



Fall 2026

Title IX Training

Agenda

- **Clery Act Reporting**
- **Child Abuse and Neglect Reporting**
- **Mandatory Reporting Under Texas State Law**
- **Best Practices for Reporting and FAQs**
- **Title IX Fundamentals and History**
- **2020 Title IX Final Rule: Definitions and Processes**
- **Q&A**

A Brief History of the Clery Act

Now called the Jeanne Clery Campus Safety Act, this law amended federal financial aid laws to require all participating postsecondary institutions to disclose campus crime statistics, safety policies, and security information.

1990

Signed into law as the “Crime Awareness and Campus Security Act” and codified under the Higher Education Act.

1998

Renamed in memory of slain student Jeanne Clery.

2013

VAWA/Campus SaVE Act amendments mandated extensive prevention and awareness programs for sexual misconduct offenses and made these offenses Clery-reportable crimes.

2025

Stop Campus Hazing Act amendments required extensive hazing education and prevention programs and made hazing a Clery-reportable crime.

Clery Act Crimes

■ Criminal Offenses

- Aggravated Assault
- Arson
- Burglary
- Criminal Homicide:
 - Manslaughter by Negligence
 - Murder and Non-Negligent Manslaughter
- Hazing
- Motor Vehicle Theft
- Robbery
- Sexual Assault:
 - Fondling
 - Incest
 - Rape
 - Statutory Rape

■ Arrests and Referrals for Disciplinary Action

- Drug Abuse Violations
- Liquor Law Violations
- Weapons: Carrying, Possessing, Etc.

■ Violence Against Women Act (VAWA) Offenses

- Dating Violence
- Domestic Violence
- Stalking

Clery Act Crimes (Cont.)

■ Hate Crimes

- Must be motivated by bias, and the appropriate type of bias must also be reported
- Everything listed under the Criminal Offenses plus:
 - Destruction/Damage/Vandalism of Property
 - Intimidation
 - Larceny-Theft
 - Simple Assault

- **Definitions of Clery Act Crimes:** www.collin.edu/studentresources/deanofstudents/documents/clery-act-crimes-offenses-definitions.pdf

■ Categories of Bias

- Disability
- Ethnicity
- Gender
- Gender Identity
- National Origin
- Race
- Religion
- Sexual Orientation

Clery Act Geography

- **Campus:**

- Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls.
- Any building or property that is within or reasonably contiguous to the area identified in the paragraph above, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

- **Non-Campus Building or Property:**

- Any building or property owned or controlled by a student organization that is officially recognized by the institution.
- Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Clery Act Geography (Cont.)

- **Public Property:**

- All public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare; or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to, the institution's educational purposes.
- Public property encompasses all public property, including thoroughfares, streets, sidewalks; and parking facilities, that is within the campus or immediately adjacent to and accessible from the campus.

- **Residential Facilities:**

- Any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.

Campus Security Authority (CSA)

- Under the Clery Act, a CSA is a Collin College employee who has **significant** responsibility for student and campus activities.
- CSAs include, but are not limited to, the following employees:
 - An institution's campus police department or campus security department
 - Any individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department
 - Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses
 - An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings

Who Is Not Considered a CSA?

- **Faculty**

- Unless they are acting in a capacity where they have significant responsibility for student or campus activities beyond the classroom (e.g., student organization advisor, student travel responsible party).

- **Pastoral Counselors and Professional Counselors**

- Campus pastoral counselors and professional counselors, when acting as such, are not considered to be a CSA, and are not required by the Clery Act to report crimes for inclusion in the annual crime statistics and daily crime log.

- **Most Support Staff**

- Clerical (e.g., administrative assistants, receptionists)
- Facilities staff (e.g., plumbers, electricians)
- Food service workers (e.g., cashiers, cooks)

What Are CSAs Required to Do?

- CSAs are responsible for ensuring that information regarding a Clery Act crime that has been reported to or is known to them is conveyed to the appropriate Collin College official(s) for record keeping and reporting purposes.
- CSAs must **promptly** forward all crime reports to the Collin College Police Department so crimes can be accurately counted, disclosed in the annual crime statistics, and entered on the daily crime log.
- CSAs **are not** obligated to investigate allegations of Clery Act crimes that are reported to them, but they are required to report such crimes to the Collin College Police Department.
- When a Clery Act crime is reported to a CSA, the CSA **must** complete the [Campus Security Authority \(CSA\) Crime Reporting Form](#).

