



**Portland
Community
College**

Board of Directors

AGENDA

April 16, 2015

PLEASE PRINT DOUBLE-SIDED IN SUPPORT OF
BOARD POLICY B707 - SUSTAINABLE USE OF RESOURCES

Vision

Building futures for our Students and Communities

Mission

Portland Community College advances the region's long-term vitality by delivering accessible, quality education to support the academic, professional, and personal development of the diverse students and communities we serve.

Who We Are

Portland Community College is a public, multi-campus, comprehensive community college serving the lifelong learning needs of our students. We offer college transfer programs; career technical education programs; adult basic skills; opportunities to develop English as a second language; high school completion and dual credit; community and continuing education programs; and service-learning opportunities that foster the development of civic responsibility and engagement. Through extensive partnerships with business, industry, labor, educational institutions and the public sector, we provide training and learning opportunities for the local and state workforce and promote economic and community development.

We Value

- Effective teaching and student development programs that prepare students for their roles as citizens in a democratic society in a rapidly changing global economy
- An environment that is committed to diversity as well as the dignity and worth of the individual
- Leadership through innovation, continuous improvement, efficiency, and sustainability
- Leadership through the effective use of technology in learning and all College operations
- Being a responsible member of the communities we serve by actively participating in their development
- Quality, lifelong learning experiences that helps students to achieve their personal and professional goals
- Continuous professional and personal growth of our employees and students including an emphasis on fit and healthy lifestyles that decrease disease and disability
- Academic Freedom and Responsibility - creating a safe environment where competing beliefs and ideas can be openly discussed and debated
- Collaboration predicated upon a foundation of mutual trust and support
- An agile learning environment that is responsive to the changing educational needs of our students and the communities we serve – making students marketable for jobs in the future and promoting economic development
- The public's trust by effective and ethical use of public and private resources

Goals

Access: Access to learning opportunities will be expanded through the cultivation of community and business partnerships.

Diversity: Lifelong learning opportunities will be accessible to all and enriched by the diversity of our students, faculty and staff.

Quality Education: Educational excellence will be supported through assessment of learning and practicing continuous improvement and innovation in all that we do.

Student Success: Outstanding teaching, student development programs and support services will provide the foundation for student skill development, degree completion and university transfer.

Economic, Workforce, and Community Development: Training provided to individuals, community and business partners will be aligned and coordinated with local economic, educational and workforce needs.

Sustainability: Effective use and development of college and community resources (human, capital and technological) will contribute to the social, financial and environmental well-being of communities served.

BOARD OF DIRECTORS
Portland Community College
PO BOX 19000, Portland, Oregon 97280

BUSINESS SESSION
April 16, 2015
Cascade Campus, Student Union, Room 203/204
705 N. Killingsworth Street, Portland, OR 97217

AGENDA

- 4:00 PM **Executive Session** - in accordance with ORS 192.660 (2), in accordance with ORS 192.660 (2), (a) Employment of a Public Official, (d) Labor Negotiation, (e) Real Property Transactions, (f) Information Exempt from Public Disclosure (Attorney-Client Privilege)
- 6:30 PM **Work Session** **Cascade Hall 301**
• OCCA/OPC Update
• Internal Audit Update
• Accreditation
• 2017-2018 Bond Update
- 7:30 PM **Call to Order** **Student Union 203/204**
• Introductions
• Approval of Minutes - March 5, 2015
• Approval of Agenda
- 7:35 PM **Adjourn Business Session and Convene as College Budget Committee**
- 7:35 PM **Public Hearing on Adoption of the Proposed Budget for FY 2015-17 in accordance with ORS 294.406 (1)**

 ♦ Budget Office Updates – Gordon Herbst and Jim Langstraat (10 minutes)

 ♦ Review of Proposed Budget – President Brown, Gordon Herbst, and Jim Langstraat (15 minutes)

 ♦ Public Comment on Proposed Portland Community College 2015-17 Biennium Budget (20 minutes)
- 8:20 PM **Adjourn College Budget Committee Meeting and Reconvene Business Session**
- 8:20 PM **Information Session**
• Faculty Focus – Beth Fitzgerald, Instructor, Multimedia (10 minutes)

- Margaret Carter Skills Center and Swan Island Center –
Dr. Karin Edwards (10 minutes)

8:40 PM **Public Comment on Agenda Items** (A sign-up sheet is on a table at the entrance of the meeting room.)

8:45 PM **Business Meeting**

Consent Agenda: (All items will be approved by consent agenda unless an item is withdrawn by request of a member of the Board. A separate motion will then be required to take action on the item in question.)

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	Academic Professional Appointments	
	Kevin Bradley, Eyeglass Program Coordinator, Liberal Arts and Pre-College Division, Southeast/Extended Learning Campus (NonGenreal Fund)	
	Darcy Demers, Career and Technical Education Learning Skills Specialist, Math, Sciences and CTE Division, Southeast/Extended Learning Campus (Temporary)	
	Jeff Edwards, Environmental Health and Occupational Safety Specialist, Administrative Services	
	Administrative Appointments	
	Ryan Aiello, Associate Dean of Student Development-Rock Creek Campus, Office of the Dean of Student Development, Rock Creek Campus	
	Michelle Brown, Accounts Receivable Manager, Administrative Services	
	Kevin Edwards, Library Access Services Manager, Academic and Student Affairs	
	Faculty Appointment	
	Rodney Lee, Instructor, Physics, Science and Engineering Division, Sylvania Campus	
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15-101	Gender-Based and Sexual Misconduct Board Policy B 216 (First Reading).....	256
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15-103	Approval of the Portland Community College Proposed Budget and the Property Tax Levies for the 2015-2017 Biennium.....	285
8:50 PM	Public Comment on Non-Agenda Items (A sign-up sheet is on a table at the entrance of the meeting room.)	
8:55 PM	Reports (5 minutes each) Faculty and AP Classified Students Board Members President	
9:20 PM	Adjournment	

The Board of Directors meetings are held in accordance with open meeting laws and accessibility requirements. If a person with a disability needs assistance in order to attend or participate in a meeting, please notify the PCC Disability Access Services at least 48 hours in advance at (971) 722-4341 (voice) or (503) 246-4072 (TTY). A sign-up sheet for those who wish to offer comments or testimony on any item will be available at the entrance of the meeting room.

PORTLAND COMMUNITY COLLEGE - BOARD OF DIRECTORS
PO BOX 19000, Portland, OR 97280

BUSINESS SESSION

March 5, 2015
12000 SW 49th Avenue, Portland, OR 97219
Sylvania Campus, CC 238/239 (A/B)

MINUTES

BOARD ATTENDANCE

Jim Harper, Vice Chair Ken Madden, Chair Deanna Palm, Gene Pitts, Kali Thorne-Ladd, and Courtney Wilton

CALL TO ORDER

Chair Palm called the business meeting to order at 6:00 pm and invited all present to introduce themselves.

APPROVAL OF THE AGENDA

The agenda was approved as published. Madden/Pitts

INFORMATION SESSIONS

International Student Fee

Jim Langstraat, Associate Vice President, Finance and Kendra Cawley, Dean of Academic Affairs

Ms. Cawley provided a few statistics for international students. Currently for Winter Term there are 706 students, from 72 countries. Some comparator colleges are Valencia with 763 students, Miami-Dade has 1,606 and Houston Community College System has 5,208. As far as community colleges in Oregon and Washington, the numbers range from 60 to 1,952 students. The data for anything lower than 500 come from the Institute of International Education's Open Doors Data 2015. They do not track the numbers lower than 500, so the data was gathered independently.

International students and out-of state students pay non-resident tuition. Students with non-immigrant Visas and undocumented students pay resident tuition. Students getting an F-1 Visa apply at PCC as an international student and pay a \$50 application fee. They need to demonstrate \$18,000 in financial resources, liquid funds in bank statements or letters within six months of attending. From there PCC issues an I-20 and the student then applies for a Visa. Of the students applying about 50-60% enroll.

A snapshot of the services provided by the International Education are Visa support, orientation, English language support, DHS Compliance via SEVIS (Student and Exchange Visitor Information System), advising, and student activities. Orientation is a big deal. Not all the students come in the Fall; they come Fall, Winter and Spring. Each term there are 150 new students each term. They all require testing to make sure they are in the right English placement. The orientation is intense; it is five full days, by the end of the week they will know which classes they are going into. For the staff in International Education, this is an "all hands on deck" week to make sure the students are well introduced to PCC and ready to go.

SEVIS is required by the Department of Homeland Security. The students are entered into the database when they apply. From there they have to be tracked throughout the year. Staff has to confirm that they are attending from term to term; they are taking the right courses and meeting the right number of credits, and making appropriate progress. If they are not, then a change of status must be filed. This work is done primarily by the advisors. There are 4.75 advisors in International Education for the 709 students. The workload is great.

Mr. Langstraat discussed a few issues around International Education. A few reminders are that these students do not generate any funding from the state, even if we are below the state funding cap. There are no property tax revenues from international students because they are not property owners within the five counties that PCC serves. Property taxes account for half of the general fund dollars. The only additional revenue that we receive from international students is tuition and fees.

At the January Work Session information was shared around international education. As a reminder, international students do generate over \$5 million in revenue for the College. When all direct and indirect cost associated with international students, PCC is losing about \$150,000 per year. Director Pitts asked if this was compared to In-State students? Mr. Langstraat stated that In-State students generate state revenue. To get this number the revenue generated by the international students was compared to the direct and indirect costs and came up with a \$150,000 difference. Director Pitts clarified that this was an incremental cost associated with international students. Mr. Langstraat shared the different ways that were discussed to cover the deficient in place. For example, a \$10 increase per credit hour or a \$121 fee increase per term would cover it, as well as provide \$100,000 for reinvestments and enhancements to the program. At the last board meeting, the board tabled the increase for international students. Right now there is an increase approved for general education students, but there is nothing approved for an increase for international students for next year.

Comparative data for Oregon and Washington between resident and non-resident tuition shows 2.3% to 3.1% differences. PCC is very comparable with the other colleges in the area. Mr. Langstraat provided a historical look at tuition increases at PCC. From FY10-11 through FY 14-15 resident tuition has increased by 21%, while international tuition has increased 7.8% over the same time period. There are many different ways to structure how to establish fees for international education. There could be an across the board ratio where it is established that the rate be 2.4 time the resident tuition. It could be set as a fee per term that covers the services that Ms. Cawley outlined. It helps provide the students with additional services to help them navigate the system. Another option is to increase the per credit fee. There are different options for the Board of Directors to decide.

Chair Palm asked if the slide referencing the cost for resident and non-resident tuition included the fees? Mr. Langstraat stated that it was straight tuition. Chair Palm asked how the fees compared to other colleges. Mr. Langstraat noted that PCC is about 7th of the community colleges in Oregon for fees. If tuition and fees are considered together, then PCC drops to 12th. PCC's fee structure as a whole has been lower than the other community colleges in the state. Director Pitts followed up asking how much of the costs identified are due to the international program per se. Mr. Langstraat stated that the direct costs associated with the program are in the \$3.4 million range, the indirect cost such as the

counseling, which is available for all students. It was calculated by taking all the administrative overhead costs, support services cost divided by the total number of students and then took a proportion of that for International Ed, based on their FTE enrollment. Director Pitts asked if that number was for the international student overhead. Mr. Langstraat said yes, that is how it was calculated. Director Wilton noted the material helped him understand this better. He noted he was estimating where the ratio would be with the increases. He doesn't feel it will change that much, when the regular tuition increase scheduled for next year. He supports increasing this fee, since regular tuition is being increased, it is reasonable to increase this fee or tuition as well. PCC costs are going up, and the idea to cover the costs through tuition is reasonable and not by using state funding and property taxes to subsidize it. It can be argued either way, but it makes sense to try and cover it. The only difference he has with the proposal is that it is to cover the costs that are not covered on an annual basis, which around \$150,000. Then on top of that is another \$100,000 added in, he suggests not doing that. As he listened to the students he noted they are very cost sensitive. If students were asked what their preference would be as far as receiving the additional services proposed in the \$100,000 increase, he suspects they would decline. He suggests not doing the additional marketing. Later if it is decided that this would be the case, then it could be covered from the general fund.

