

## **Hazing/Harassment/Intimidation/Bullying/Menacing-Complaint Reporting Procedures**

The Student CARE Team and Human Resources are responsible for coordinating inquiries and investigations of alleged hazing, harassment, intimidation, bullying, and/or menacing. General procedures for reporting and investigation into allegations of hazing, harassment, intimidation, bullying including cyberbullying and/or menacing sex-based are outlined below.

**Reporting Hazing, Harassment, Intimidation, Bullying, and/or Menacing Reports, information or rumors of hazing, harassment, intimidation, bullying and/or menacing should be reported to the Student CARE Team and/or Human Resources.**

**Inquires or investigations of hazing, harassment, intimidation, bullying and/or menacing involving students and only students will be coordinated by the Student CARE Team.**

**Inquires or investigations of hazing, harassment, intimidation, bullying and/or menacing involving employees, vendors or other individuals will be coordinated by Human Resources.**

**Contact information for the Student CARE Team and Human Resources can be found below:**

- Student CARE Team, [CARE@clackamas.edu](mailto:CARE@clackamas.edu), 503-594-3404
- Human Resources, [hr@clackamas.edu](mailto:hr@clackamas.edu), 503-594-3300
- Chief Human Resources Officer, Room B 204, 503-594-3458
- Director of Human Resources, Room B 204, 503-594-3087

**Reports, information or rumors of hazing, harassment, intimidation, bullying and/or menacing involving the Student CARE Team or Human Resources must be reported to the President.**

**Reports, information or rumors of hazing, harassment, intimidation, bullying and/or menacing involving the President must be reported to the chair of the Board of Education.**

### **Inquiries and Investigations of Sex-Based Discrimination and/or Misconduct**

The College official receiving the information or report of hazing, harassment, intimidation, bullying, and/or menacing will promptly initiate an initial inquiry and/or investigation. The inquiry and/or investigation will be conducted in accordance with state and federal laws.

**A written response regarding the findings from the inquiry and/or investigation will be provided to the complainant and respondent.**

### **Appealing the Results of an Inquiry or Investigation**

**If a complainant and/or respondent is not satisfied with the finding of the inquiry and/or investigation conducted, they may submit a written appeal to the Dean of Academic Foundations and Connections or the Chief Human Resources Officer.**

**For purposes of this process, the complainant is the individual(s) filing the report of a policy violation. The respondent is the individual(s) alleged to have violated the policy.**

**Appeals should be submitted within ten (10) calendar days or receipt of the findings. Meetings will be arranged with the affected parties as deemed necessary to discuss the appeal. A written response to the appeal will be provided to the individual filing the appeal.**

**If a complainant and/or respondent is not satisfied with the results of the initial appeal, they may submit an additional appeal to the President or the President's designee.**

**Appeals should be submitted within ten (10) calendar days or receipt of the response to the initial appeal.**

**Meetings will be arranged with the affected parties as deemed necessary to discuss the appeal. A written response will be provided to the individual filing the appeal.**

**Timelines may be extended based upon mutual consent of both parties.**

#### **Documentation of Inquiries and Investigations**

**Documentation of inquiries or investigations of discrimination may become part of the student's education record or employee's personnel file. Additionally, documentation of inquiries, investigations or findings of sex-based discrimination or misconduct will be maintained as a confidential file in the student conduct office and/or human resources office in accordance with state and/or federal law.**

#### **Additional Reporting Resources**

**Hazing, harassment, intimidation, bullying, and/or menacing may be reported, at any time, to the following state and/or federal agencies:**

- **U.S. Department of Labor**
- **Equal Employment Opportunity Commission**
- **Oregon Bureau of Labor and Industries**
- **U.S. Department of Education, Office for Civil Rights**
- **Higher Education Coordinating Commission**

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

#### **Definitions**

1. ~~“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.

2. ~~“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.~~
3. ~~“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 cocurricular 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.~~
4. ~~“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.~~
5. ~~“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.~~
6. ~~“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.~~
7. ~~“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.~~

### **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.~~

## **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.~~

Approved by President's Council: March 6, 2012  
(Date)