



ADMINISTRATIVE PROCEDURE

TITLE: Prohibition of Sexual Harassment Under Title IX

ADMINISTRATIVE PROCEDURE # 3433

**RELATED TO POLICY # 3433 PROHIBITION OF SEXUAL HARASSMENT
UNDER TITLE IX**

- A. UCC is committed to providing an academic and work environment free of unlawful sex harassment under Title IX. This procedure defines sexual harassment that is prohibited under Board Policy 3433 and Title IX.
- B. The Title IX policy and procedures apply to all students and employees (including interns) who participate in an educational program or activity of UCC in the United States. “Educational program or activity” applies to all incidents that occur on campus, as well as incidents that occur:
1. In any locations, events or circumstances over which the College exercises substantial control over both the accused person and the context in which the alleged sexual harassment occurs, or
 2. In any building owned or controlled by a student organization that is officially recognized by UCC.
- C. **Definition of Sexual Harassment:** Sexual harassment under Title IX means conduct on the basis of sex that one or more of the following:
1. A UCC employee conditioning the availability of educational aid, benefit or service on another person’s participation in unwelcome sexual conduct (also called “*quid pro quo* harassment”);
 2. Unwelcome conduct that a reasonable person would determine to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to a UCC education program or activity;
 3. Sexual assault, which is defined as an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation, and includes:
 - a. Rape

- b. Sodomy
 - c. Sexual Assault with an Object
 - d. Fondling
 - e. Incest
 - f. Statutory Rape
4. Dating violence, which means violence against a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of a relationship will be determined based on a consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
 5. Domestic Violence, which means violence committed by:
 - a. A current or former spouse or intimate partner of the victim;
 - b. A person with whom the victim shares a child in common;
 - c. A person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
 - d. A person similarly situated to a spouse of the victim under the domestic or family violence laws of Oregon; or
 - e. Any other person against an adult or youth victim protected from that person's acts under the domestic or family violence laws of Oregon.
 6. Stalking, which means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his/her/their safety or the safety of others or suffer substantial emotional distress.

D. The procedures for reporting, investigating and resolving complaints of sexual harassment under Title IX are set forth in Administrative Procedure 3434.

REFERENCES:

- Title IX Education Amendments of 1972;
- Title VII of the Civil Rights Act of 1964, 42 U.S. Code Annotated Section 2000e

RESPONSIBILITY:

The Director of Human Resources is responsible for implementing and updating this procedure.

NEXT REVIEW DATE:

DATE OF ADOPTION: 11/12/2020

DATE(S) OF REVISION: 2/10/2021 by CC

DATE(S) OF PRIOR REVIEW: