
Procedure Title: Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, and Stalking
Procedure Number: 06-2020-0001
Board Policy Reference: IV.B. Human Resources Direction

Accountable Administrator: President
Position responsible for updating: Title IX Coordinator
Original Date: August 26, 2020
Date Approved by College Planning Council: 03-23-22
Authorizing Signature: *Signed original on file*
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Blue Mountain Community College (BMCC) is committed to providing a workplace and educational environment, as well as other benefits, programs, and activities that are free from gender-based discrimination, harassment, and retaliation. The College prohibits all forms of Gender-based Discrimination and Sexual Misconduct (including Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, and Stalking).

All members of the campus community are expected to conduct themselves in a manner that does not infringe upon the rights of others. The College will take prompt and equitable action to eliminate Gender-Based or Sexual Misconduct, prevent its recurrence, and remedy its effects. The College will conduct ongoing prevention, awareness, and training programs for Employees and Students to facilitate the goals of this Procedure.

To ensure compliance with federal and state laws and regulations, including Title IX of the Education Amendments of 1972, ORS 350.253, and other sex-based nondiscrimination laws, and to affirm its commitment to promoting the goals of fairness and equity in all aspects of the educational program, activity, and workplace, BMCC shall establish procedures that ensure that students, employees, and campus visitors who are victims of Gender-Based or Sexual Misconduct receive appropriate information regarding procedures and resources.

When an allegation of misconduct is brought to a responsible employee's attention, and a respondent is found to have violated College Procedure, sanctions will be used to reasonably ensure that such actions are immediately stopped, never repeated, and their effects are remediated. Employees or students in violation of this procedure shall be subject to discipline through the employee discipline process or the student code of conduct respectively and may result in separation from the College. Third Parties in violation of this procedure may have their relationships with the College terminated and/or their privileges of being on college premises or present at college events withdrawn.

Retaliation against a person for good faith reporting or participation in any investigation or proceeding under this Procedure is also a form of prohibited conduct subject to college disciplinary procedures. These forms of prohibited conduct are unlawful, undermine the character and purpose of the College, and will not be tolerated. Retaliation includes, but are not limited to, threats, intimidation, reprisals, and/or adverse actions related to employment or education.

All College community members are expected to provide truthful information in any report or proceeding under this Procedure. Submitting or providing false or misleading information, in bad faith or with a view to personal gain or intentional harm to another, in connection with an incident of Prohibited Conduct is prohibited and subject to disciplinary sanctions under the College's Student Code and disciplinary action under the appropriate Employee disciplinary policy.

This Procedure will be made available:

- When an incident of gender-based or sexual misconduct is reported;
- During student and new staff orientation; and
- On the College’s website, including information on training materials for those employees involved in the Grievance Procedures.

The Title IX Coordinator will be informed of all complaints or reports of violations of this Procedure and oversees the College’s centralized response to ensure compliance with Title IX. The Title IX Coordinators’ contact information is as follows:

Chief Human Resources Officer and Title IX Coordinator
 2411 NW Carden Ave. | PO Box 100
 Pendleton, OR 97801
HR@bluecc.edu
 (541) 278-5947

Additionally, the College’s Title IX Coordinator may report individuals in violation of this Procedure to law enforcement officials as required by law.

*Please see: **Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, and Stalking: Definitions, Reporting, and Grievance Procedures** for additional details and definitions.*

Legal Reference(s):

ORS 30.866	ORS 164.205 -	ORS 350.255	ORS 659A.029	ORS 659A.875	OAR 589-010-0100
ORS 107.705	164.270	ORS 659.850	ORS 659A.030	ORS 659A.885	OR HB 3415
ORS 163.467	ORS 332.107	ORS 659A.001	ORS 659A.082	OAR 437-002-0040 to -0043	OR SB 726
ORS 163.525	ORS 332.172	ORS 659A.003	ORS 659A.112	OAR 584-020-0040	OR SB 479
ORS 163.732	ORS 341.290 (2)	ORS 659A.006	ORS 659A.820	OAR 584-020-0041	

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act
 U.S.C. § o 1990, 20 U.S.C., Section 1092 (f) (2006)
 Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. §§ 1681 et seq., and its implementing regulations, 34 C.F.R. Part 106 (2020)
 Section 304 of Violence Against Women Reauthorization Act (VAWA) of 2013
 The Campus Sexual Violence Elimination Act (Campus SaVE) (2013)
 Bartsch v. Elkton School District, FDA-13-011 (March 27, 2014).
 34 Code of Federal Regulations Part 668.46(b)(11);