Chair Palm echoed Director Wilton comments about the additional \$100,000 and the price sensitivity that was heard from students makes it difficult to defend it. Recovering actual costs is extremely important and they feel confident in doing that. There are no decisions being made tonight, this report was for the board to gather information and to be able to provide the President with feedback on what they would like to see come forward in a resolution at the March 19 Board Meeting. Chair Palm asked board members to provide feedback.

Director Harper agreed that as hard as it is to do this, it needs to be done. We need to be sure that we are talking about with the students. He has been through a lot of these meetings and people don't always like it, but as long as they know about it and have had a chance to talk about it.

Director Ladd echoed what Directors Harper and Wilton said, that the extra amount is not necessary. It makes sense to cover costs, but beyond that it doesn't seem fair. She appreciated the demographic information, and now understands who the international students are. She thinks the importance of students being aware and not surprised is hugely important.

Director Madden echoed those thoughts as well. He apologized for not being at the last board meeting. He was in DC with the Oregon Workforce Investment Board. He agrees covering the actual costs and if additional funds are needed, then the general fund could be looked at for those.

Jim Langstraat provided that if we just try to recover costs, it would take the \$120 per term fee down to a \$75 per term fee.

Director Wilton stated that it is okay for the board to have a discussion about whether they want to spend another \$100,000. We may or may not, it is not a given. There may be a benefit to doing it and we may decide ultimately to pass. There is a functional program and

don't need to spend the funds.

Chair Palm noted that the direction we are getting to is that the fee proposed to be for recovery of costs. Beyond that, whatever is decided to do with the International Program in terms of additional marketing or educational resources, that would be a different discussion, rather than in the resolution?

Budget Planning Calendar

Jim Langstraat, Associate Vice President, Finance

Mr. Langstraat presented a process where the budget process will be more interactive, so there will be no surprises for the board or the students involved. We have taken a look at the existing process to either add to or enhance the process to provide the opportunities for feedback. In referring to the handout provided to the board members, he noted that items marked in red will be a biennium process; items with an asterisk are new steps to the existing process. Although Budget Forums are planned for the campuses, there will be a special session towards the student leaders. The idea is to have Budget Forums on a quarterly basis to go over the first quarter reporting results and enrollment trends for the year. Another key piece that we will be starting is with the Budget Planning Advisory Group. The plan is to have presentations by the different division, whether it is Academic Affairs, Student Affairs, TSS, or Finance. Each would present their priorities to BPAC and get direction and help. It has been one of the challenges to not have a process like this in place where all the priorities on the table at the same time. Establishing a system to put them in a rank order would prove beneficial. Just as in the past, updates will still be presented in November to the board on the budget process and the adopted calendar. In December updates on what the state is planning and other parameters will be presented. In January, there will be budget forums at each of the campuses will updates will be provided on the 2nd quarter reporting and enrollment trends. Once folks get a couple of reports on enrollment trends folks can get better predications where things might end up for the year.

The calendar also shows meeting with ASPCC in January to discuss the budget. Updating student leaders on how things are progressing and any anticipated fees that may be upcoming. As well as making them aware of the budget calendar and the key events that will be coming up as part of that process.

In February of the biennial years, another new step would be having the final divisional presentations at BPAC to help prioritize the needs as the budget is built. Still in February, it will fall on the board to adopt tuition and fee increases or rate changes for the next year. A lot of the remainder of the budget follows much of the same cycle that we have been on. In March we will still visit with the board about the budget parameters, discussions with BPAC, and the board meeting as the Budget Committee. April will continue to see the delivery of the President's Budget message with a copy of the proposed biennial budget. Also, in April we plan to have the forums at the campuses to continue conversations about the budget and enrollment trends. Just as now, in May there will be the presentation to the Multnomah Tax Supervising Conservation Commission and then hold a public hearing to certify the budget. In June of the biennial years, the official legal budget comes back to the board for adoption and categorization.

The plan is to have a couple of additional meetings with ASPCC as well as each campus to gather feedback and to share information. We hope by adding these steps to the process

can help prevent any more surprises.

Chair Palm thanked Mr. Langstraat for his quick response to this request. She noted the idea of having ASPCC involved in the budget discussions and having the primer of the understanding of the budget will make them much more powerful in Salem. We love it when students go to Salem and talk about the budget and really understand how enrollments and other pressures affect the budget. They will be able to show the legislators that they understand it all and they get it and they know the impact of the decisions made in Salem.

Director Wilton likes the improvement. He knows students are really busy and may not be able to attend meetings so maybe it is worthwhile to come up with an electronic way to reach out to students to obtain feedback. Mr. Langstraat liked the idea and said they will find a way to incorporate it into the structure. Another thought from Director Wilton was that as we have gone to a two year budget, which is allowed under the law and is more efficient that way. The bad thing about it is that it cuts out a public involvement process for the second year and it is unfortunate given the size of our entity. What is also true is that we put our budget together in the year when the legislature is meeting; sometimes it is less meaningful than others, given the uncertainties. Generally, the assumptions are accurate and we end up doing budget adjustments after the primary involvement process. The end result is that we have a two year budget where the involvements occurred prior to it being finalized. There is no involvement in the second year. Some thought to this would be appreciated. We are a very large entity and we have a ton of money rolling through PCC and it would be good to get feedback on an annual basis to the extent that is manageable.

Director Ladd also appreciates the increase in opportunity for people to be engaged in the budget process. She would suggest a lot of consideration around how the budget presented. She thinks it would be helpful to have the budget presented with an equity lens and looking at impacts in different areas. The different budget line items and the impacts it has for different groups. It has been done before, the City of Portland had a process of looking at the budget with an equity lens and understanding what the budget line items impacted, who they impacted and how they impacted. In addition to getting people involved, having people understand what really what it means in real time for students, for faculty, for the different people that the budget impacts. She thinks that a lot of times there are budget discussions that people may attend but they don't fully understand what is going on, so the richness of the conversation and the dialogue is mitigated how the budget it presented and how particularly because we have the Strategic Plan and we have these rules, it being an central piece is really important.

Mr. Langstraat responded that it is certainly PCC's goal to keep the equity lens on everything that is done in the budget. He may have to research how the City presents that information and what elements of that we can incorporate into the process.

Director Pitts liked the fact that there is now a process document. We can look at this thing and know what to expect. That is something historical that we haven't had. He thanked him for the work.

David Betts made a comment; he thanked Jim Langstraat and his time for the work that was done in such a short amount of time. After the last meeting, the students really appreciate this work and look forward to the conversations that happen from this.

Mr. Langstraat thanked Dr. Brown who had a lot of influence in the development of this document.

Director Palm asked if next steps were to see another draft. Mr. Langstraat responded that yes, based on the feedback received tonight and based on feedback from BPAC, we will be coming back to the board as it is fleshed out even more.

Title IX Training Update

Kim Baker-Flowers, Director, Equity and Inclusion

Dr. Baker-Flowers started with letting the board members know that there was an awareness campaign that kicked off in early February. Hopefully, you all have seen these around the different campuses.

There is a Title IX brochure that we have run out of, there is an electronic copy online at the Equity.Inclusion site so that it can be printed off. We held a Title IX Investigator Training that 53 PCC attendee and 10 members from the Oregon Community College Title IX Committee. This training was specifically for those who would participate in investigations throughout the college interviewing witnesses. Then we had a Mandatory Reporting Responsible Employee Training, there were 183 PCC attendees at that training. This training was targeted towards managers and supervisors for a Train the Trainer with the expectation of taking the training back to their staff.

We have also identified an online provider for Title IX. They will be providing online training for faculty, staff and students on Clery, SAFE and all Title IX issues. We hope to have it up and running no later than April. In full effect by Fall term so that we reach all of our students which is required.

The final iteration of the PCC Agenda Based and Sexual Misconduct Policy has been reviewed by the College attorneys. It will be presented soon for board approval.

There is an Oregon Title IX Conference that the Oregon Community College Subcommittee has put together and will be offered March 19-20 that is open to all. We are currently in the process of applying for a Department of Justice Title IX grant with the help of the Grants Office. The grant would provide more funding for Title IX efforts.

Lastly, Dr. Baker-Flowers noted she has been appointed to the State Sexual Assault Taskforce for Oregon. She will share the information she learns.

Director Harper asked if the training was going to be mandatory for all. She noted that yes, it is the law. Under the revised Violence Against Women Act requires that all of our students be trained in Title IX. Basically, we have to give them training that says these are your rights and responsibilities under Title IX. We will use an online training as a way to get to all of our students. She will be talking with other groups for different mechanisms we can use to show that we reached everyone. There is also Clery training that requires that Public Safety be trained every year. VAWA requires that all deputies and Title IX Coordinators have continuous education every year. There are different levels of required training and we are trying to meet all of the mandatory and also be the best practice institution. We are doing it because it is the right thing to do, and we want to make sure that everyone feels safe on our campuses. Director Harper asked what mechanism will be used to make sure people to this

and know that they attended. She responded that if we get the online piece in place, we will be able to keep track of the names of everyone that goes through. For example for students, one of the best practices is to have it tied to registration so that they would have to do that before they are able to attend classes in the term. For faculty and staff, we will have to get creative, especially with part-time faculty to ensure they have done the training. She will be partnering with folks across the College to figure out how to make that happen. Director Harper wanted to make clear that although the trainings may be mandatory, unless a due date is assigned, folks may delay in taking the trainings. Dr. Baker-Flowers noted that most of the trainings are annual and are in effect as of July 1, 2015.

Director Palm noted that we are not alone; every institution will be doing this. Being that it is new, there will be a process and questions around those. Education about the process and noting that this is not PCC mandate, this is a federal mandate. More conversation is happening and voices are getting amplified about what this all means. It will take a while for everyone to understand they are part of the process as well. Dr. Baker-Flowers noted there was some of that with the mandatory training, but when people were there and listened, they started understanding the process.

Director Harper noted that thinking back to the Strategic Planning Committee, one of the items that came up was the diversity theme. It was clear to him that that really wonderful group of people, who worked on it, want something that is meaningful. They just don't want something that is going to hang on a wall and say "we are", they want it to mean something and for all to feel that way. Dr. Baker-Flowers completely agrees with that. She noted a mid-year retreat with the District Leaders of Diversity this past Friday. She will be reporting out later in the month how we are thinking through all of that. We are trying to be as thoughtful and proactive and authentic as we can make it.

PUBLIC COMMENT ON AGENDA ITEMS

International Student Fee

Lan Ho, International Student

Ms. Ho stated she is an international student from Vietnam. She is speaking to the board to let them know what it is like being an international student in the US and voting against a tuition increase for the next year. She hopes that her story and fellow international students are part of the decision making process. To many American people, international students especially those who put up several thousand dollars from their own pockets every year to finance their school tuition and living expenses, must come from wealthy families and have large expendable incomes. Therefore, people seem to ignore our stories and forget that they actually play a very important role of the community. It is absolutely a ridiculous stereotype and misunderstanding about them. Most international students she has meant come from families with such moderate incomes. Personally she comes from a typical middle class family. Her parents work very hard to save their money for her education in America. If more research is done around foreign exchange rates between US dollar and Vietnam currency, you will understand how hard her parents have worked to support her education. It is no joke to compare currencies between a developed country like the US versus a developing like Vietnam. To many people international students are like outsiders and because of their status some conservative people even assume that they are here to take advantage of this nation, that we come here to steal knowledge to better their home countries. It is absolutely wrong. They can still be a very informed part of the community and help this state be a more just place for all. In fact, she has been a very active student

leader at PCC for over two years and has volunteered with so many diverse groups that focus on equity and higher education. She has done it all with integrity and humility, but so often she feels frustrated and hopeless during the countless hours of community work without getting paid to feed herself. It could have made a big difference if there were opportunities to earn money from doing community work. Sometimes the law treats them so strictly and unfairly. People will say, you come here to study, not to work. Well under the law it is true, but it is not easier said than done. In reality, especially to those who come from typically middle class families in developing countries like Vietnam. It is way more than just being in America. Many of them struggle with the same basic money, rent, food, phone fees, and other living expenses. She never thought that a piece of paper could mean so much. [Crying] Due to the financial pressures and limited resources a lot of international students have to choose to break the law. They work under the table at restaurants, and get paid less than minimum wage. She was told some of the female international students have to put up with sexual harassment as part of the job. As they couldn't report it as the boss would threaten their status. Those are the real stories and apparently no body speaks up for them. Some people will ask you choose to study in America; we don't force you to study here. She calls them ignorant people, like you and everyone sitting here in this room. We also have dreams and passions. [Crying] We come to the US to fulfill our dreams of getting an education and using their talents and compassion to make this world a kinder safer and more resourceful to everyone. At the end of the day it is equally beneficial to everybody. In conclusion, she hopes the Board of Directors will be considerate of reducing the increase of tuition. The college needs to be made more affordable to anyone, not just Oregon residents but also international students who have vision and passion to further their educations and most importantly help the community to be a more just place for everybody.

