# RESPONDENT'S RIGHTS AND SUPPORTIVE COLLEGE MEASURES

Being accused of committing dating violence, domestic violence, gender-based harassment, retaliation, sex discrimination, sexual assault, sexual harassment, or stalking (hereafter referred to as "prohibited conduct") can be stressful and unsettling. It may be the first time an individual encounters a formal complaint or disciplinary process, and can cause feelings of anger, confusion, shame, and worry. If you or someone you know has been accused of committing prohibited conduct, Collin College is here to help. This document outlines steps to take depending on what services you may want or need. The rights, resources, and supportive measures outlined in this document may be helpful as you decide the next steps that are best for you.

# Unsure Where to Start? Counseling and Other Support Services Are Available.

This is a difficult and stressful time, and you may need assistance now or in the future. You may want more information or to talk to someone as you decide what you'd like to do moving forward. Consider utilizing the following counseling and support services to help you process the situation. You can access crisis counseling, information, and support by connecting with the resources listed below.

#### Counseling Services (Confidential Resource for Students)

The Counseling Services Office provides personal and group counseling sessions free of charge to all currently enrolled Collin College students. Counseling sessions are confidential and conducted by licensed mental health professionals. Additionally, the Counseling Services Office can provide appropriate referrals to on- and off-campus resources for Collin College students and employees.

#### Office Locations:

Farmersville Campus, Room 127G McKinney Campus, Suite W-200 Wylie Campus, Suite CC-215 Frisco Campus, Room H-210 Plano Campus, Suite D-134

**Hours:** Hours vary by campus. Contact the campus location that is most convenient for you to obtain current hours.

Phone Numbers: 972.881.5126 Email: <u>personalcounseling@collin.edu</u> Website: <u>www.collin.edu/studentresources/counseling/index.html</u>

District Dean of Students Office

The District Dean of Students Office provides advocacy and support to Collin College students. Assists students with reporting to the appropriate Title IX coordinator or deputy Title IX coordinator and local law enforcement agencies.

#### Office Locations:

Celina Campus, Room 103DCollin Higher Education Center, Suite457Farmersville Campus, Room 127GFrisco Campus, Room F-139McKinney Campus, Suite W-200Plano Campus, Suite D-128

McKinney Campus, Suite W-200Plano Campus, Suite D-128Technical Campus, Suite A-004Wylie Campus, Suite CC-215

**Hours:** Hours vary by campus. Contact the campus location that is most convenient for you to obtain current hours.

Phone: 972.881.5604 Email: dos@collin.edu Website: www.collin.edu/studentresources/deanofstudents/

#### Employee Assistance Program (Confidential Resource for Full-Time Employees)

Collin College provides confidential and voluntary assistance to full-time employees and their household members through the Employee Assistance Program (EAP). This benefit is provides up to eight (8) sessions per service type per year. There is no charge for full-time employees and their household members to use the EAP's services.

Hours: 24 hours a day, 7 days a week Phone: 866.327.2400 Email: <u>eap@deeroaks.com</u> Website: <u>https://www.deeroakseap.com/</u>

#### Human Resources Department

The Human Resources Department provides advocacy, support, and accommodations to Collin College full-time, part-time, and student employees. The Human Resources Department can assist employees with appropriate accommodations and reporting to the appropriate Title IX coordinator or deputy Title IX coordinator and local law enforcement agencies. Additionally, the Human Resources Department provides appropriate referrals to off-campus resources.

Office Location: Collin Higher Education Center, Suite 339 Hours: Mon. through Fri. 8:00 a.m. to 5:00 p.m. Phone: 972.599.3152 Email: <u>hr@collin.edu</u> Website: <u>www.collin.edu/hr/index.html</u>

#### TimelyCare (Confidential Resource for Students, Adjunct Faculty, Part-Time Staff, and Eligible Full-Time Faculty and Staff)

Collin College provides telehealth services free of charge to currently enrolled Collin College students, adjunct faculty, part-time staff, and eligible full-time faculty and staff (i.e., those who are not enrolled in any of the college's medical insurance plans) through TimelyCare. Telehealth sessions are confidential and conducted by licensed physicians, nurse practitioners, physician assistants, and mental health providers. There is no charge for qualified individuals to utilize TimelyCare's services.

Hours: 24 hours a day, 7 days a week Phone: 833.484.6359 Email: help@timely.md Website: www.timelycare.com/collincollege

# **Title IX Coordinators' Contact Information**

Contact information for Collin College's Title IX coordinators and deputy Title IX coordinators is listed below.