How to Submit a CSA Form

- Log into OneLogin (<https://collin.onelogin.com/>), click on the “Guardian” tile, and then click on “New Incident”



- Under “Report Type” select “Campus Security Authority (CSA) Crime Reporting Form”

Report Type^{*}

Campus Security Authority (CSA) Crime Reporting Form



Child Abuse and Neglect Reporting

- **Relevant Laws and Policies:**
 - [Texas Education Code Section 51.9761](#)
 - [Texas Family Code Chapter 261](#)
 - [Collin College Board Policy DHB \(Legal\)](#)
 - [Collin College Board Policy DHB \(Local\)](#)
- [**Definitions Related to Child Abuse and Neglect**](#)
- **Child abuse and neglect include, but are not limited to, both sex and labor trafficking of a child.**
- **The term “child” is defined in state law as a person younger than 17 years of age.**

Child Abuse and Neglect Reporting: Responsibility to Report

- Any person who has reasonable cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect has a **responsibility** under state law to **immediately report** the suspected abuse or neglect to an appropriate authority.
- A professional who has reasonable cause to believe that a child has been or may be abused or neglected or may have been a victim of the crime of indecency with a child has an **additional legal obligation** to **submit** a **written or oral report within 48 hours** after the professional first has reasonable cause to believe the abuse or neglect has occurred or may be occurring.
- A person is also required to make a report if the person has reasonable cause to believe that an adult was a victim of abuse or neglect as a child and the person determines in good faith that disclosure of the information is necessary to protect the health and safety of another child or of an elderly or disabled person.

Child Abuse and Neglect Reporting: Confidentiality and Liability

- The identity of a person making a report of suspected child abuse or neglect will be kept confidential and will be disclosed only in accordance with law and the rules of the investigating agency.
- A person who in good faith reports or assists in the investigation of a report of child abuse or neglect is immune from civil or criminal liability.
- By failing to report suspicion of child abuse or neglect, an employee:
 - May be placing a child at risk of continued abuse or neglect.
 - Violates the law and may be subject to legal penalties, including criminal sanctions for knowingly failing to make a required report.
 - Violates Board policy and may be subject to disciplinary action, including possible termination of employment.

Child Abuse and Neglect Reporting: Cooperation and Good Faith Reporting

- It is a criminal offense to coerce someone into suppressing or failing to report child abuse or neglect.
- Collin College District employees will cooperate fully and without parental consent with an investigation of reported child abuse or neglect.
- Collin College prohibits any adverse employment action, including termination or discrimination, against any employee who in good faith reports child abuse or neglect or participates in a related investigation.

How to Submit a Report of Child Abuse or Neglect

- **Reports of child abuse or neglect may be made to any of the following:**
 - A state or local law enforcement agency.
 - Dial **911** immediately if there is an emergency or life-threatening situation.
 - The Child Protective Services (CPS) division of the Texas Department of Family and Protective Services (DFPS).
 - Call the Texas Abuse Hotline at **800.252.5400** if the situation is **urgent** and needs to be investigated within 24 hours.
 - Use the [Texas Abuse Hotline Website](#) to report situations that **do not** need to be investigated right away, as it may take more than 48 hours to process online reports.
 - A local CPS office.
 - [Offices in DFW District](#)
 - If applicable, the state agency operating, licensing, certifying, or registering the facility in which the suspected abuse or neglect occurred.

Information on Reporting to DFPS

- **As required by law, an oral report made to DFPS is recorded.**
- **DFPS cannot accept anonymous reports of abuse and neglect involving children and their families.**
 - The reporting individual must provide their first and last names and a home or business telephone number.
 - If the individual making the report is a professional, as defined by law, the individual must also provide their business address and profession, such as title.
 - Reporters' names are confidential by law.
- **Anonymous reports of child abuse and neglect may be made to local and state law enforcement agencies.**

Mandatory Reporting Under Texas State Law

- **Texas Education Code Section 51.252 (aka Texas Senate Bill 212)**
 - Requires a Collin College employee who witnesses or receives information regarding an incident of **Dating Violence, Sexual Assault, Sexual Harassment, or Stalking** that is alleged to have been committed by or against a person who was a student enrolled at or an employee of Collin College at the time of the incident to promptly report the incident to Collin College's Title IX Coordinator or Deputy Title IX Coordinator.
 - Confidential employees (e.g., Counselors) are only required to state the type of incident reported and may not include information that would violate a student's expectation of privacy.
 - Collin College procedures also require employees to report **Domestic Violence**.
 - Employees **must** complete the [Mandatory Reporting Form for Incidents of Dating Violence, Domestic Violence, Sexual Assault, Sexual Harassment, and Stalking](#).