Director Palm commented that she hoped that she had an opportunity to hear the dialogue that was had earlier regarding the issue and the fact that they are really focusing in on just recovering the costs that the school is making in processing the international students. They understand the restrictions and hope that it was heard echoed throughout the board members. They are concerned and they are aware. They appreciate her taking the time to come and talk to them.

Ms. Ho thanked her for listening. She noted she hears her concern and really hope that the board members will listen to more stories from international students and not focus on the figures and numbers. She understands that the board is concerned about the cost of tuition, but their stories are real. They are actually not just here to study; they also do a lot of community work. She hopes they are part of the process. Director Palm reminded the board members that international students cannot work, it is a big restriction.

Michael Sonnleitner, Faculty, Political Science

Mr. Sonnleitner wanted to address the issue of recovering costs. If international students generate \$5 million and the Office of International Education has a budget of \$3.4 million, then there is about \$1.6 million leftover. Is covering the cost that were outlined to you earlier-admission, orientation, DHS paperwork, and such-706 students into \$1.6 million dollars which is covering those costs, is a little less than \$22,000 per student. He would like to see the details on a 5-day orientation, paperwork for DHS, advising and student activities, all those things total out to \$22,000 per student. He questions the costs; he would like to see some of the detail.

Second, it was assumed that international students do not generate any revenue. They do in a sense, because they pay rent. Renters pay property tax; it is imbedded in the rent. It is for real, it is a real cost. The owner of the property that is rented is taking it from the renters and passing on. So he questions whether these international students generate no revenue because they pay rent. The property taxes are added in the rent. Whether it is \$350 for a room in a house, it will be generating some property tax. He can't say whether mathematically that amounts to \$150,000, but that is the alleged deficient that needs to be covered. Cover our costs of \$150,000. He appreciates the board taking the \$100,000 fee, so it is just \$150,000. Mathematically that would be about \$70.86. He questions whether that is necessary. These students are generating some revenue, indirectly through their rent in property taxes, keep that in mind.

Third, other community colleges in Oregon, including Chemeketa and Lane, do have tuition higher than normal for resident students for international students. They do not have any international student fees. PCC whether it slaps on \$120 per term or \$75 will be out of sync in that regards with Lane, Chemeketa and perhaps other Oregon community colleges.

Last, the argument that PCC is a remarkable good deal for international students. He is very pleased to hear that we are low and \$3,300 compared to Clackamas, \$3,700-that is sweet. He is proud of PCC for being lowest, the best deal in the state. But that is not an argument for increasing the fees, or having fees at all. The argue for is really a market argument. As compared to other community colleges, we are a great deal, therefore we can raise fees because we can and we are still competitive with other community colleges. It is a market argument. He doesn't think that is necessarily a persuasive argument when you consider the impact on the international students. He would like to continue to be proud of being the best deal for international students in the state of Oregon. It is not an argument for increasing fees to say that we can and it will be comparable to the other community colleges, to him that is not a persuasive argument if that is the only one left standing.

Frank Goulard, Faculty, Mathematics

Mr. Goulard also wanted to speak to the international student fee situation. He echoes Michael Sonnleitner arguments and seconds them of course. A few things, he too would like to see some details. For example, is the recommended \$5 per credit tuition increase take care of the \$150,000 shortfall or do we need an additional \$5 bringing it to a \$10 increase per credit to mitigate the \$150,000 shortfall. He also questions the \$1.6 million in indirect costs. Is 3% of the lighting in the room supposed to be bore by international students since they make up almost 3% of the student FTE? He questions some of those as well and would like to see the details. Aside from the numbers which he enjoys doing, he would like to look at some of the other arguments in support of the international students. As a college, it is a dangerous path to go down for covering costs for every different division or cost center. If we did that we would be covering the costs of every CTE program by jacking up those program fees immensely, but we don't. We offer English, Writing and Math classes at a much lesser costs compared to the CTE programs, but they all go together under instruction, don't they? Sure they do. The self-support idea is dangerous, these international students are friends, neighbors, colleagues of all of us. They enrich our community, they enrich our college. To say that they are just a number, and to make sure that the college breaks even on the \$5.1 costs and revenue side is disrespectful to them and what they bring to the community and our college. We are impacting people's lives, be sensitive and intentional and totally aware of the situation and how it impacts the very

venerable students as the two people before him so eloquently stated as well as the folks two week ago at the board meeting at CLIMB.

BUSINESS MEETING

Chair Palm proposed approval of Resolutions 15-088 through 15-089. The motion passed unanimously. Wilton/Madden

Director Thorne-Ladd noted that there is a retiree listed in the agenda who has been with the college for 25 years. That is great.

PUBLIC COMMENT ON NON-AGENDA ITEMS

None

REPORTS

ASPCC

David Betts, President, District Student Council

Mr. Betts invited all to the musical starting tomorrow night, Hairspray. It is a great collaboration of tons talented students and staff. Today was International Women's Day and ASPCC had a celebration in the CC Mall and handed out flowers to women all over campus. There are a lot of conversations happening amongst the DSC, there will be a presentation tomorrow from Jim Langstraat, and hopefully Dr. Brown can make it. Director Palm plans to attend. They are still working on building communication with administration which they are so very appreciative of.

Board

Jim Harper noted the memo from ACCT regarding the RFP and Nominations for the Conference in San Diego. He is encourage all to look at that, PCC is doing some really great things and should be shared with the national stage.

Kali Thorne-Ladd noted although she was not at the last board meeting, she thinks managing the budget is not easy. The financial responsibility that the board holds does seem like a numbers game. Not just speaking for herself, she wanted to note that they do think very long and hard about who their decisions impact. They see every student, not just international students. Every student has a story that comes to PCC and many students have a story of having a hard road. This is not something they ever forget when making these decisions. She really appreciates hearing the stories, but every decision around a tuition increase is a pain-staking one because they realize it impacts lives and they care about the lives of PCC students.

ADJOURNMENT

There being no further business, the meeting adjourned at 7:04 pm.

NEXT MEETING

The next business meeting of the Portland Community College Board of Directors will be held on March 19, 2015 at 7:30 PM at the Sylvania Campus.

Deanna Palm, Chair

Dr. Jeremy Brown, President

Prepared by:

Jeannie Moton, Assistant to Board of Directors

Minutes approved on April 16, 2015.

April 16, 2015

15-095

APPROVAL OF PERSONNEL ACTIONS

PREPARED BY: The Human Resources Department Staff

APPROVED BY: Dr. Jeremy Brown, President

RECOMMENDATION: That the Board of Directors approve the following actions:

A. Approval of new hires, new positions and change of position

1. Academic Professional Appointment (NonGeneral Fund)– Kevin Bradley

Eyeglass Program Coordinator

Liberal Arts and Pre-College Division, Southeast/Extended Learning Campus

Annual Salary: \$45,661 Grade: 3 Step: 4

Effective: March 30, 2015

Education: Portland State University MS, Educational Policy and Leadership 2012

Warner Pacific College BS, Business Administration 1993

Most Recent Experience: Portland Rescue Mission
Learning Center Manager

Applicant Flow:

Gender

3 Male
11 Female

Ethnicity

12 White (not of Hispanic Origin)
1 Hispanic/Latino
1 Not Disclosed
14 Total

2. Academic Professional Appointment (Temporary)– Darcy Demers

Career and Technical Education Learning Skills Specialist

Math, Sciences and CTE Division, Southeast/Extended Learning Campus

Annual Salary: \$42,624 @.50 FTE Grade: 3 Step: 2

Effective: March 31, 2015 to September 15, 2015

Education: Portland State University MS, Education 2014
University of Alaska BS, Biological Sciences 2002

Most Recent Experience: Portland Community College
Office Assistant I

Applicant Flow:

Gender

16 Male
17 Female

Ethnicity

26 White (not of Hispanic Origin)
3 Asian
2 Two or More
2 Not Disclosed
33 Total

3. Academic Professional Appointment– Jeff Edwards

Environmental Health and Occupational Safety Specialist

Administrative Services

Annual Salary: \$42,624 Grade: 3 Step: 2

Effective: April 6, 2015

Education: Townson University BS, Biology 1992

Most Recent Experience: Columbia Helicopters, Inc.
Health, Safety and Environmental Specialist

Applicant Flow:

Gender

Ethnicity

16	Male	19	White (not of Hispanic Origin)
9	Female	2	Asian
2	Not Disclosed	1	Hispanic/Latino
		1	Native Hawaiian or Other Pacific Islander
		4	Not Disclosed
		<hr/>	27 Total

4. Administrative Appointment– Ryan Aiello

Associate Dean of Student Development-Rock Creek Campus

Office of the Dean of Student Development, Rock Creek Campus

Annual Salary: \$84,000 Grade: M

Effective: April 13, 2015

Education: Pacific University MA, Counseling Psychology 2006

Washington State University BS, Psychology 1999

Most Recent Experience: Pacific University
Director of Residence Life/Conduct Advisor

Applicant Flow:

Gender

Ethnicity

31	Male	32	White (not of Hispanic Origin)
33	Female	7	Black or African American
2	Not Disclosed	2	Asian
		2	American Indian or Alaska Native
		1	Native Hawaiian/Pacific Islander
		13	Hispanic/Latino
		3	Two or More Selections
		6	Not Disclosed
		<hr/>	66 Total

5. Administrative Appointment– Michelle Brown

Accounts Receivable Manager

Administrative Services

Annual Salary: \$60,000 Grade: J

Effective: March 27, 2015

Education: Colorado State University BS, Public Management 2014

Shasta College AA, General Education 1989

Most Recent Experience: Oregon Health And Science University
Business Data Analyst II

Applicant Flow:		Ethnicity	
Gender			
9 Male		20 White (not of Hispanic Origin)	
25 Female		3 Black or African American	
		3 Asian	
		4 Hispanic/Latino	
		1 Two or More Selections	
		3 Not Disclosed	
		<hr/> 34 Total	

6. Administrative Appointment– Kevin Edwards

Library Access Services Manager
Academic and Student Affairs

Annual Salary: \$54,102 Grade: I

Effective: March 30, 2015

Education:	University of Washington	MLIS, Library and Information Science	2008
	University of Washington	MFA, Creative Writing	2004
	Southern Oregon University	BA, English	2001

Most Recent Experience: Portland Community College
Library Supervisor

Applicant Flow:		Ethnicity	
Gender			
15 Male		32 White (not of Hispanic Origin)	
29 Female		2 Black or African American	
2 Not Disclosed		2 Asian	
		4 Hispanic/Latino	
		1 Two or More Selections	
		5 Not Disclosed	
		<hr/> 46 Total	

7. Faculty Appointment (Temporary)– Rodney Lee

Instructor, Physics

Science and Engineering Division, Sylvania Campus

Annual Salary: \$299.81 per day Step: 3

Effective: March 30, 2015 to September 6, 2015 (2 term daily rate)

Education:	University of Maryland	MS, Chemical and Life Sciences	2014
	Swinburne Center for Astrophysics and Supercomputing	MS, Astronomy	2003
	Sonoma State University	BS, Physics	1997

Most Recent Experience: Portland Community College
Instructor, Physics (Adjunct)

Applicant Flow: Article 3.64 Appointment

**ETHNIC AND GENDER DESCRIPTION OF STAFF
PROPOSED TO BE HIRED IN *April 16, 2015* PERSONNEL REPORT**

Male	5
Female	<u>2</u>
	7
White (not of Hispanic Origin)	<u>7</u>
	7

April 16, 2015

15-096

COMMENDATION OF RETIRING EMPLOYEE –
LINDA BRUSS

PREPARED BY: Human Resource Department Staff

APPROVED BY: Dr. Jeremy Brown, President

REPORT: Linda Bruss has performed faithfully in her duties as Part Time Faculty and Instructor/Computer Application Systems for Portland Community College since January 6, 1992. She retires effective March 31, 2015.

