

Freedom from Sexual Discrimination and/or Harassment

It is the policy of Columbia Gorge Community College to not discriminate on the basis of sex in its educational programs, activities and employment as required by Title IX of the 1972 Educational Amendments. Students at Columbia Gorge Community College are protected from sex discrimination in all areas including: admission to programs; access to enrollment in courses, access to and use of college facilities; advising materials, tests and practices; professional/technical education; physical education; competitive athletics; graduation requirements; student rules, regulations and benefits; financial assistance; college-sponsored extracurricular activities; aid, benefits and services.

In addition, students are protected against all forms of sexual harassment as defined here. Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. Submission to such conduct is made, either explicitly or implicitly, a term or condition of employment, admission or academic evaluation; or
2. Submission to or rejection of such conduct by an individual is used as a basis for an employment decision or an academic evaluation affecting such individual;
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or a student's academic performance, or creating an intimidating, hostile or offensive working or learning environment.

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 using the steps as outlined in the student grievance procedure. 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 outlined in the Student Code of Conduct. 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.

END OF POLICY

Legal Reference(s):

[ORS 341.290](#) (2)
[ORS 659.850](#)
[ORS 659A.006](#)

[ORS 659A.029](#)
[ORS 659A.030](#)

[OAR 589-010-0100](#)

Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. Section 2000(d).
Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. Section 2000(e).
Title IX of the Education Amendments of 1972, 20 U.S.C. Sections 1681-1683.

Cross Reference(s):

Policy JFH - Student Grievance Procedure

Columbia Gorge Community College

Code: **JF/JFA**
Adopted: 3/27/91
Revised/Readopted: 9/91, 6/14/95,
2/8/05

Student Rights, Freedoms and Responsibilities

College/Student Responsibilities

Columbia Gorge Community College provides students with programs of general education, developmental, professional/technical and community education. The college also provides cultural, leadership, recreational and community service activities.

In order to assist students to benefit from courses, programs and activities, the college also provides career guidance and academic advising services which students are encouraged to make use of.

The confidentiality of advising services will be strictly maintained, except when records are lawfully requested or subpoenaed from the college.

It is, in turn, the responsibility of the student to observe and to help maintain appropriate conditions in the classroom, on the campus and in the community.

Columbia Gorge Community College is granted the right by law to adopt rules necessary to govern college operations and protect the freedom to learn. The purpose of the Student Rights and Responsibilities document is to enumerate the essential provisions for student freedom and for students to understand how they participate in the college community.

Protection of Freedom of Access to Higher Education

The admissions policies of Columbia Gorge Community College are a matter of institutional choice. The college policies are developed to encourage and reinforce the expectations for student success. Within the limits of its facilities and budget, Columbia Gorge Community College shall be open to all applicants who are qualified according to current admission requirements.

It is the intent of the college that no student be denied admission because of his/her educational background or on the basis of race, color, religion, sex, sexual orientation, age, national origin, disability, marital or veterans' status. The college complies with Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973 and other applicable laws and regulations. This non-discriminatory policy applies to admissions, employment, financial aid and educational services, programs and activities.

Protection of Freedom of Expression in the Classroom

Students shall be free to take reasoned exception to the data or views offered in any course of study, and to reserve judgment about matters of opinion, but they are responsible for learning the content of any course

of study for which they are enrolled. It is the responsibility of the student to support the instructor's efforts to ensure freedom of expression.

Protection Against Improper Evaluation

Student performance shall be evaluated on an academic basis, which may include attendance, not on the student's opinions or conduct in matters unrelated to academic standards. Students shall have the right to appeal their academic evaluation under the grievance procedure. At the same time, students are responsible for maintaining the standards of academic performance established for each course in which they are enrolled. Students have the right to be informed about class requirements.

Protection Against Improper Disclosure

Information about student views, beliefs and political associations which staff and faculty acquire in the course of their work as instructors and advisors is considered confidential. Judgments of ability and character may be provided under appropriate circumstances.

Right of Access to College Facilities

Students have the right of access to college facilities, subject to ordinary schedules and regulations governing the use of each facility. When using these facilities, the student has the responsibility to respect these regulations and to comply with the spirit and intent of the rules governing facility use.

When faced with a situation which an administrator or instructor determines to be disruptive to the order of the college, threatening to the health and welfare of the college community, or interferes with the ingress and/or egress of persons from college facilities, college staff will have the authority to (1) prohibit entry of any person or persons, or to withdraw the privilege to enter or remain on any portion of a college campus or (2) give notice of trespass to any person to whom the privilege has been withdrawn or who has been prohibited from entering into or remaining on the college campus.

Any student disobeying a reasonable order given by the college staff will be subject to disciplinary action and/or criminal trespass laws.

Freedom of Inquiry and Expression

Students and student organizations shall be free to examine and discuss all questions of interest to them and to express opinions publicly and privately. Students shall always be free to support causes by orderly means which do not disrupt the regular and essential operation of the institution. The college reserves the right to regulate the time, place and manner of organized speech activities.

It should be clear to the community that in their public expressions, students or organizations speak only for themselves, not the college.

Students, faculty and administrative staff are obligated to protect the freedom of inquiry and expression from those who would prevent or disrupt it.

Right of Sale and Distribution of Material and Right to Conduct Fund-raising Activities

The use of college grounds or facilities for the purpose of commercial or private gain is prohibited except where such activity contributes to the operation of the instructional program or where limited sale is specifically authorized by the college for the benefit of an approved student activity.

Students have the right to engage in legal incidental sales of personal private property in private transactions, provided college facilities are not expressly used for this purpose.

All fund raising activities by clubs and organizations must be approved by the Dean of Student Services. All merchandise, periodicals, magazines and books offered for commercial sale may be sold only through the college bookstore and food services, except when within district policy and approved by the Dean of Student Services.

Any person desiring to distribute publications, such as books, magazines, newspapers, handbills, leaflets, posters and similar materials shall first register with the Student Services Office. This will ensure reasonable areas and times for distribution and it will ensure that the activities of the college will not be interfered with. All handbills, leaflets, posters and other similar materials must bear the name and address of the organization and/or individual distributing the materials. Printed materials shall not be placed on any vehicle parked on campus.

END OF POLICY

Legal Reference(s):

[ORS 341.290](#) (2), (4)
[ORS 659.850](#)
[ORS 659.865](#)

[OAR 589-010-0100](#)

46 Op Atty Gen 239 (1989).
United States Constitution, Article I and XIV.
Oregon State Constitution, Article I, Section 8.