the College's handling of reports and complaints). The College Title IX Coordinator is the Dean of Human Resources. This office is located in the Barlow Building, Room 204, Clackamas Community College, 19600 Molalla Ave., Oregon City, OR 97045. The Title IX Coordinator can also be reached at 503-594-3458.

The College Title IX Coordinator and Deputy Coordinators may only discuss a specific case with investigators, the complainant, the respondent, witnesses, campus officials, and with others as lawfully permitted. Inquiries concerning the application of Title IX may be referred to the Title IX Coordinators or the Office of Civil Rights via www.ed.gov.

ANNUAL DISCLOSURE OF CRIME STATISTICS

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, College Safety prepares and publishes the Annual Crime Disclosure of Crime Statistics. The report is maintained on the Clackamas Community College website and is also available by calling 503-594-6650. This report is prepared in cooperation with the Clackamas Community College Campus Safety Department and the Associate Dean of AFAC.

The statistics, which include crimes on campus and crimes in adjacent public areas, are collected by Campus Safety. These statistics include crimes reported directly to Campus Safety and information provided by local law enforcement agencies. The non-campus statistics include crime statistics from their respective surrounding law enforcement agencies for non-campus properties that were controlled by CCC during the prior three years.

Violent crimes are defined by the Federal Bureau of Investigation Uniform Crime Reporting program (FBI/UCR) as murder/non-negligent manslaughter, forcible rape, robbery, and aggravated assaults.

KEY TO HATE CRIMES NOTATIONS (No hate crimes 2013-2015)

Type of Bias or Prejudice – Race = RA, Gender = GE, Religion = RE, Sexual Orientation = SO, Ethnicity = ET, Disability = DI

This category includes all on-campus, non-campus and public property incidents.

FERPA: Clarification of the interplay between the disclosures required under the Clery Act and the prohibition against the disclosure of information from education records contained in the Family Education Rights and Privacy Act (“FERPA”) provides no barrier to compliance with the disclosures under Clery Act. The reporting of crime statistics by an institution of the occurrence of crimes on campus does not violate FERPA. FERPA protects the non-consensual disclosure of personally identifiable information from education records. FERPA does not protect statistical information. FERPA does not preclude an institution’s compliance with timely warning provision of the Clery Act. Information can, in case of an emergency, be released without consent when needed to protect the health and safety of others (34 C.F.R. Section 99.31(b)(6) & 99.36). The Clery Act amended FERPA to allow an institution to disclose to the victim of an alleged crime of violence the results of a disciplinary proceeding brought against a student accused of the crime without prior consent of the accused. This disclosure is limited to the alleged victim who should be informed that the information may not be disclosed to the general public (20 U.S.C. Section 1232g(b)(6)).

NOTE: With the 1998 amendments, the Student-Right-to-Know and Campus Security Act was formally renamed the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act,” or more simply “The Clery Act.”

APPENDIX A
ANNUAL DISCLOSURE OF CRIME STATISTICS

Oregon City Campus						
Offense (reported by Hierarchy)	Year	On campus	Non-campus	Public Property	Total	Unfounded Crimes
Murder & Non- Negligent Manslaughter	2013	0	0	0	0	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Negligent Manslaughter	2013	0	0	0	0	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Rape	2013	0	0	0	0	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Fondling	2013	0	0	0	0	*
	2014	1	1	0	2	0
	2015	0	0	0	0	0
Incest	2013	0	0	0	0	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Statutory Rape	2013	0	0	1	1	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Robbery	2013	0	0	1	1	*
	2014	0	0	0	0	0
	2015	0	0	1	1	0
Aggravated Assault	2013	0	0	1	1	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Burglary	2013	3	0	0	3	*
	2014	2	1	0	3	0
	2015	0	0	0	0	0
Motor Vehicle Theft	2013	2	N/A	2	4	*
	2014	1	1	0	2	0
	2015	1	0	0	1	0
Liquor Law Arrests	2013	0	N/A	1	1	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Drug Law Arrests	2013	1	N/A	17	18	*
	2014	1	0	0	0	0
	2015	1	0	0	0	0
Weapon Law Arrest	2013	0	N/A	0	0	*
	2014	0	0	0	0	0
	2015	1	0	0	1	0
Liquor Law Violations (Referred For Disciplinary Actions)	2013	0	N/A	0	0	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Drug Law Violations (Referred For Disciplinary Actions)	2013	1	N/A	0	1	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Weapon Law Violations (Referred For Disciplinary Actions)	2013	0	N/A	0	0	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Arson	2013	0	N/A	0	0	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Domestic Violence	2013	N/A	N/A	N/A	N/A	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Dating Violence	2013	N/A	N/A	N/A	N/A	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Stalking	2013	N/A	N/A	N/A	N/A	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0

There were no Hate Crimes recorded in 2013-2015

Clackamas Community College does not have any residential facilities.