RECOMMENDATION: That the Board commend her for her service to Portland Community College and wish her well in her retirement years.

April 16, 2015

15-097

COMMENDATION OF RETIRING EMPLOYEE –
ANTHONY GEORGE

PREPARED BY: Human Resource Department Staff

APPROVED BY: Dr. Jeremy Brown, President

REPORT: Anthony George has performed faithfully in his duties as Manager/Print Center for Portland Community College since June 7, 2001. He retires effective March 31, 2015.

RECOMMENDATION: That the Board commend him for his service to Portland Community College and wish him well in his retirement years.

April 16, 2015

15-098

ACCEPT PROPOSAL AND AWARD CONTRACT FOR
BANKING SERVICES TO BANK OF AMERICA

PREPARED BY: Jordan Petrusich, Buyer/Contract Specialist, Procurement

FINANCIAL
RESPONSIBILITY: Dee Wilson, Bursar, Financial Services

APPROVED BY: Jim Langstraat, Associate Vice President, Financial Services
Gordon Herbst, Interim Vice President, Administrative Services
Dr. Jeremy Brown, President

REPORT: The College has a need for banking services. The current contract expires at the end of the current fiscal year and a Request for Proposal (RFP) was issued to select a Bank.

On January 9, 2015, the RFP was advertised in the Daily Journal of Commerce, State of Oregon ORPIN Vendor System and the RFP document was accessible by registering on the PCC Procurement website. A total of fourteen (14) different vendors registered and received copies of the RFP. By the deadline of February 4, 2015 at 2:00 P.M., the College received four (4) proposals. These proposals were reviewed and evaluated by the committee members based on the following criteria: Services & Innovations; Cost of Services, Compatibility, Partnership & Support Services; Financial Stability; References; Presentation. The proposals received were from the following firms:

Proposer's Name

Bank of America
U.S. Bank
J.P. Morgan
TouchNet

Note: No MWESB firms submitted proposals

RECOMMENDATION: That the Board of Directors accept the proposal and award the contract to Bank of America to provide Banking Services to the College. The contract will cover three (3) fiscal years, commencing on July 1, 2015 and ending June 30, 2018. The contract will also have an option for annual renewal for an

additional two (2) years, through June, 2020 (not to exceed 5 year). The agreed contract per year pricing is estimated as follows:

Account Analysis Fees: \$40,641

Merchant Fees: \$59,000 (plus interchange, assessment fees)

Earnings Credit Rate: .25 (calc .07% x 3000,000 = 210 credit)

Investment Rate: 0.15 on sweep account (calc. .05% x 10,000,000 = 5,000 credit)

Per year total: \$103,874.10 (10% increase adjustment included)

Five year total: \$519,370.50 (10% increase adjustment included)

April 16, 2015

15-099

AUTHORIZATION TO UTILIZE AN INTERGOVERNMENTAL
COOPERATIVE CONTRACT FOR THE LEASE OF XEROX
COPIERS AND PRINTERS

PREPARED BY: Tony George, Manager, Print Center

FINANCIAL
RESPONSIBILITY: Linda Eden, Director, Auxiliary Services

APPROVED BY: Gordon Herbst, Interim Vice President, Administrative Services
Dr. Jeremy Brown, President

REPORT: On April 15, 2010, the Board of Directors approved a sixty (60) month lease contract BA10-083 for copiers and printers districtwide with Xerox. This contract is due to expire in May 2015. The cost of leasing copiers/printers will exceed the formal solicitation threshold and will require Board of Directors approval (B505).

Copier lease contracts established by other public agencies are available for inter-governmental cooperative use by the College. Typically these contracts with the larger agencies have exceptionally better pricing than if the College completed an individual formal process for its own copier requirements. In addition, the governmental agency has done the competitive process to secure the agreement before making it available for other public agencies to use. Utilizing an existing inter-governmental cooperative contract is allowed per College Procurement Rules, CCR 214.

Print Center staff compared and tested equipment, software, reliability and service levels from multiple vendors over a six-month period and after careful review, the staff believes it is in the best interest of the College to continue with vendor Xerox utilizing "The Cooperative Purchasing Network Agreement." The Xerox solution was determined to be the only viable option compatible with our College-wide integrated copier ID system, which ensures user accountability and security.

The proposed lease renewal will include:
seventy two multi-function convenience copiers to replace current Xerox fleet equipment (with 34 of these machines having color capability), two new production machines to

replace Print Center equipment, new color production equipment and ColorQube printer technology to promote a green sustainable alternative to desktop printing. All equipment on this contract is equipped for copy, scan and print thereby presenting the option of using copiers as scanners (scan to e-mail) in support of College sustainability commitments.

All Xerox equipment is EnergyStar approved, supplies are provided and picked up from each location for recycling by Xerox. The new sixty (60) month lease contract includes installation, maintenance services, supplies and managed services to provide immediate response to problems, training, machine move coordination, account review/reporting and supplies and management support.

The new lease will save \$4,400 per month or 20% over current lease payments, continue current services including familiar access to equipment by means of copier ID number. For the life of the new lease, the savings amount to \$264,000. The new production copy equipment will have improved quality and productivity providing faster turn-around and improved customer service.

This renewal will allow service and support by phone call to a services representative. Service includes order/installation, returning supplies, and problem resolution.

Board Resolution 96-88, established the Print Center as an internal service fund whose function is to provide centralized accounting, budgetary control and reporting mechanisms to manage accountability of printing and copying expenditures for all campuses and divisions within the college. This lease contract provides the Print Center with the latest technology and equipment necessary to support the accountability and financial requirements established by the Board and will be funded by chargebacks from the Print Center for all copy and printing services required by campuses and divisions throughout the district.

Xerox is a U.S. company with 60,000 employees of which 2,200 are employed in the Portland area. The Wilsonville plant is Xerox's second largest facility and is dedicated to producing equipment and supplies for their sustainable ColorQube printer technology.

RECOMMENDATION: That the Board of Directors authorize the utilization of The Cooperative Purchasing Network Agreement with Xerox for a new sixty (60) month lease of copiers and printers with monthly lease payments of approximately \$22,000. The estimated total is \$1,350,000 for the full term of the contract, which includes an estimate of additional equipment that may be added during the lease period.

April 16, 2015

15-100

ACCEPT BIDS/AWARD CONTRACT TO
SSM MECHANICAL SERVICES FOR HVAC SERVICES

PREPARED BY: Denise Jeffords, Buyer/Contract Specialist, Procurement

FINANCIAL
RESPONSIBILITY: Keith Gregory, Interim Director, Facilities Management
Services

APPROVED BY: Jim Langstraat, Associate Vice President, Financial Services
Gordon Herbst, Interim Vice President, Administrative Services
Dr. Jeremy Brown, President

REPORT: The College has the need to contract with a qualified
contractor to provide HVAC services for general
maintenance repairs and for new installation, as necessary.

The HVAC systems to be serviced include, but are not
limited to, refrigeration systems, hydronic systems (both
heating water and chilled water), air systems, solar hot
water systems, and electric heating systems.

An Invitation to Bid (ITB) for these services was issued and
made available to all interested contractors on January 28,
2015. The ITB was advertised in the Daily Journal of
Commerce, on the State of Oregon Procurement Network
(ORPIN), and on the PCC Solicitation website. A total of
twenty-two (22) vendors, which included contractors,
consultants, plan centers, and other interested parties (two
indicated MWESB status), registered and downloaded a
copy of the bid document.

The ITB stipulated that the award will be made to the bidder
whose bid results in the lowest overall ownership cost or
“best value” as it is determined by ORS 279.015(5), and
based upon the evaluation criteria listed below. The
evaluation may result in the award being made other than to
the lowest priced bid.

A total of nine (9) bids were received by the due date of
March 19, 2015, in response to the ITB.

An evaluation committee of five (5) PCC employees reviewed and rated the bids. The committee used the following criteria for its vendor evaluation: qualifications of project team; experience with projects of similar scope and size; professional certifications held by the vendor; professional certifications held by its employees; resources and ability to meet deadlines; warranties, cost and ability to respond to emergency needs.

Bids were received from the following companies:

<u>Company</u>	<u>Points</u>
SSM Mechanical Services	663.5
McKinstry	630
Charter Mechanical	598
Northwest Control Company	595
HVAC Inc.	589
Alliant Systems*	- 0 -
Daikin Applied Americas Inc*	- 0 -
Arctic Sheet Metal*	- 0 -
Portland Mechanical Contractors*	- 0 -

* These bids were deemed non-responsive, as they were incomplete.

Note: No bids were received from M/W/ESB firms.

The evaluation committee recommends awarding the contract to SSM Mechanical Services.

RECOMMENDATION: That the Board of Directors accept the bid from, and award a contract to SSM Mechanical Services, to provide HVAC Services. The total annual expenditure for these services is estimated at \$650,000. The initial contract period will commence April 17, 2015 (or as soon as possible thereafter) and end April 30, 2018 subject to renewal on an annual basis, beginning May 1, 2018 through April 30, 2020. The contract shall not exceed five (5) years or a total of \$3,250,000. Expenditures for these services will be from the General and Capital Funds.

April 16, 2015

15-101

GENDER-BASED AND SEXUAL MISCONDUCT
BOARD POLICY B 216 (FIRST READING)

PREPARED BY: Kim Baker Flowers, Director, Office of Equity and Inclusion

FINANCIAL
RESPONSIBILITY: Kim Baker-Flowers, Director, Office of Equity and Inclusion

APPROVED BY: Dr. Jeremy Brown, President

REPORT: The College has created a Title IX team with representatives across departments/divisions to address issues involving sexual violence, sexual harassment, domestic violence, dating violence and stalking.

The purpose of the PCC Title IX initiative is to create an environment free from all forms of discrimination based on sex, gender, gender expression and actual or perceived gender identity or sexual orientation, gender identity and sex-based discrimination.

This policy defines community expectations and establishes a mechanism for determining when those expectations have been violated.

The College strives to create an environment that is safe for all.

RECOMMENDATION: That the Board of Directors approve and adopt the Portland Community College Gender-Based and Sexual Misconduct Policy (Exhibit A) in order to comply with Federal Title IX, the Violence Against Women Act and Clery Act requirements.

Portland Community College

GENDER-BASED AND SEXUAL MISCONDUCT POLICY

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Portland Community College
GENDER-BASED AND SEXUAL MISCONDUCT POLICY

INTRODUCTION

Portland Community College (PCC) students and employees, as well as guests and visitors, have the right to be free from all forms of discrimination based on sex, gender, gender expression and actual or perceived gender identity or sexual orientation, gender identity and sex-based discrimination, examples of which can include acts of sexual violence, sexual harassment, domestic violence, dating violence, and stalking. All members of the College community are expected to conduct themselves in a manner that does not infringe upon the rights of others. The College does not tolerate gender-based or sexual misconduct. When an allegation of gender-based or sexual misconduct is brought to an appropriate PCC official's attention and a Respondent is found to have violated this policy, serious sanctions will be used to reasonably ensure that such actions are never repeated. This policy has been developed to reaffirm these principles and to provide recourse for those individuals whose rights have been violated. This policy is intended to define community expectations and establish a mechanism for determining when those expectations have been violated.

I. **Definitions** - What does this policy apply to?

The policy applies to all PCC community members, including students, faculty, administrators, staff, volunteers, vendors, independent contractors, visitors and any individuals regularly or temporarily employed, studying, visiting, conducting business or having any official capacity with the College or on College property. This policy is intended to protect and guide individuals who have been affected by sexual harassment, sexual violence, stalking or intimate partner violence, or discrimination based on actual or perceived sexual orientation, gender identity or expression, whether as a **Complainant** or a **Respondent**, and to provide fair and equitable procedures for investigation and resolution of reports.