Mandatory Reporting Definitions: Dating Violence

In accordance with the [Violence Against Women Act \(VAWA\)](#), the term “dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship will be determined based on the reporting party’s statement and a consideration of:

1. The length of the relationship,
2. The type of relationship, and
3. The frequency of interaction between the persons involved in the relationship.

Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

Mandatory Reporting Definitions: Domestic Violence

In accordance with the [Violence Against Women Act \(VAWA\)](#), the term “domestic violence” includes felony or misdemeanor crimes of violence committed by:

1. A current or former spouse or intimate partner of the victim;
2. A person with whom the victim shares a child in common;
3. A person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
4. Any other member of the victim’s family as defined by state law;
5. Any other current or former member of the victim’s household as defined by state law (i.e., a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, including, but not limited to, student housing roommates); or
6. Any other person who acts against the victim in violation of the family violence laws of this state or the jurisdiction where the conduct occurs (i.e., any other person against an adult or youth victim who is protected from that person’s actions under the domestic or family violence laws of the jurisdiction in which the violence occurred).

Mandatory Reporting Definitions: Sexual Assault

Sexual assault is a form of sexual harassment.

Sexual assault includes physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol or due to an intellectual or other disability.

In accordance with the [Clery Act](#), sexual assault is any sexual act directed at another person, without consent of the victim, including instances where the victim is incapable of giving consent; and includes attempted sexual acts, fondling, incest, rape, and statutory rape.

Mandatory Reporting Definitions: Sexual Harassment

For the purpose of mandatory reporting required by the [Texas Education Code Section 51.252](#), “sexual harassment” means unwelcome, sex-based verbal or physical conduct that:

1. In the employment context, unreasonably interferes with a person’s work performance or creates an intimidating, hostile, or offensive work environment; or
2. In the education context, is sufficiently severe, persistent, or pervasive that the conduct interferes with a student’s ability to participate in or benefit from educational programs or activities at a postsecondary educational institution.

Mandatory Reporting Definitions: Stalking

In accordance with the [Violence Against Women Act \(VAWA\)](#), the term “stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others; or suffer substantial emotional distress.

For the purposes of this definition:

1. “Course of conduct” means two (2) or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.
2. “Reasonable person” means a reasonable person under similar circumstances and with similar identities to the victim.
3. “Substantial emotional distress” means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

How to Submit a Mandatory Report

- Log into OneLogin (<https://collin.onelogin.com/>), click on the “Guardian” tile, and then click on “New Incident”



- Under “Report Type” select “Mandatory Reporting Form for Incidents of Dating Violence, Domestic Violence, Sexual Assault, Sexual Harassment, and Stalking”

Report Type^{*}

Mandatory Reporting Form for Incidents of Dating Violence, D ▼

Best Practices

- **When Working with Individuals Who Disclose Reportable Information:**
 - **Do not** discourage them from sharing the information with you.
 - **Do not** promise confidentiality but do protect their privacy as much as possible.
 - “Thank you for sharing this information with me.”
 - “I’m sorry to hear you have been dealing with this difficult situation.”
 - Even if you are a licensed mental health professional, as a Collin College faculty or staff member that is not your primary job duty.
 - **Do not** attempt to counsel the individual.
 - Be **very clear** about your boundaries, what you can do to assist them, and what they can expect from you.

Best Practices (Cont.)

- **When Working with Individuals Who Disclose Reportable Information:**

- Inform them you are a mandatory reporter and will need to submit a report to the appropriate Collin College authority.
- Let them know they may be contacted by an appropriate Collin College staff member who can provide additional information, resources, and assistance.
- Refer them to appropriate campus resources (e.g., Collin College Police Department, Counseling Services, Employee Assistance Program, TimelyCare, Title IX Coordinator or Deputy Title IX Coordinator).
- Refer them to appropriate off-campus resources (e.g., local law enforcement, LifePath Systems, The Turning Point).
- Do not give them your personal home or cell phone numbers.
- Submit a report **as soon as possible** after the individual discloses the information.

