

July 18, 2024

25-011

ACCEPT PROPOSED CHANGES TO B 216 - PROHIBITION OF SEXUAL HARASSMENT AND MISCONDUCT (2nd Reading)

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STRATEGIC THEME: Belonging: Transform our learning culture toward creating a sense of belonging and well-being for every student

REPORT: The Department of Education released new regulations for Title IX law on April 19, 2024.

The PCC Board of Directors approved B216 Gender-Based and Sexual Misconduct at its public meeting in May 2015. Since that time there have been several regulatory changes from the Department of Education to Federal Title IX law.

The PCC Board of Directors reviewed the proposed policy at the June 20, 2024 Work Session.

PROHIBITION OF SEXUAL HARASSMENT AND MISCONDUCT

Portland Community College (the “College”) is committed to an inclusive, equitable, and supportive environment in which all individuals who learn, work, or participate in College programs are free from sexual harassment and misconduct. The College prohibits all forms of sexual harassment and misconduct as defined by state or federal law, including, but not limited to, Title IX of the Education Amendments of 1972, based on sex, gender, gender expression, actual or perceived gender identity, or sexual orientation. The College shall be free of sexual harassment and all forms of sexual misconduct and violence, including, but not limited to, sexual assault, sexual exploitation, stalking, and domestic or dating violence.

The College also prohibits retaliation against an individual for engaging in activity protected under this policy or state

or federal law, including, but not limited to, reporting concerns of sexual harassment or misconduct, and participating in investigations related to such concerns.

Any person who believes that they have been subject to sexual harassment or misconduct is encouraged to report those concerns immediately in the manner described in the operating procedures related to sexual harassment and misconduct.

The College President will establish operating procedures that implement this policy consistently across the College. These operating procedures will ensure that the College undertakes education and training activities to counter sexual harassment and to assist in preventing sexual harassment and misconduct. The College President shall further establish procedures for employees, students, and other members of the campus community that provide for the response to reports of sexual harassment and misconduct, including the investigation and resolution of such reports as required under state and federal law.

The College will make this policy and related written operating procedures available on its website, and other forums accessible to all members of the College community.

Employees who violate this policy and related operating procedures may be subject to disciplinary action up to and including termination. Students who violate this policy and related operating procedures may be subject to disciplinary measures up to and including expulsion. Volunteers or interns who violate this policy and related operating procedures may be subject to disciplinary measures up to and including termination from the volunteer assignment, internship, or other work experience program. Others who violate this policy and related operating procedures, including contractors, will be subject to appropriate sanctions.

RECOMMENDATION: That the PCC Board of Directors approve and adopt the Prohibition of Sexual Harassment and Misconduct policy in order to comply with Federal Title IX as presented above in bold text. This approval will bring PCC into compliance with the newly released regulatory changes by the August 1, 2024 deadline. Upon approval the former B216 Gender-Based and Sexual Misconduct will be archived.