All PCC community members are required to follow College policies and local, state, and federal law. This policy applies to conduct occurring on PCC property or at College-sanctioned events or programs that take place off campus, including study abroad and internship programs. In situations in which both the Complainant and Respondent are members of the PCC community, this policy will apply, regardless of the location of the incident. In particular, off campus conduct that is likely to have a substantial adverse effect on, or poses a threat of danger to any member of the PCC community, is covered under this policy.

A Complainant is encouraged to report misconduct regardless of where the incident occurred or who committed it. Even if the College does not have jurisdiction over the Respondent, the College will still take prompt action to provide for the safety and well-being of the Complainant and the broader campus community.

When used in this policy, the term "**Complainant**" refers to the individual who identifies themselves as being a victim or survivor of sexual harassment, sexual violence, stalking or intimate partner violence, or discrimination based on actual or perceived sexual orientation, gender identity or expression. The term "**Respondent**" refers to the individual who has been accused of prohibited conduct under this policy.

When used in this policy, "**consent**" must be informed, voluntary, and mutual, and can be withdrawn at any time. There is no consent when there is force, expressed or implied, or when coercion, intimidation, threat, or duress is used. Whether a person has taken advantage of a position of influence over another person may be a factor in determining consent. Silence or absence of resistance does not imply consent. Past consent to sexual activity with another person does not imply ongoing future consent with that person or consent to that same sexual activity with another person. If a person is mentally or physically incapacitated or impaired so that such person cannot understand the fact, nature, or extent of the sexual situation, there is no consent; this includes impairment or incapacitation due to alcohol or drug consumption that meets this standard, or being asleep or unconscious.

When used in this policy, the phrase "gender-based or sexual misconduct" includes, but is not limited to:

1. Sexual harassment: Conduct that is sexual in nature, is unwelcome, and that either (1) denies or limits an individual's ability to participate in or benefit from the College's educational programs; (2) creates a hostile, intimidating, or offensive working environment¹; or (3) submission to or rejection of such conduct is used as a basis for employment, salary, or other benefit changes affecting an employee or academic decisions affecting a student.

Examples include: an attempt to coerce an unwilling person into a sexual relationship; to repeatedly subject a person to egregious, unwelcome sexual attention; to punish a refusal to comply with a sexually based request; to condition a benefit on submitting to sexual advances; sexual violence; intimate partner violence, stalking; gender-based bullying².

2. Retaliation: Any adverse treatment (beyond a slight or annoyance) that is taken because a person engaged in protected activity (e.g., opposing discriminatory practices, filing a discrimination or discriminatory harassment complaint, or participating in an investigation, conduct process, or an attempt at resolution, etc.) or for the purpose of interfering with right or privilege granted under anti-discrimination laws.

3. Non-consensual sexual contact:

- Any intentional sexual touching;
- however slight;
- with any object;
- by a person of any gender upon a person of any gender;
- that is without consent and/or by force.³

¹ **Examples of Harassment:**

- A professor insists that a student have sex with them in exchange for a good grade. This is harassment regardless of whether the student accedes to the request.
- An individual repeatedly sends sexually oriented jokes around on an email list they created, even when asked to stop, causing one recipient to avoid the sender on campus and in a student activity in which the student participates.
- Explicit sexual pictures are displayed in a professor's office.
- Two supervisors frequently 'rate' several employees' bodies and sex appeal, commenting suggestively about their clothing and appearance.
- A professor engages students in discussions in class about their past sexual experiences, yet the conversation is not in any way germane to the subject matter of the class. They probe for explicit details, and demands that students answer, though they are clearly uncomfortable and hesitant.
- An ex-girlfriend widely spreads false stories about her sex life with her former boyfriend to the clear discomfort of the boyfriend, turning him into a social pariah on campus.
- Male students take to calling a particular brunette student "Monica" because of her resemblance to Monica Lewinsky. Soon, everyone adopts this nickname for her and she is the target of relentless remarks about cigars, the president, "sexual relations," and Weight Watchers.
- A student grabs another student by the hair, then grabs her breast and put his mouth on it.
- A transgender student is using the men's locker room when another male student exclaims, "I'm gonna prove you're really a girl!" and tries to remove his towel so as to expose his genitals.

² These offenses are referenced and incorporated within sexual harassment, but also broken-out as stand-alone offenses, below.

³ The use of force is not "worse" than the subjective experience of violation of someone who has sex without consent. However, the use of physical force constitutes a stand-alone non-sexual offense, as well, as it is our expectation that those who use physical force (restrict, battery, etc.) would face not just the sexual misconduct charge, but charges under the code for the additional assaultive behavior.

4. Sexual Contact includes: intentional contact with the breasts, buttock, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; any intentional bodily contact of a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth or other orifice.

5. Non-consensual sexual intercourse:

- Any sexual intercourse;
- however slight;
- with any object;
- by a person of any gender upon a person of any gender;
- that is without consent and/or by force.³

6. Intercourse includes: vaginal penetration by a penis, object, tongue, or finger; anal penetration by a penis, object, tongue, or finger; and oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact.

7. Sexual exploitation occurs when an individual takes non-consensual or abusive sexual advantage of another for their own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to:

- Invasion of sexual privacy;
- Prostituting another individual;
- Non-consensual video or audio-taping of sexual activity;
- Going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex);
- Engaging in voyeurism;
- Knowingly transmitting an STI or HIV to another individual;
- Exposing one's genitals in non-consensual circumstances; inducing another to expose their genitals;
- Sexually-based stalking and/or bullying may also be forms of sexual exploitation

8. Domestic violence includes asserted violent misdemeanor and felony offenses committed by the victim's current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law

9. Dating violence: Violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such relationship will be gauged by its length, type, and frequency of interaction.

10. Stalking: A course of conduct directed at a specific person that would cause a reasonable person to fear for their or another's safety, or to suffer substantial emotional distress

11. Intimidation: Words or conduct that places the victim in reasonable fear of bodily harm. Intimidation can be defined as an implied threat, e.g., "If you sleep with me, I will invite you to a party."

12. Incapacitation: An individual lacks the ability to make informed, rational judgments and cannot consent to sexual activity. Incapacitation is defined as the inability, temporarily or permanently, to give consent because the individual is mentally and/or physically helpless, asleep, unconscious, or unaware that sexual activity is occurring.

Incapacitation may result from the use of alcohol and/or drugs. Incapacitation is a state beyond drunkenness or intoxication. The impact of alcohol and other drugs varies from person to person; however, warning signs that a person may be approaching incapacitation may include slurred speech, vomiting, unsteady gait, odor of alcohol, combativeness, or emotional volatility.

Evaluating incapacitation requires an assessment of how the consumption of alcohol and/or drugs affects an individual's:

- Decision-making ability;
- Awareness of consequences;
- Ability to make informed judgments; or
- Capacity to appreciate the nature and the quality of the act.

Evaluating incapacitation also requires an assessment of whether a Respondent should have been aware of the Complainant's incapacitation based on objectively and reasonably apparent indications of impairment when viewed from the perspective of a sober, reasonable person in the Respondent's position.

13. Sexual assault is actual or attempted sexual contact with another person without that person's consent. Sexual assault includes, but is not limited to:

- intentional touching of another person's intimate parts without that person's consent;
- other intentional sexual contact with another person without that person's consent;
- coercing, forcing, or attempting to coerce or force a person to touch another person's intimate parts without that person's consent;
- rape, which is penetration, no matter how slight, of (1) the vagina or anus of a person by any body part of another person or by an object, or (2) the mouth of a person by a sex organ of another person, without that person's consent.

14. Intimate Partner Violence (IPV) occurs when a current or former intimate partner uses or threatens physical or sexual violence. IPV also may take the form of a pattern of behavior that seeks to establish power and control by causing fear of physical or sexual violence. Stalking may also constitute IPV.

II. Title IX Coordinator

Portland Community College's (PCC) Title IX coordinator is the Director of the Office of Equity and Inclusion. The PCC Title IX Coordinator ensures that PCC faculty, staff, and students are aware of their legal rights under Title IX. The coordinator also works to ensure that PCC complies with Title IX.

The Title IX Coordinator will be informed of all complaints or reports of violations of this policy, and oversees the College's centralized response to ensure compliance with Title IX. The Title IX Coordinator's activities include, but are not limited to:

- Communicating with all members of the College community regarding Title IX and providing information about how individuals may access their rights;
- Reviewing applicable College policies to ensure institutional compliance with Title IX and The Violence Against Women Act ("VAWA");
- Monitoring the College's administration of its own applicable policies, including record keeping, timeframes, and other procedural requirements;
- Conducting training regarding Title IX and prohibited conduct defined in this policy; and
- Responding to any complaint or report regarding conduct that violates this policy. In this capacity, the Title IX Coordinator oversees the investigation and resolution of such alleged misconduct, directs the provision of any remedial measures, and monitors the administration of any related appeal.

The Title IX Coordinator may delegate responsibilities under this policy to designated administrators, who will be appropriately trained.

The University Title IX Coordinator's contact information is as follows:

Kimberly Baker-Flowers
Director, Office of Equity and Inclusion
722 SW 2nd Ave
Portland, OR 97204
kim.bakerflowers@pcc.edu
(971) 722-5840

III. Where and How to Get Immediate Assistance Following an Incident of Gender-Based or Sexual Misconduct

1. For Immediate Assistance:

Any PCC student, faculty, or staff member who has experienced sexual assault is strongly encouraged to seek immediate medical assistance by calling 911 and notifying PCC's Public Safety at (971) 722-4444.

In the event of a sexual assault or a sexual misconduct incident requiring medical attention, visiting a hospital emergency room will ensure treatment is provided for possible injuries, pregnancy, or sexually transmitted disease. Additionally, a Sexual Assault Nurse Examiner (SANE) can obtain forensic evidence of an assault up to five days after the incident. This can be important if legal options are pursued later. The Portland Women's Crisis Line ((503) 235-5333) and the Sexual Assault Resource Center ((503) 640-5311) have trained crisis counselors who can accompany a victim to the hospital 24 hours a day. Additional community resources can be found here (<http://pwcl.org/services/find-resources>).

Oregon Health and Sciences University (OHSU), located at 3181 SW Sam Jackson Park Rd, Portland, OR 97239, provides 24-hour emergency services for immediate medical needs and forensic exams for survivors of sexual assault. Sexual assault exams are offered by SANE.

You are also encouraged to report the incident to PCC by following the reporting procedures outlined in the "Reporting" section below.

The College encourages all members of our community to participate in the process of creating a safe, welcoming and respectful environment on campus. In particular, the College expects that all PCC community members will take reasonable and prudent actions to prevent or stop an act of sexual misconduct. Taking action may include direct intervention when safe to do so, enlisting the assistance of friends, contacting law enforcement, or seeking assistance from a person in authority. Community members who chose to exercise this positive moral obligation will be supported by the College and protected from retaliation.

2. For Ongoing Assistance:

The following resources are available for ongoing assistance, regardless of whether the victim chooses to make an official report or participate in an investigation or criminal process. This policy indicates the level of confidentiality offered by each of the listed on-campus resources.

Counseling

For All Students: <http://www.pcc.edu/resources/counseling/>

Confidential—not required to notify College officials, public safety, or law enforcement in most cases.