When Submitting a Report

- **Stick to the Facts**

- Who was involved?
- What information was disclosed?
- When did the alleged incident(s) occur?
- Where did the alleged incident(s) occur?
- Has anyone else been informed of the alleged incident(s) (e.g., academic administrators, Collin College Police Department, local law enforcement, Title IX Coordinator or Deputy Title IX Coordinator)?

- **Do not:**

- Editorialize.
- Give personal opinions about the involved parties or the alleged incident(s).
- Make definitive statements (e.g., “The victim is anxious and depressed,” “The alleged perpetrator is a sexual predator”) unless you have information to back them up.

What Happens After a Mandatory Report is Submitted?

- **The appropriate Title IX coordinator, deputy Title IX coordinator, or designee will:**
 - Review the report and any documentation provided.
 - Contact the reporter to inform them the report has been received.
 - Contact the alleged victim to provide appropriate resources and attempt to gather additional information regarding the alleged incident(s).
 - Determine whether the alleged incident(s) rises to the level of a Clery Act, Title IX, Student Conduct, and/or Employee Disciplinary violation.
 - If Yes: Initiate the appropriate grievance/investigation procedures
 - If No: Determine whether other supportive measures may be appropriate

Frequently Asked Questions

- **Am I required to investigate the alleged incident prior to submitting a report?**
 - No, the reporter is not obligated to investigate the alleged incident.
 - The reporter should **promptly** submit the appropriate report and include the information they know about the alleged incident.
 - If an investigation is initiated, it will be assigned to an appropriate Investigator.
- **Will the reporter be informed of the outcome of an investigation?**
 - No. This would be a violation of various privacy regulations, including FERPA.

Frequently Asked Questions (Cont.)

- I was made aware of an alleged incident and did not submit a mandatory report. What could happen?
 - Each finding of non-compliance with the **Clery Act** results in a **\$71,545 fine** to the institution.
 - Texas state law requires that an employee who fails to report an alleged incident of **Dating Violence, Sexual Assault, Sexual Harassment, and/or Stalking** be **terminated**, and the Texas Higher Education Coordinating Board (THECB) may assess an **administrative penalty** against the institution in an amount **not to exceed \$2 million**.
 - Additionally, failing to submit a mandatory report violates the law and may lead to **legal penalties**, including criminal sanctions for knowingly failing to make a required report.

Title IX of the Education Amendments of 1972

“No person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any academic, extracurricular, research, occupational training, or other education program or activity operated by a recipient which receives Federal financial assistance.”

A Brief History of Title IX

1972

Signed into law. Revised federal funding laws to prohibit sex discrimination in higher education.

2001

The Department of Education's (ED's) Office for Civil Rights (OCR) issued guidance that explored Title IX sexual harassment protections.

April
2011

Dear Colleague Letter stated sexual assault had become an epidemic on college campuses and reiterated that Title IX guarantees all students an education free from sexual harassment and violence.

2020

ED released updated Title IX regulations on May 7, 2020, after engaging in a formal notice-and-comment process. These updated regulations went into effect on August 14, 2020.

Misconduct Addressed by Title IX

- **Sex Discrimination**
- **Sexual Harassment**
 - Quid Pro Quo
 - Hostile Environment
 - VAWA Offenses:
 - Dating Violence
 - Domestic Violence
 - Sexual Assault
 - Stalking
- **Gender-Based Harassment**
- **Retaliation Arising Out of a Claim of One (1) or More of the Allegations Listed Above**

Title IX Definitions

- **Complainant**

- The individual who is alleged to be the victim of conduct that could constitute sexual harassment.

- **Respondent**

- The individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

- **Formal Complaint**

- A document filed by a complainant or signed by the appropriate Title IX Coordinator or Deputy Title IX Coordinator alleging sexual harassment against a respondent and requesting that Collin College investigate the allegation of sexual harassment.

- **Supportive Measures**

- Individualized services reasonably available that are non-punitive, non-disciplinary, and not unreasonably burdensome to the other party while designed to ensure equal educational access, protect safety, or deter sexual harassment.