Crime Statistics not received from all local law enforcement agencies for 2013, 2014

**Institutions are required to publish the number of "Unfounded Crimes" beginning with calendar 2014 crime statistics. "Unfounded Crimes" were not tracked during previous years.*

APPENDIX A-1

CLACKAMAS COMMUNITY COLLEGE, OREGON CITY CAMPUS MAP
19600 Molalla Avenue
Oregon City, OR 97045



APPENDIX B
ANNUAL DISCLOSURE OF CRIME STATISTICS

Wilsonville Campus						
Offense (reported by Hierarchy)	Year	On campus	Non-campus	Public Property	Total	Unfounded Crimes
Murder & Non- Negligent Manslaughter	2013	N/A	N/A	N/A	N/A	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Negligent Manslaughter	2013	N/A	N/A	N/A	N/A	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Rape	2013	N/A	N/A	N/A	N/A	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Fondling	2013	N/A	N/A	N/A	N/A	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Incest	2013	N/A	N/A	N/A	N/A	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Statutory Rape	2013	N/A	N/A	N/A	N/A	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Robbery	2013	N/A	N/A	N/A	N/A	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Aggravated Assault	2013	N/A	N/A	N/A	N/A	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Burglary	2013	N/A	N/A	N/A	N/A	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Motor Vehicle Theft	2013	N/A	N/A	N/A	N/A	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Liquor Law Arrests	2013	N/A	N/A	N/A	N/A	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Drug Law Arrests	2013	N/A	N/A	N/A	N/A	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Weapon Law Arrest	2013	N/A	N/A	N/A	N/A	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Liquor Law Violations (Referred For Disciplinary Actions)	2013	N/A	N/A	N/A	N/A	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Drug Law Violations (Referred For Disciplinary Actions)	2013	N/A	N/A	N/A	N/A	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Weapon Law Violations (Referred For Disciplinary Actions)	2013	N/A	N/A	N/A	N/A	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Arson	2013	N/A	N/A	N/A	N/A	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Domestic Violence	2013	N/A	N/A	N/A	N/A	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Dating Violence	2013	N/A	N/A	N/A	N/A	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Stalking	2013	N/A	N/A	N/A	N/A	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0

There were no Hate Crimes recorded in 2013-2015

Clackamas Community College does not have any residential facilities.

Crime Statistics not received from all local law enforcement agencies for 2013, 2014

Institutions are required to publish the number of "Unfounded Crimes" beginning with calendar 2014 crime statistics. "Unfounded Crimes" were not tracked during previous years.

APPENDIX B-1

CLACKAMAS COMMUNITY COLLEGE, WILSONVILLE CAMPUS MAP
29353 SW Town Center Loop East
Wilsonville, OR 97070



APPENDIX C
ANNUAL DISCLOSURE OF CRIME STATISTICS

Harmony Campus - Milwaukie						
Offense (reported by Hierarchy)	Year	On campus	Non-campus	Public Property	Total	Unfounded Crimes
Murder & Non-Negligent Manslaughter	2013	N/A	N/A	N/A	N/A	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Negligent Manslaughter	2013	N/A	N/A	N/A	N/A	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Rape	2013	N/A	N/A	N/A	N/A	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Fondling	2013	N/A	N/A	N/A	N/A	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Incest	2013	N/A	N/A	N/A	N/A	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Statutory Rape	2013	N/A	N/A	N/A	N/A	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Robbery	2013	N/A	N/A	N/A	N/A	*
	2014	0	0	0	0	0
	2015	0	0	1	1	0
Aggravated Assault	2013	N/A	N/A	N/A	N/A	*
	2014	0	0	0	0	0
	2015	0	0	1	1	0
Burglary	2013	N/A	N/A	N/A	N/A	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Motor Vehicle Theft	2013	N/A	N/A	N/A	N/A	*
	2014	0	0	0	0	0
	2015	1	0	0	1	0
Liquor Law Arrests	2013	N/A	N/A	N/A	N/A	*
	2014	0	0	0	0	0
	2015	1	0	0	1	0
Drug Law Arrests	2013	N/A	N/A	N/A	N/A	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Weapon Law Arrest	2013	N/A	N/A	N/A	N/A	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Liquor Law Violations (Referred For Disciplinary Actions)	2013	N/A	N/A	N/A	N/A	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Drug Law Violations (Referred For Disciplinary Actions)	2013	N/A	N/A	N/A	N/A	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Weapon Law Violations (Referred For Disciplinary Actions)	2013	N/A	N/A	N/A	N/A	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Arson	2013	N/A	N/A	N/A	N/A	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Domestic Violence	2013	N/A	N/A	N/A	N/A	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Dating Violence	2013	N/A	N/A	N/A	N/A	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0
Stalking	2013	N/A	N/A	N/A	N/A	*
	2014	0	0	0	0	0
	2015	0	0	0	0	0

There were no Hate Crimes recorded in 2013-2015

Clackamas Community College does not have any residential facilities.

Crime Statistics not received from all local law enforcement agencies for 2013, 2014

**Institutions are required to publish the number of "Unfounded Crimes" beginning with calendar 2014 crime statistics. "Unfounded Crimes" were not tracked during previous years.*

APPENDIX C-1

CLACKAMAS COMMUNITY COLLEGE, HARMONY CAMPUS MAP
7738 S.E. Harmony Road
Milwaukie, OR 97222