- Cascade Campus - SS 150 / (971) 722-5271
- Rock Creek Campus - Bldg. 9, Rm 118 / (971) 722-7300
- Southeast Campus - SCOMM 116: Appointments made through Information Desk at (971) 722-6240
- Sylvania Campus - CC 216 / (971) 722-4531

Women's Resource Centers (<http://www.pcc.edu/resources/women/>) *Where trained Survivor Advocates are available, confidential—not required to notify College officials, public safety or law enforcement in most cases.*

- Cascade Campus - SSB 103 / (971) 722-5249
- Rock Creek Campus - Bldg. 7, Rm 119 / (971) 722-7432
- Sylvania Campus - CC 268 / (971) 722-8101
- Southeast Campus - Mt Tabor Hall 149 / (971) 722-6051

For Faculty and Staff

Employee Assistance Program: (615) 936-1327 *Confidential—not required to notify college officials, public safety or law enforcement in most cases.*

Support Resources:

- Columbia County Mental Health Line: <http://www.ccmh1.com/crisis.html>
- Washington County Crisis Line:
<http://www.co.washington.or.us/HHS/MentalHealth/GettingHelp/crisis-services.cfm>
- Yamhill County: <http://hhs.co.yamhill.or.us/hhs-adultmentalhealth/crisis-services>
- Multnomah County: <https://multco.us/mhas/mental-health-crisis-intervention>
- Clark County: <http://www.dshs.wa.gov/dbhr/mhcrisis.shtml>
- Clackamas County: <http://www.clackamas.us/behavioralhealth/crisis.html>
- Oregon Attorney General's Sexual Assault Task Force (SATF):
<http://campus.oregonsatf.org/>

For Credit Students Only: *The below resources are not confidential—As State Mandated Reporters, PCC employees are required to notify College officials, public safety and/or law enforcement.*

Offices of the Deans of Students:

- Cascade Campus - SSB 209 / (971) 722-5307
- Rock Creek Campus - Bldg. 9, Rm 115c / (971) 722-7249
- Southeast Campus - ADM 304K / (971) 722-6182
- Sylvania Campus - CC 247 / (971) 722-4532

Women's Resource Centers: <http://www.pcc.edu/resources/women/>

- Cascade Campus - SSB 103 / (971) 722-5249
- Rock Creek Campus - Bldg. 7, Rm 119 / (971) 722-7432
- Sylvania Campus - CC 268 / (971) 722-8101
- Southeast Campus - Mt Tabor Hall 149 / (971) 722-6051

The College may take interim measures to address safety as soon as possible. For possible interim measures after reporting please see Section VI.

IV. Reporting - How to report/What to do

PCC encourages anyone (Complainant) who feels they have been subjected to gender-based or sexual misconduct, including any form of it described in Section 1, or discrimination based on gender, actual or perceived sexual orientation, gender identity or expression to seek the support they need and so that the College can respond appropriately.

Different people at the College have different reporting responsibilities and different roles concerning the maintenance of confidentiality, depending upon their roles. Some members of the College are required to maintain near complete confidentiality. Others may speak in confidence and generally only need to report to the College that an incident occurred without revealing personally identifying information. Most employees of the College, however, are considered “responsible employees” and are required by law to report all details of an incident, including the identities of the Complainant and Respondent to the Title IX Coordinator.

1. Confidential Reporting

Complainants seeking assistance without the expectation of a formal response from the College have the following confidential reporting options:

- **College counselors** (for students)

PCC has professional, licensed counselors (including those who act in this role under the supervision of a licensed counselor) who provide mental health counseling to PCC students and who are not required to report any information about an incident to the Title IX Coordinator without the Complainant’s permission. This privileged communication only applies when counselors are supporting students in a personal counseling role, as opposed to serving as faculty or fulfilling other roles of their job.

Counseling Centers are located at each PCC Campus:
<http://www.pcc.edu/resources/counseling/>

- **College advocates** (for students)

PCC has Women’s Resource Centers with individuals who work or volunteer as advocates for the prevention of and in response to sexual violence and harassment. Students can generally seek assistance and support from these Centers without triggering a College investigation that could reveal the Complainant’s identity or disclosure of the incident.

While maintaining the Complainant’s confidentiality, Women’s Resource Centers should report the nature, date, time, and general location of a reported incident to the Title IX Coordinator. This limited report – which includes no information that would directly or indirectly identify the Complainant – helps keep the Title IX Coordinator informed of the

extent and nature of sexual misconduct, on and off campus, in order to track patterns, evaluate scope of problems, and identify appropriate College responses.

Women's Resource Centers are located at each PCC campus:

<http://www.pcc.edu/resources/women/>

- **Employee Assistance Program** (for certain employees)

Employees that are eligible for PCC medical insurance and all part-time faculty with active jobs teaching credit classes may access the College's Employee Assistance Program (EAP) for free and confidential counseling and other personal services.

Employee Assistance Program information can be found on the PCC website:

<http://www.pcc.edu/hr/benefits/eap.html>

- **Non-college resources** (for anyone)

Off campus counselors, advocates, and health care providers will also generally maintain confidentiality and not share information with the College unless the Complainant requests the disclosure and signs a consent or waiver form.

Following is contact information for off-campus resources:

- Columbia County Mental Health Line: <http://www.ccmh1.com/crisis.html>
- Washington County Crisis Line:
<http://www.co.washington.or.us/HHS/MentalHealth/GettingHelp/crisis-services.cfm>
- Yamhill County: <http://hhs.co.yamhill.or.us/hhs-adultmentalhealth/crisis-services>
- Multnomah County: <https://multco.us/mhas/mental-health-crisis-intervention>
- Clark County: <http://www.dshs.wa.gov/dbhr/mhcrisis.shtml>
- Clackamas County: <http://www.clackamas.us/behavioralhealth/crisis.html>
- Oregon Attorney General's Sexual Assault Task Force (SATF):
<http://campus.oregonsatf.org/>

2. Limitations and Exceptions to Confidentiality:

Individuals who speak to a counselor or advocate (on or off campus) must understand that, if they want to maintain confidentiality, the College will be unable to conduct an investigation or pursue disciplinary action against the alleged perpetrator.

Limits to confidentiality for counselors:

- If the College determines that the Respondent may pose a serious and immediate threat to the College community, PCC Department of Public Safety may be called upon to issue a “timely warning” to the community. Any such warning will not include any information that identifies the Complainant.
- All PCC employees are required by Oregon law (HB4016) to report suspected cases of abuse against unmarried persons under the age of 18 to the Oregon Department of Human Services.

3. Reporting an Incident to PCC

Complainants are encouraged to make formal reports of incidents. When formally reported, Complainants have the right and can expect to have incidents of sexual misconduct taken seriously by the College. The incidents will be investigated and properly resolved through administrative procedures. PCC will seek to maintain privacy at all times during the process consistent with our responsibility to ensure both individual and community safety, as well as its commitment to providing an environment free from discrimination. This means that only people who need to know will be told and information will be shared only as necessary with investigators, witnesses, interpreters/translators, Complainants, and Respondents.

Reports of incidents of gender-based or sexual misconduct, including any form of it described in Section 2, or discrimination may be made to any of the following College officials, who are designated and trained as Title IX “Deputies” and are charged with ensuring that any misconduct is eliminated, its recurrence is prevented, and addressing the effects. These individuals will also provide information regarding grievance procedures, interim measures during any investigation or policy process, and ongoing emotional support:

Deputies (Title)	Name	Contact Info
Human Resources Director	Lisa Bledsoe	Downtown Center (971) 722-5850
Human Resources LR/ER Manager	Cheryl Belt	Downtown Center (971) 722-5104
Associate Dean of Students Cascade Campus	Joe Fischer	Cascade Campus SSB 209 (971) 722-5292
Dean of Students Rock Creek Campus	Narce Rodriguez	Bldg. 9, Rm 115 (971) 722-7215
Dean of Students Southeast Campus	Miriam Friedman	AB 208 (971) 722-6152
Dean of Students Sylvania Campus	Heather Lang	CC 247 (971) 722-4529

Dean of Instruction Sylvania Campus	Loretta Goldy	CC 247 (971)722-4406
Dean of Instruction Southeast Campus	Craig Kolins	ADM 208A (971) 722-6268
Dean of Instruction Rock Creek Campus	Cheryl Scott	Bldg. 9, Rm 115a (971) 722-7555
Dean of Instruction Cascade Campus	Kurt Simonds	SSB 209 (971) 722-5573
Title IX Affiliated Staff	Name/Campus	Contact Info
Campus Conduct Officer Cascade Campus	Nikki Baronne	SSB 209 (971) 722-5292
Campus Conduct Officer Rock Creek Campus	Jeff Lamont	Bldg. 9, Rm 115 (971)722-7215
Campus Conduct Officer Southeast Campus	Christine Shafer	AB 208 (971) 722-6152
Campus Conduct Officer Sylvania Campus	Suzanne Schmidt	CC 247 (971) 722-4529
Public Safety Director	Ken Goodwin	CSB 320 (971) 722-4980
Title IX Coordinator/Director of Equity and Inclusion	Kim Baker-Flowers	Downtown Center (971) 722-5840

Other “Responsible Employees”

For the purposes of this policy, and to most effectively respond to sexual misconduct that may impact the College community, all employees of the College that are not identified in the Confidential Reporting section of this policy are considered “responsible employees” and are required by law to report all details of an incident, including identities of the Complainant and Respondent, to the Title IX Coordinator or designated Title IX Deputy. In consideration of Office of Civil Rights (OCR) guidance, “responsible employees” includes any employee who has the authority to take action to redress the harassment, who has the duty to report sexual harassment to appropriate school officials, or an individual whom a student could reasonably believe has this authority or responsibility.

When an individual tells a “responsible employee” about an incident of sexual misconduct, the College is officially “on notice” and the incident must be reported to the Title IX Coordinator or a designated Title IX Deputy (above). The employee must report all relevant details about the alleged sexual misconduct shared by the Complainant and/or assure that the Complainant files a formal report with the College.

Before any information is revealed to a “responsible employee,” the employee should ensure that the Complainant understands the employee’s reporting obligations. If the individual wants

to maintain confidentiality, the Complainant will be directed to the confidential resources listed below. If the Complainant wants to tell the “responsible employee” what happened, but also maintain confidentiality, understand that the Title IX Coordinator will consider the request, but cannot guarantee that the College will be able to honor it.

Responsible employees will not pressure a Complainant to either request confidentiality or make a full report, but rather will honor and support the individual’s wishes to the full extent possible.

4. Other Reporting Issues

College Reporting and Timely Warning Obligations

PCC is required by the Higher Education Opportunity Act and Clery Act to annually publish statistical information related to reported incidents of sexual violence, sexual harassment, domestic violence, dating violence, and stalking. The information shared includes the date, location of incident, and Clery crime category. All personally identifiable information is kept confidential. The PCC Department of Public Safety is responsible for collecting the data from a variety of College sources and publishing the report.

The PCC Annual Campus Security Report can be found at: <http://www.pcc.edu/about/public-safety/statistics/>

The College is also obligated by federal directive to issue immediate “timely warnings” for incidents reported that are considered, in the judgment of the PCC Department of Public Safety, to pose a substantial threat to the college community. The College will make every effort to ensure that victims’ names and other identifying information are not disclosed, while still providing enough information for community members to make safety decisions in light of the danger.

5. Anonymous Reporting

The College will accept and investigate, to the extent possible, anonymous reports of sexual misconduct. Reporting parties must understand that 1) anonymous reports may trigger a formal Title IX investigation and 2) anonymous reports often limit the College’s ability to conduct an investigation or pursue disciplinary action. An anonymous report may be filed here:

<http://www.pcc.edu/about/affirmative-action/complaint-form/>

6. Public Awareness Events and Disclosure

Public awareness events such as “Take Back the Night,” the Clothesline Project, and other forums in which individuals disclose incidents of sexual violence are not considered notice to the College of sexual violence for the purposes of triggering a Title IX investigation. Such events

may inform the need for campus-wide prevention and education efforts, however, and efforts will be made to provide information about Title IX rights at such events.

7. Protection Against Retaliation

This policy and Title IX prohibit retaliation against a Complainant or witnesses for filing or participating in the investigation of a sexual misconduct complaint. Retaliation is any overt or covert act of reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment against individuals for exercising their rights (or supporting others for exercising their rights) under this policy. PCC will investigate any reports of retaliation and take appropriate disciplinary action.

V. Interim Measures, Accommodations, and Sanctions

Where appropriate, PCC will implement interim measures on its own initiative or in response to a request from a Complainant (the alleged victim of sexual misconduct) or Respondent (the alleged perpetrator of sexual misconduct).

1. Interim measures for students may include, but are not limited to:

- Access to on-campus counseling services and assistance in setting up an initial appointment;
- Advocacy to access community resources for ongoing assistance to include, but not limited to: individualized safety plan, counseling, case management/advocacy, support group/s, legal advocacy, emergency shelter/housing, etc.;
- No-contact directives;
- Rescheduling of exams and assignments;
- Providing alternative course completion options;
- Changing class schedules, including the ability to transfer course sections or withdraw from a course without penalty;
- Changing work schedules, job assignments, or job locations for college employment;
- Providing an escort to ensure safe movement between classes and activities;
- Providing academic support services, such as tutoring;
- Limiting or barring an individual's or organization's access to certain PCC-owned facilities or activities;
- Interim suspension of the Respondent;
- Student-requested leaves of absence.