Title IX Definitions: Dating Violence

In accordance with the [Violence Against Women Act \(VAWA\)](#), the term “dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship will be determined based on the reporting party’s statement and a consideration of:

1. The length of the relationship,
2. The type of relationship, and
3. The frequency of interaction between the persons involved in the relationship.

Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

Title IX Definitions: Domestic Violence

In accordance with the [Violence Against Women Act \(VAWA\)](#), the term “domestic violence” includes felony or misdemeanor crimes of violence committed by:

1. A current or former spouse or intimate partner of the victim;
2. A person with whom the victim shares a child in common;
3. A person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
4. Any other member of the victim’s family as defined by state law;
5. Any other current or former member of the victim’s household as defined by state law (i.e., a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, including, but not limited to, student housing roommates); or
6. Any other person who acts against the victim in violation of the family violence laws of this state or the jurisdiction where the conduct occurs (i.e., any other person against an adult or youth victim who is protected from that person’s actions under the domestic or family violence laws of the jurisdiction in which the violence occurred).

Title IX Definitions: Gender-Based Harassment

Gender-based harassment includes physical, verbal, or non-verbal conduct based on the student's or employee's gender, the student's or employee's expression of characteristics perceived as stereotypical for the student's or employee's gender, or the student's or employee's failure to conform to stereotypical notions of masculinity or femininity.

For purposes of this policy, gender-based harassment is considered prohibited harassment if the conduct is so severe, persistent, pervasive, and objectively offensive that the conduct limits or denies a student's or employee's ability to participate in or benefit from Collin College's educational program.

Acts of gender-based harassment may also be considered sex discrimination or sexual harassment.

Examples of gender-based harassment may include:

- Offensive jokes, name-calling, slurs, or rumors;
- Physical aggression or assault;
- Threatening or intimidating conduct; or
- Other kinds of aggressive conduct such as theft or damage to property.
- Examples may also include forms of dating violence, domestic violence, or stalking.

Title IX Definitions: Retaliation

Retaliation against anyone involved in the complaint process is a violation of Collin College policy and is prohibited.

Neither Collin College nor any person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by applicable federal Title IX regulation; this policy; or because the individual has made a report or complaint, testified, assisted with, participated in, or refused to participate in a Title IX investigation, proceeding, or hearing.

Charging an individual with a violation(s) that does not involve sexual harassment, but arises out of the same facts or circumstances as a formal complaint of sexual harassment, for the purposes of interfering with any right or privilege secured by applicable federal Title IX regulations, constitutes retaliation.

Title IX Definitions: Retaliation (Cont.)

Complaints alleging retaliation in connection with other policies or laws may be filed in accordance with Collin College's prompt and equitable grievance procedures. For more information, see Board policies [DIAB \(LOCAL\)](#) and [FFDB \(LOCAL\)](#), and the student and employee disciplinary processes.

Examples of retaliation may include:

- Threats,
- Rumor spreading,
- Ostracism,
- Assault,
- Destruction of property,
- Unjustified punishments, or
- Unwarranted grade reductions.

Unlawful retaliation does not include petty slights or annoyances.

Title IX Definitions: Sex Discrimination and Sexual Assault

- **Sex Discrimination**

Sex discrimination against a student or employee is defined as conduct directed at a student or employee on the basis of sex or gender that adversely affects the student or employee.

- **Sexual Assault**

Sexual assault is a form of sexual harassment.

Sexual assault includes physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol or due to an intellectual or other disability.

In accordance with the [Clery Act](#), sexual assault is any sexual act directed at another person, without consent of the victim, including instances where the victim is incapable of giving consent; and includes attempted sexual acts, fondling, incest, rape, and statutory rape.

Title IX Definitions: Sexual Harassment

In accordance with Title IX, as amended May 19, 2020, sexual harassment means conduct on the basis of sex that satisfies one (1) or more of the following:

1. A Collin College employee conditioning the provision of an aid, benefit, or service of Collin College on an individual's participation in unwelcome sexual conduct (i.e., quid pro quo sexual harassment);
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to Collin College's education program or activity; or
3. Sexual assault, as defined in the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act); and dating violence, domestic violence, or stalking as defined in the Violence Against Women Act (VAWA).

Title IX Definitions: Sexual Harassment (Cont.)