#### Title IX Coordinator for Students

Terrence Brennan District Dean of Students Collin Higher Education Center 3452 Spur 399 Suite 457 McKinney, Texas 75069 Phone: 972.881.5734 Email: tbrennan@collin.edu

#### **Title IX Coordinator for Employees**

Dr. Jennifer DuPlessis Chief Human Resources Officer Collin Higher Education Center 3452 Spur 399 Suite 339 McKinney, Texas 75069 Phone: 972.985.3702 Email: jduplessis@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 Phone: 972.599.3126 Email: <u>athroop@collin.edu</u>

#### **Deputy Title IX Coordinator for Employees**

Tonya Jacobson Manager/Employee Relations Collin Higher Education Center 3452 Spur 399 Suite 339 McKinney, Texas 75069 Phone: 972.758.3856 Email: <u>tjacobson@collin.edu</u>

See the "Collin College's Title IX Complaint Resolution Process: Rights and Options" section on page 5 of this document for more information on being involved in an investigation under Collin College policy.

# **Important Definitions**

**Dating Violence:** In accordance with the <u>Violence Against Women Act (VAWA)</u>, 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 below.

**Domestic Violence:** In accordance with the <u>Violence Against Women Act (VAWA)</u>, 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).

**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 directed against a student or employee, regardless of the student's or employee's or the harasser's actual or perceived sexual orientation or gender identity, 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.

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 <u>Clery Act</u>, 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.

Sexual Harassment: In accordance with <u>Title IX</u>, 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 <u>Jeanne Clery Campus Safety Act (Clery Act</u>); and dating violence, domestic violence, or stalking as defined in the <u>Violence Against Women Act (VAWA)</u>.

Note: Quid pro quo sexual harassment, Clery Act, and VAWA offenses are not evaluated for severity, pervasiveness, offensiveness, or denial of equal educational access because prohibiting such conduct presents no First Amendment concerns and such serious misconduct causes denial of equal educational access.

Examples of sexual harassment may include sexual advances; touching intimate body parts; coercing or forcing a sexual act on another; jokes or conversations of a sexual nature; offensive or derogatory language of a sexual nature directed at another person; and other sexually motivated conduct, communication, or contact. Examples may also include forms of dating violence, domestic violence, or stalking.

Stalking: In accordance with the <u>Violence Against Women Act (VAWA</u>), 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.

# What Does "Respondent" Mean?

Respondent means an individual who has been reported to be the perpetrator of conduct that could constitute dating violence, domestic violence, gender-based harassment, retaliation, sex discrimination, sexual assault, sexual harassment, or stalking.

# What Does "Complainant" Mean?

A complainant is an individual who is alleged to be the victim of conduct that could constitute dating violence, domestic violence, gender-based harassment, retaliation, sex discrimination, sexual assault, sexual harassment, or stalking.

# **Privacy and Confidentiality**

To the greatest extent possible, Collin College will respect the privacy of the complainant, respondent, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law. Collin College will complete publicly available recordkeeping, including <u>Clery Act</u> reporting and disclosures, without inclusion of personally identifying information about the complainant. Additionally, Collin College must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality will not impair Collin College's ability to provide the supportive measures.

# **Available Options and Interim Action**

Respondents have the same right to request available options and interim action as complainants. Collin College must provide certain options and interim action if you request them and they are reasonably available. Available options and interim action along with information on who to contact to access them are outlined below.

## **Course Schedule Adjustments for Students**

**Contact:** Title IX Coordinator for Students or Deputy Title IX Coordinator for Students (See the contact information for these individuals listed in the "Title IX Coordinators' Contact Information" section on page 1 of this document.) **Hours:** Monday through Friday 8:00 a.m. to 5:00 p.m.

Hours: Monday through Friday 8:00 a.m. to 5:00 p.n Website: www.collin.edu/titleix/

## Criminal Trespass Warning Notice

The Collin College Police Department may issue a criminal trespass warning notice to prohibit an individual from entering any Collin College buildings or properties for a specified period of time.

Contact: Collin College Police Department Hours: 24 hours a day, 365 days a year Phone: 972.578.5555 Website: www.collin.edu/campuspolice/

**Employment Options, Employee Resources, and Work Schedule Reassignments** Only available for full-time, part-time, and student employees of Collin College.

**Contact:** Title IX Coordinator for Employees or Deputy Title IX Coordinator for Employees (See the contact information for these individuals listed in the "Title IX Coordinators' Contact Information" section on page 1 of this document.)