2. Interim measures for faculty and staff may include, but are not limited to:

- Access to on-campus counseling services and assistance in setting up an initial appointment;
- Changing work schedules, job assignments, or job locations;
- Limiting or barring an individual's or organization's access to certain PCC-owned facilities or activities;
- Providing an escort to ensure safe movement on campus;
- Administrative leave;
- PCC-imposed leave or physical separation from individuals or locations.

The provision of appropriate interim measures will depend upon the particular facts of the situation. Factors that will be considered include the Complainant's expressed need, the age of the parties involved, the severity or pervasiveness of the allegations, any continuing effects on the Complainant, whether the Complainant and the alleged perpetrator share a classes or other educational program, extracurricular activities, transportation, or work location, as well as whether protective orders or similar judicial measures have been taken to protect the Complainant. Interim measures will not place a disproportionate burden on the Complainant, nor create a presumption that the Respondent has violated College policy.

VI. Investigation Procedures

PCC's Title IX Coordinator or Deputy Coordinator will ensure that a complaint of gender-based or sexual misconduct is promptly investigated as follows:

1. Student complaints

Complaints that allege misconduct by another student or external party (someone other than a student or PCC employee) will be investigated by the Office of the Dean of Students.

2. Staff complaints

If the accused is an employee or staff member, the complaint will be investigated by a designee assigned by the Title IX Coordinator or Deputy Coordinator, a Title IX trained faculty representative, Human Resource representative or Office of Equity and Inclusion [this is not an exhaustive listing]

3. Timing of Investigations

PCC will seek to complete the investigation within sixty (60) College business days after receipt of the complaint or report. There may be circumstances that warrant an extension of the sixty (60) day deadline. The timeframe may be extended depending upon the complexity of the circumstances of each case. The Complainant and the Respondent will be notified in writing of the reason for extension and the projected completion date.

PCC will notify a Complainant of the right to file a criminal complaint with law enforcement. PCC will cooperate with an ongoing investigation of the complaint by outside law enforcement. This may require that PCC temporarily delay its investigation while law enforcement gathers evidence. However, PCC will not wait for the conclusion of a criminal proceeding to initiate its own investigation. In the event PCC's investigation is delayed, steps will be taken to provide the Complainant with appropriate interim measures. The parties will also be updated on the status of the investigation and advised when it is resumed. PCC will promptly resume its investigation once notified that law enforcement has completed gathering evidence in the investigation.

4. Preservation of Evidence

PCC's Department of Public Safety should be notified as soon as possible of any incident of sexual misconduct. The department will offer guidance to assist in evidence preservation and will also notify the proper law enforcement agency to respond. The department will also consult and coordinate as needed with law enforcement agencies or forensic experts on the interpretation of any forensic evidence included in the investigation.

5. Information Sharing

PCC is in the process of creating MOUs addressing protocols for information sharing with surrounding county and city police agencies.

6. Investigation Result and Sanctions.

The investigator will conduct an adequate, reliable, and impartial investigation into the allegations and will provide an opportunity for both the Complainant and Respondent to present witnesses and other evidence. After reviewing all evidence and supporting documentation, the investigator will prepare a written report of the investigation findings and recommendations to the Title IX Coordinator (discussed in more detail below) to review and determine whether or what sanction or disciplinary action (if any) should be taken.

The Title IX Coordinator will review the investigator's report and findings and work with the appropriate PCC Officials to determine the appropriate remedy (if any), including sanctions or disciplinary actions.

Once a determination has been made on the appropriate remedy (if any), the Title IX Coordinator will issue a written notice of the outcome to the Complainant and Respondent.

All findings in the proceedings will be by a preponderance of the evidence, which means that the Title IX Coordinator will determine whether the sum of all the evidence shows that it is more likely than not that the Respondent violated College policy. This standard will be used in any Title IX fact-finding and related proceedings, including any hearings.

The College will also maintain a written record of disciplinary and other action taken by the College, if any, in response to the findings; response and action taken by administrators, including interim and permanent action to address the allegations and findings; and all other written action taken to prevent recurrence of any sexual misconduct incident.

7. Investigation & Confidentiality

In the event that a Complainant's request for confidentiality limits PCC's ability to investigate, PCC will take reasonable steps to limit the effects of the alleged acts and prevent their recurrence. Reasonable steps may include increased monitoring, supervision, or security at locations or activities where the misconduct occurred; providing training and education materials for students and employees; revising and publicizing the school's policies on sexual misconduct; and conducting climate surveys regarding sexual misconduct.

8. Employee and Student Sanctions

Possible sanctions for employees (list is not exhaustive):

- Verbal warning
- Written warning
- Last chance agreement
- Dismissal

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Exhibit A

- Suspension without pay
- Disciplinary probation
- Transfer
- Mandatory EAP referral
- Training
- Demotion

9. Possible sanctions for students (list is not exhaustive):

- Verbal Warning
- Disciplinary Probation
- Limitation of privileges (i.e., restrictions of campus access, courses, etc.)
- Reassignment of classes
- Restitution
- Community Service
- Disciplinary Suspension
- Trespass
- Expulsion
- Other sanctions deemed appropriate

VII. Procedures for Employees and Students

1. Procedures for Employees

Sexual Misconduct complaints against PCC employees will be handled in accordance with the procedures outlined in the College's Nondiscrimination and Non-harassment Policy and the process outlined above. These processes should be read to be consistent with one another and in the event of a direct conflict between the two, the Gender Based and Sexual Misconduct policy shall govern. The process for resolving gender-based or sexual misconduct complaints may include some or all of the following actions: informal inquiry and discussion, disciplinary action, or other appropriate action.

The College will not compel a Complainant to engage in mediation, to directly confront the Respondent. Mediation, even if voluntary, may not be used in cases involving sexual misconduct.

A Complainant or Respondent may appeal the decision on the basis of an alleged failure to follow this Policy. A Complainant or Respondent may also submit an appeal disputing the severity of the sanction issued. A Complainant or Respondent may do so by submitting a written appeal to the Campus President or designee within 14 calendar days after the notice of outcome described in Section VI (6) above is delivered to the address on record for the Complainant. The Campus President or designee shall render a decision on the appeal within 14 calendar days of its submission.

Certain employees (classified staff, management and confidential employees, and faculty/academic professionals) who are subject to discipline may have other processes available pursuant to handbook, statute, or collective bargaining agreement that are not covered by this Policy. For further information on these processes, see the following:

Grievances for Classified Staff: <http://www.pcc.edu/hr/contracts/documents/classified-contract/article-24.pdf>

Grievances for Management and Confidential Employees:
http://www.pcc.edu/hr/contracts/management/section_16.html

Grievance for Faculty/Academic Professionals (AP):
<http://www.pcc.edu/hr/contracts/documents/faculty-ap-contract/article25.pdf>

A Complainant's prior sexual history is not relevant and will not be considered in a grievance process. Where there is a current or ongoing relationship between the Complainant and the Respondent and the Respondent alleges consent, the prior sexual history between the parties may be relevant to assess the manner and nature of communications between the parties. As noted in other sections of this policy, however, the mere fact of a current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. Any prior sexual history of the Complainant with other individuals is typically not permitted.

2. Procedures for PCC Students

Gender-based or sexual misconduct complaints against PCC students will be handled in accordance with the PCC Policy on Student Conduct and the process outlined in this policy:

Conduct Procedures for Students: <http://www.pcc.edu/about/policy/student-rights/documents/student-conduct.pdf>

These processes should be read to be consistent with one another and in the event of a direct conflict between the two, Gender-Based Sexual Misconduct Policy shall govern. The process for resolving gender-based or sexual misconduct complaints may include some or all of the following actions: informal inquiry and discussion, disciplinary action, or other appropriate action.

The College will not compel a Complainant to engage in mediation, to directly confront the Respondent. Mediation, even if voluntary, may not be used in cases involving sexual misconduct.

A Complainant's prior sexual history is not relevant and will not be considered in a conduct process. Where there is a current or ongoing relationship between the Complainant and the Respondent and the Respondent alleges consent, the prior sexual history between the parties may be relevant to assess the manner and nature of communications between the parties. As noted in other sections of this policy, however, the mere fact of a current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. Any prior sexual history of the Complainant with other individuals is typically not permitted.

A Complainant or Respondent may appeal the decision on the basis of an alleged failure to follow this Policy. A Complainant or Respondent may also submit an appeal disputing the severity of the sanction issued. A Complainant or Respondent may do so by submitting a written appeal to the Campus President or designee within 14 calendar days after the notice of outcome described in Section VI (6) above is delivered to the address on record for the Complainant. The Campus President or designee shall render a decision on the appeal within 14 calendar days of its submission.

3. Advisors

In an investigation, appeal, Grievance (employees), or Conduct Process (students), the Complainant and Respondent may choose to be assisted by an advisor. The advisor may accompany the individual to any College investigative, administrative, or adjudicative meeting, including any disciplinary inquiry. The advisor may not speak during the meeting or hearing, address the official(s) conducting the inquiry, or question witnesses.

A Complainant and Respondent may also choose to be assisted by an advocate/emotional support person of their choice. To serve as a support person, the individual will be required to meet with the official(s) conducting the inquiry or the Title IX Coordinator in advance of any

participation in the proceedings. The Survivor Advocate may serve as a support person for a Complainant.

The advocate/support person cannot be a witness in the proceedings. The advocate/support person is a silent and non-participating presence who is there solely to observe and provide moral support during the meeting itself. This person is not to address the official(s) conducting the inquiry except to ask for a short recess if one of the parties requires some time to compose themselves or collect their thoughts. The official(s) conducting the inquiry has the right at all times to determine what constitutes appropriate behavior on the part of a support person and whether the person may remain at the proceedings. While the support person may be present to hear testimony, no written materials are to be shared with support people.

Absent extenuating circumstances, witnesses and others involved in an investigation, inquiry, or hearing are not entitled to have a support person present.

A Complainant or Respondent may choose to seek the advice and assistance of an attorney at their own expense. The College will not recognize or enforce agreements between the parties outside of PCC disciplinary procedures.

VIII. Prevention and Education

The College is committed to a comprehensive educational and training program to promote awareness of and prevent sex discrimination, including sexual misconduct.

1. Mandatory initial and refresher Sexual Harassment Prevention Training (SHPT) for College employees will be provided by the Office of Equity and Inclusion. New employees should complete this training within their first six months of employment with refreshers every two years.
2. SHPT includes information on Title IX obligations and the nature and consequences of sexual harassment, including sexual misconduct, and discusses reporting options, resources, and procedures for handling complaints.
3. The Vice Presidents, Campus Presidents, and Deans are responsible for ensuring that their employees complete the mandatory SHPT initial and refresher trainings.
4. The Office of Equity and Inclusion, Women's Resource Centers, Public Safety, Enrollment and Student Services, Human Resources, and other campus offices promote awareness of and provide additional communication about and training in the prevention of sex discrimination, including sexual misconduct.
5. Workshops are offered to College employees and students, both online and in person, to provide sexual harassment prevention education every two years. Additional opportunities are provided by the Office of Equity and Inclusion, Women's Resource Centers, Public Safety, Enrollment and Student Services, Human Resources, and other campus offices to employees and students for education regarding issues of prevention, discrimination, equity, and the impacts of discrimination and unequal treatment on department and classroom climate.
6. College employees who are new or are within 90 days of the two-year anniversary of completion of last completed training will receive an email informing them of their requirement with a personalized link to the online course. Alternatively, employees may attend College-approved prevention training offered by the College's Women's Resource Centers, Public Safety, Enrollment and Student Services, Human Resources and other campus offices.
7. The Women's Resource Centers provide additional training, including bystander intervention training for students and employees and will educate students about the school's sexual misconduct policies.

