

**HB 3456 – Campus Sexual Misconduct**  
**House Higher Education Committee**  
**March 16, 2023**

- OCCA, speaking on behalf of Oregon’s 17 community colleges, appreciates the opportunity to discuss this issue and we support efforts to ensure that students feel safe and supported on our campuses.
- All Oregon community colleges have policies and procedures in place to address complaints related to sexual misconduct in cases involving Title IX and in cases when the existing federal Title IX definition is not met but alleged conduct violates college harassment policies or student conduct codes.
- Resources are also available to students, so they understand how to file a complaint, contact law enforcement if they so choose, and access victim resources. We support making sure students know how to easily access these supports.
- Training is provided to staff as required under Title IX and consistent with existing state law to make sure these cases are addressed promptly and with appropriate support of students.
- Currently community colleges administer campus climate surveys to inform them about a number of issues including Diversity, Equity, and Inclusion (DEI) initiatives, long-range planning, cultural competency as required by HB 2864 (2017), and to meet Title IX requirements.
- In addition, the federal Violence Against Women Act (VAWA) reauthorization passed in 2022 also requires campus climate surveys every two years using a standardized online survey tool developed by the U.S. Department of Education to gather information about student experiences with domestic violence, dating violence, sexual assault, sexual harassment, and stalking. The first survey report is due in 2024.
- Given the breadth of this proposal and how it relates to existing practices as well as federal law, including VAWA and the new federal Title IX regulations that are expected to be released this year, we would like to engage with the proponents of the bill to address some areas of concern that we have with the existing bill and develop a solution that is coordinated with efforts underway at our institutions to support students.
- There are several areas of concern with the bill as drafted that we believe can be addressed by a workgroup of stakeholders including representatives from our institutions who are familiar with the processes and procedures currently in place at our colleges and universities.
- Specifically, as community colleges we are concerned about the mandate that all students and employees of the institution must attend annual training. Many community college students attend part-time and may only take one or two classes. We are concerned that this could create further barriers for our students who are balancing work and family life post-pandemic and who are just now coming back to our colleges. The same is true for faculty, especially part-time faculty, who are not consistently on campus and may be teaching a limited number of courses.
- We are also concerned about the language in Section 10 of the bill and believe this section needs to be re-written. Community colleges offer a number of programs that have specific GPA or disciplinary record requirements for licensure or participation in clinical settings such as

nursing and other health professions programs. These requirements are not set by the colleges and may be difficult, if not impossible, to waive.

- Finally, the reporting requirements outlined in Section 11 are onerous and will result in a significant administrative cost for institutions in terms of the high level of tracking that would be required to provide all the data. This could be difficult for smaller institutions that are already short staffed and spread thin. It is not clear how this annual reporting of information would be used to support students and institutions in our efforts to address sexual misconduct.
- For these reasons, we urge the committee to consider establishing a task force over the interim including all interested stakeholders to work together to address issues and develop legislation that advances the efforts already underway, and enhances the supports available to our students.