The following offenses **are not** evaluated for severity, pervasiveness, offensiveness, or denial of equal educational access:

1. Quid pro quo sexual harassment
2. Dating Violence
3. Domestic Violence
4. Sexual Assault
5. Stalking

Prohibiting such conduct presents no First Amendment concerns and such serious misconduct causes denial of equal educational access.

Title IX Definitions: Stalking

In accordance with the [Violence Against Women Act \(VAWA\)](#), the term “stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others; or suffer substantial emotional distress.

For the purposes of this definition:

1. “Course of conduct” means two (2) or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.
2. “Reasonable person” means a reasonable person under similar circumstances and with similar identities to the victim.
3. “Substantial emotional distress” means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Consent to Sexual Activity

For purposes of this policy, sexual activity requires consent, which is defined as an informed, voluntary, affirmative, and mutual agreement between the participants to engage in a specific sexual act. The following guidelines will be used to determine whether consent was obtained when investigating a complaint of sexual assault against a Collin College student or employee:

1. Consent to sexual activity can be communicated in a variety of ways, but one should not presume consent has been given in the absence of a clear, positive agreement.
2. Consent can only be accurately gauged through direct communication about the decision to engage in sexual activity. The absence of the word “no” or the like (e.g., “stop”) does not imply consent.
3. Although consent can be non-verbal, verbal communication is the most reliable form of asking for and obtaining consent. Discussing desires, needs, and limitations with sexual partners provides a basis for positive sexual experiences shaped by mutual willingness and respect.
4. Presumptions based upon contextual factors (e.g., provocative clothing or dancing) are unwarranted and should not be considered grounds for consent.

Consent to Sexual Activity (Cont.)

5. As defined in the [State of Texas Penal Code §22.011 Sexual Assault](#), the age of sexual consent is 17. Therefore, consent cannot be obtained from someone who is under the age of 17, as that person is legally considered to be a minor.
6. Consent cannot be obtained from someone who is asleep, unconscious, or otherwise mentally or physically incapacitated, whether due to alcohol, drugs, or some other condition (e.g., an intellectual or other disability). A person is mentally or physically incapacitated when that person lacks the ability to make or act on considered decisions to engage in sexual activity. Engaging in sexual activity with a person whom you know – or reasonably should know – to be incapacitated constitutes sexual assault.
7. Consent to some sexual acts does not constitute consent to other sexual acts.
8. Consent must be ongoing throughout a sexual encounter and can be revoked at any time. If you proceed despite your partner's verbal and/or non-verbal communication to stop, you have committed sexual assault.
9. Consent cannot be obtained by threat, coercion, or force. Agreement under such circumstances does not constitute consent.
10. A prior sexual encounter or pre-existing relationship does not indicate consent to current or future sexual activity.

Title IX Processes

■ Formal Resolution Process

- Involves Investigators, Live Hearing Advisors, Live Hearing Officers, and Appeal Decision-Makers
- Full Investigation with Investigation Report created by Investigators
- Culminates in a Live Hearing with cross-examination
- Anticipated Time Frame:
 - **Board Policy:** 60 College District business days
 - **Federal Law:** Within a reasonably prompt timeframe

■ Informal Resolution Process

- Similar to mediation
- Only available if both parties agree in writing
- Not available in cases involving an employee respondent and a student complainant
- Anticipated Time Frame:
 - **Board Policy:** 30 College District business days
 - **Federal Law:** Within a reasonably prompt timeframe

What is Bias?

- A tendency, inclination, or prejudice toward or against someone.
- Often based on stereotypes and result discriminatory practices.
- Can be explicit or implicit.
 - **Explicit Bias:** Attitudes and stereotypes that affect understanding, actions, and decisions in a conscious manner, which can be identified through self-reflection.
 - **Implicit Bias:** Attitudes and stereotypes that affect understanding, actions, and decisions in an unconscious manner, which are more difficult to identify through self-reflection.
- It is easy for biases to emerge in the context of the Title IX Complaint Resolution Process.
- A key to maintaining impartiality throughout the Title IX process is to avoid bias.

How to Avoid Bias

- **Monitor your language.**
 - Be mindful of what you say and how you say it.
- **Avoid using generalizations (e.g., referring to all complainants as victims).**
- **Question your thinking and challenge your assumptions.**
 - Consider whether you would draw the same conclusions if the scenario involved other people (e.g., of a different sex, race, socio-economic status).
- **Gather all relevant facts before drawing any conclusions or reaching a determination.**
 - Remember: The respondent is presumed to be not responsible until the conclusion of the Title IX Formal Resolution Process when a final determination is made.