IX. Training: Staff and Faculty

From the Office of Civil Rights in the US Department of Education's April 29, 2014 bulletin, Questions and Answers on Title IX and Sexual Violence, "a school should ensure that staff are capable of providing culturally competent counseling to all Complainants. Thus, a school should ensure that its counselors and other staff who are responsible for receiving and responding to complaints of sexual violence, including investigators and College officials involved in reviewing or processing a complaint under this Policy, receive appropriate training about working with LGBT and gender- nonconforming students and same-sex sexual violence."

1. Web-based Training: Staff and faculty will be required to go through a web-based training tool that informs them of their responsibilities around Title IX and PCC Policies regarding sexual misconduct.

2. In-person Training: Additionally there will be a series of trainings conducted in collaboration with the Professional and Organizational Development, the Women's Resource Centers, and the Title IX Coordinator/Title IX Training Coordinator.

3. Topics and Venues for Training

Fall

Topics:

- Students: Know Your IX
- Staff and Faculty: Know Your IX
- Staff and Faculty: Where PCC Stands Now with Title IX

Venues:

- In-service
- New Faculty Institute
- Part time institute
- Faculty Department Chair Institute

Winter

Topics:

- Students: Know Your IX
- Staff and Faculty: SA Prevention 101
- Staff and Faculty: SA Victim Advocacy 101

Spring

Topics:

- Students: Know Your IX
- Staff and Faculty: Updated; Where PCC Stands Now with Title IX
- Open to All: National trends; Current conversations re: Rape and Higher Ed Institutions

Venus:

- AP Institute

4. Applicable PCC Policies

<http://www.pcc.edu/about/affirmative-action/nonharassment/>

<http://www.pcc.edu/about/affirmative-action/consensual.html>

<http://www.pcc.edu/hr/contracts/classified.html>

April 16, 2015

15-102

AUTHORIZE INCREASE IN TUITION FOR NON-
RESIDENT STUDENTS FOR THE 2015-16 ACADEMIC
YEAR

PREPARED BY: Jim Langstraat, Associate Vice President, Financial Services

FINANCIAL
RESPONSIBILITY: Jim Langstraat, Associate Vice President, Financial
Services

APPROVED BY: Gordon Herbst, Interim Vice President, Administrative
Services
Dr. Jeremy Brown, President

REPORT: On February 19, 2015, the Board of Directors adopted Resolution 15-085 setting tuition rates at \$4 per credit hour increase for resident students for the 2015-2017 biennium. As a result of student concern expressed at the meeting, the Board amended the resolution to delete a proposed \$120 per term fee for international students pending further study and student input. Staff had recommended the fee to end the state funding subsidy of the international program and to provide additional resources for recruiting international students.

The College held a forum on the proposed increase on March 9, 2015. Students continued to express opposition to the fee, but several persons testified that if additional funds were necessary to support the international program, they would prefer to pay increased tuition rather than the fee. Staff continues to recommend that international program become self-supporting.

RECOMMENDATION: That the Board approve Resolution 15-102 to adopt the following tuition rates for credit courses become effective for the 2015-16 academic year.

Non-Resident

Persons not residing in Oregon or bordering states (Washington, Idaho, Nevada, and California), including all international students, will increase by \$4 per credit hour to \$224 per credit hour effective Summer Term 2015.

April 16, 2015

15-103

APPROVAL OF THE PORTLAND COMMUNITY COLLEGE
PROPOSED BUDGET AND THE PROPERTY TAX LEVIES
FOR THE 2015-2017 BIENNIUM

PREPARED BY: Christina Day, Budget Manager, Financial Services

APPROVED BY: James Langstraat, Associate Vice President, Financial Services
Gordon Herbst, Interim Vice President, Administrative Services
Dr. Jeremy Brown, President

REPORT: The President has delivered his budget message and the budget document for the 2015-2017 biennium to the Board of Directors of Portland Community College District. The Board, acting as the Budget Committee, has reviewed and completed the public input process on the Proposed Biennial Budget for 2015-2017 as required by ORS 294.428.

RECOMMENDATION: That the Board of Directors, acting as the Budget Committee of the College, approves the Portland Community College District Proposed Budget for 2015-2017 Biennium, including the property tax levies for the next 2 years as outlined below, for submission to the Multnomah County Tax Supervising and Conservation Commission.

For the 1st year of the biennium period July 1, 2015 to June 30, 2016:

Amount Subject to the Education Limitation:

General Fund \$0.2828* per \$1,000 of assessed value
*constitutionally established by Ballot Measure 50

Amount Excluded from the Limitation (to repay G.O. Bonds):

Debt Service Fund \$35,362,057

For the 2nd year of the biennium period July 1, 2016 to June 30, 2017:

Amount Subject to the Education Limitation:

General Fund \$0.2828* per \$1,000 of assessed value
*constitutionally established by Ballot Measure 50

Amount Excluded from the Limitation (to repay G.O. Bonds):

Debt Service Fund \$48,192,000

APPROVED BY THE GOVERNING BOARD OF THE PORTLAND COMMUNITY COLLEGE
DISTRICT THIS 16th DAY OF APRIL 2015.

ATTEST:

APPROVED:

Dr. Jeremy Brown
President

Deanna Palm
Chair, Board of Directors

PORTLAND COMMUNITY COLLEGE
PROPOSED BIENNIUM 2015-2017 BUDGET
SCHEDULE OF APPROPRIATIONS – ALL FUNDS

GENERAL FUND

Programs areas:

Sylvania Campus	\$93,860,132
Rock Creek Campus	\$63,033,362
Cascade Campus	\$53,436,158
Southeast (formerly Ext Learning)	\$21,878,830
Office of the President	\$10,113,466
Office of the Exec Vice President	\$16,995,590
Administrative Services	\$102,756,164
Academic & Student Affairs	\$46,040,202
Transfers	9,128,918
Contingency	\$29,163,570
TOTAL APPROPRIATIONS	\$446,406,392
Unappropriated Ending Fund Balance (see note)	17,169,642
TOTAL GENERAL FUND	\$463,576,034

CONTRACTS AND GRANTS FUND

State Grants	\$13,191,836
Federal Grants	32,502,207
Local Contracts	12,937,393
Transfers	3,517,886
Contingency	2,191,646
TOTAL APPROPRIATIONS	\$64,340,968
Unappropriated Ending Fund Balance (see note)	0
TOTAL CONTRACTS AND GRANTS FUND	\$64,340,968

STUDENT FINANCIAL AID FUND

College Funded Programs	\$810,958
Federal Programs	364,252,494
Short Term Student Loan Program	275,050
Transfer	447,214
Contingency	830,000
TOTAL STUDENT FINANCIAL AID FUND	\$366,615,716

COLLEGE BOOKSTORE FUND

Bookstore Operations	\$28,606,182
Transfers	3,249,587
Contingency	3,022,234
TOTAL APPROPRIATIONS	\$34,878,003
Unappropriated Ending Fund Balance (see note)	5,499,820
TOTAL COLLEGE BOOKSTORE FUND	\$40,377,823

FOOD SERVICES FUND

Food Services Operations	\$13,987,701
Transfers	119,458
Contingency	858,647
TOTAL FOOD SERVICES FUND	\$14,965,806

CEU/CED (1900) FUND

Sylvania Campus	\$80,000
Cascade Campus	89,492
Extended Learning Campus	17,146,549
Transfers	289,878
Contingency	450,000
TOTAL APPROPRIATIONS	18,055,919
TOTAL CEU/CED (1900) Fund	18,055,919

AUXILIARY FUND

Facilities Usage	\$802,638
Campus Activities	256,224
Sustainability Projects	15,000
Transfers	39,390
Contingency	155,336
TOTAL APPROPRIATIONS	\$1,268,588
Unappropriated Ending Fund Balance (see note)	325,076
TOTAL GENERAL FUND	\$1,593,664

STUDENT ACTIVITIES FUND

Sylvania Campus Programs	\$1,336,749
Rock Creek Campus Programs	\$1,184,478
Cascade Campus Programs	\$929,114
Extended Learning Campus Programs	\$587,784
District-wide Programs	\$281,623
Contingency	\$228,075
TOTAL STUDENT ACTIVITIES FUND	\$4,547,823

CAPITAL PROJECTS FUND

Capital Outlay	7,795,000
Contingency	800,000
TOTAL APPROPRIATIONS	\$8,595,000
Unappropriated Ending Fund Balance (see note)	2,001,833
TOTAL CAPITAL PROJECTS FUND	\$10,596,833

CAPITAL CONSTRUCTION FUND

Sylvania Campus	\$21,500,000
Cascade Campus	\$9,500,000
Rock Creek Campus	\$26,000,000
Southeast Center	\$700,000
District-wide Projects	\$25,300,000
Contingency	40,000,000
TOTAL APPROPRIATIONS	123,000,000
Unappropriated Ending Fund Balance (see note)	7,460,349
TOTAL CAPITAL CONSTRUCTION FUND	\$130,460,349

INTERNAL SERVICE-P.E.R.S/RESERVE

Transfers	\$17,636,450
Contingency	\$200,000
Unappropriated Ending Fund Balance (see note)	26,603,945
TOTAL INTERNAL CHARGE-P.E.R.S/RESERVE	\$44,440,395

Note: Unappropriated Ending Fund Balance is not an appropriation.

PORTLAND COMMUNITY COLLEGE
PROPOSED BIENNIUM 2015-2017 BUDGET
SCHEDULE OF APPROPRIATIONS – ALL FUNDS

PARKING OPERATIONS FUND

Parking Operations	\$12,466,479
Transfers	1,096,886
Contingency	<u>1,619,059</u>
TOTAL APPROPRIATIONS	\$15,182,424
Unappropriated Ending Fund Balance (see note)	<u>0</u>
TOTAL PARKING OPERATIONS FUND	<u>\$15,182,424</u>

PRINT CENTER FUND

Print Center Operations	\$2,162,929
Transfers	88,974
Contingency	<u>134,914</u>
TOTAL APPROPRIATIONS	\$2,386,817
Unappropriated Ending Fund Balance (see note)	<u>63,555</u>
TOTAL PRINT CENTER FUND	<u>\$2,450,372</u>

RISK MANAGEMENT FUND

Self Insurance & Risk Administration	\$5,677,462
Contingency	<u>759,774</u>
TOTAL APPROPRIATIONS	\$6,437,236
Unappropriated Ending Fund Balance (see note)	<u>4,798,198</u>
TOTAL RISK MANAGEMENT FUND	<u>\$11,235,434</u>

EARLY RETIREMENT FUND

Personal Services	\$1,334,848
Contingency	<u>200,000</u>
TOTAL APPROPRIATIONS	\$1,534,848
Unappropriated Ending Fund Balance (see note)	<u>876,776</u>
TOTAL EARLY RETIREMENT FUND	<u>\$2,411,624</u>

DEBT SERVICE (G.O. Bonds) FUND

Debt Service	\$84,373,150
Unappropriated Ending Fund Balance (see note)	<u>3,359,619</u>
TOTAL DEBT SERVICE (G.O. Bonds) FUND	<u>\$87,732,769</u>

CAPITAL LEASE/PURCHASE FUND

Debt Service	\$0
Transfers	<u>\$0</u>
TOTAL CAPITAL LEASE/PURCHASE FUND	<u>\$0</u>

P.E.R.S. DEBT SERVICE FUND

Debt Service	\$17,586,450
TOTAL DEBT SERVICE (G.O. Bonds) FUND	<u>\$17,586,450</u>

Note: Unappropriated Ending Fund Balance is not an appropriation.

The College prohibits unlawful discrimination based on race, color, religion, national origin, sex, marital status, disability, veteran status, age, sexual orientation, or any other status protected by federal, state, or local law in any area, activity or operation of the College. The College also prohibits retaliation against an individual for engaging in activity protected under this policy, and interfering with rights or privileges granted under anti-discrimination laws. In addition, the College complies with applicable provisions of the Civil Rights Act of 1964 (as amended), related Executive Orders 11246 and 11375, Title IX of the Education Amendments Act of 1972, Section 504 of the Rehabilitation Act of 1973, Americans with Disabilities Act of 1990 (as amended), Uniformed Services Employment and Reemployment Rights Act ("USERRA"), and all local and state civil rights laws. Under this policy, equal opportunity for employment, admission, and participation in the College's programs, services, and activities will be extended to all persons, and the College will promote equal opportunity and treatment through application of this policy and other College efforts designed for that purpose.