Conflicts of Interest

- All participants in the Title IX Complaint Resolution Process must be free from:
 - Conflicts of interest or bias “for or against” complainants generally.
 - Conflicts of interest or bias “for or against” respondents generally.
 - Conflicts of interest or bias “for or against” an **individual** complainant.
 - Conflicts of interest or bias “for or against” an **individual** respondent.
- We must serve as **impartial representatives** of Collin College and not prejudice the facts at issue.

When Should You Recuse Yourself?

- **If you have a current or ongoing relationship with the complainant, respondent, or a witness. For example:**
 - The complainant is enrolled in your current class. (Note: It may be alright for you to serve if you previously had a class with a complainant, respondent, or witness.)
 - The respondent is an active member of a Collin College recognized student organization for which you serve as a member, officer, or advisor.
 - You and the complainant have significant interaction on- or off-campus (e.g., mentor, career coach, work, or community activities).
- **If you do not think you can be impartial.**
- **If the situation is going to make you uncomfortable.**
- **If you are not sure whether you should recuse yourself, contact the Title IX Coordinator, Deputy Title IX Coordinator, or designee overseeing the case.**

Things to Remember

- **All parties have the right to a prompt, fair, impartial, unbiased, and equitable process.**
 - As neutral representatives of Collin College, it is our responsibility to ensure that all parties are treated equitably throughout the Title IX Complaint Resolution Process.
- **We must avoid prejudging a party or the facts of a case prior to the conclusion of the Title IX Complaint Resolution Process.**
 - The respondent is always presumed to be not responsible for the alleged misconduct until the conclusion of the appropriate Title IX process when a final determination is made.
- **Privacy and confidentiality are vital!**
- **If you have a question or concern, contact the Title IX Coordinator, Deputy Title IX Coordinator, or designee overseeing the case.**

Clery Compliance Coordinators

Assistant Chief of Police

David Prevatte

Collin College Police Department

[972.881.5696](tel:972.881.5696)

daprevatte@collin.edu

Manager Accreditation and Clery Compliance Coordinator

Rita Fernaine

Collin College Police Department

[972.881.5698](tel:972.881.5698)

ritafernaine@collin.edu

Title IX Coordinators

Title IX Coordinator for Students

Terrence Brennan
District Dean of Students
Collin Higher Education Center
3452 Spur 399
Suite 406
McKinney, TX 75069
[972.881.5734](tel:972.881.5734)
tbrennan@collin.edu

Title IX Coordinator for Employees

Dr. Allison Venuto
Chief Human Resources Officer
Collin Higher Education Center
3452 Spur 399
Suite 339
McKinney, TX 75069
[972.881.5826](tel:972.881.5826)
avenuto@collin.edu

Deputy Title IX Coordinator for Students

Amy Throop
Associate Dean Title IX Compliance
Technical Campus
2550 Bending Branch Way
Suite A004/A006
Allen, TX 75013
[972.599.3126](tel:972.599.3126)
athroop@collin.edu

Deputy Title IX Coordinator for Employees

Tonya Jacobson
Manager Employee Relations
Collin Higher Education Center
3452 Spur 399
Suite 339
McKinney, TX 75069
[972.758.3856](tel:972.758.3856)
tjacobson@collin.edu

Additional Resources

- **Clery Act**
 - www.collin.edu/campus-safety/clery-act
- **Counseling Services**
 - [972.881.5126](tel:972.881.5126)
 - personalcounseling@collin.edu
 - www.collin.edu/studentresources/counseling/
- **District Dean of Students Office**
 - [972.881.5604](tel:972.881.5604)
 - dos@collin.edu
 - www.collin.edu/studentresources/deanofstudents/
- **Hazing & Hazing Reports**
 - www.collin.edu/studentresources/deanofstudents/hazing
- **Mandatory Reporting**
 - www.collin.edu/titleix/employeesdutyto report
- **Strategies of Behavioral Intervention (SOBI) Care Team**
 - sobi@collin.edu
 - www.collin.edu/studentresources/SOBI/
- **Title IX**
 - titleix@collin.edu
 - www.collin.edu/titleix