Hours: Monday through Friday 8:00 a.m. to 5:00 p.m. Website: <u>www.collin.edu/titleix/</u>

## **No-Contact Directives and Removals**

If appropriate, and depending on the nature of the incident, Collin College may issue a no-contact directive or removal (e.g., temporary immediate suspension, temporary removal from Collin College Student Housing, temporary employee administrative leave). The purpose of these interim measures is to prevent contact between the complainant and respondent and protect the safety of the entire Collin College community.

**Contact:** Appropriate Title IX Coordinator or Deputy Title IX Coordinator (See the contact information for these individuals listed in the "Title IX Coordinators' Contact Information" section on page 1 of this document.)

Hours: Monday through Friday 8:00 a.m. to 5:00 p.m. Website: <u>www.collin.edu/titleix/</u>

Student Housing Changes

Only available for students living in Collin College Student Housing at the Plano Campus.

Contact: Manager of Student Housing Operations Office Hours: Monday through Thursday 9:00 a.m. to 6:00 p.m., Friday 8:00 a.m. to 5:00 p.m. Phone: 972.881.5151 Email: <u>studenthousing@collin.edu</u> Website: <u>www/collin.edu/studenthousing/</u>

## Transportation Options

Collin College does not currently have the means to offer transportation accommodations to a student or employee who is named as the respondent in a complaint of prohibited conduct.

# Law Enforcement Contact Information

## Allen Police Department

205 W. McDermott Drive Allen, Texas 75013 Phone: 214.509.4200 Website: <u>https://cityofallen.org/2035/</u> Police

## Celina Police Department

110 N. Colorado St. Celina, Texas 75009 Phone: 972.382.2121 Website: <u>https://www.celina-tx.gov/187/</u> Police-Department \_\_\_\_\_

## **Collin College Police Department**

Headquarters 2800 E. Spring Creek Parkway Suite K-119 Plano, Texas 75074 Phone: 972.578.5555 Website: <u>www.collin.edu/campuspolice/</u>

## Collin County Sheriff's Office

4300 Community Ave. McKinney, Texas 75071 Phone: 972.547.5100 Website: <u>https://www.collincountytx.gov/</u> <u>sheriff/Pages/default.aspx</u>

## Farmersville Police Department

134 N. Washington St. Farmersville, Texas 75442 Phone: 972.782.6141 Website: <u>www.farmersvilletx.com/</u> <u>departments/police\_department/index.php</u>

## Frisco Police Department

7200 Stonebrook Parkway Frisco, Texas 75034 Phone: 972.292.6000 Website: <u>www.friscotexas.gov/239/Police</u>

## McKinney Police Department

2200 Taylor Burk Drive McKinney, Texas 75071 Phone: 972.547.2700 Website: <u>www.mckinneytexas.org/166/</u> Police

Plano Police Department 909 14<sup>th</sup> St. Plano, Texas 75074 Phone: 972.424.5678 Website: <u>www.plano.gov/1061/Police</u>

## **Rockwall Police Department**

205 W. Rusk St. Rockwall, Texas 75087 Phone: 972.771.7717 Website: <u>www.rockwallpolice.org/</u>

## Wylie Police Department

2000 N. Highway 78 Wylie, Texas 75098 Phone: 972.442.8171 Website: <u>www.wylietexas.gov/police.php</u>

# **Medical Resources**

If you need medical attention, the following local hospitals can assist you. Collin College does not provide transportation to any of these hospitals.

## Baylor Scott & White Medical Center -McKinney

5252 W. University Drive McKinney, Texas 75071 Phone: 469.764.1000 Website: <u>www.bswhealth.com/locations/</u> <u>mckinney/</u>

#### Baylor Scott & White Medical Center -Plano

4700 Alliance Blvd. Plano, Texas 75093 Phone: 469.814.2000 Website: <u>www.bswhealth.com/locations/</u> <u>plano/</u>

## Medical City McKinney

4500 Medical Center Drive McKinney, Texas 75069 Phone: 972.547.8000 Website: <u>https://</u> <u>medicalcityhealthcare.com/locations/</u> <u>medical-city-mckinney/</u>

## Medical City Plano

3901 W. 15<sup>th</sup> St. Plano, Texas 75075 Phone: 972.596.6800 Website: <u>https://</u> <u>medicalcityhealthcare.com/locations/</u> <u>medical-city-plano/</u>

## Methodist Dallas Medical Center

1441 N. Beckley Ave. Dallas, Texas 75203 Phone: 214.947.8181 Website: www.methodisthealthsystem.org/ methodist-dallas-medical-center/

## **Texas Health Presbyterian Hospital Allen**

1105 N. Central Expressway Allen, Texas 75013 Phone: 972.747.1000 Website: <u>www.texashealth.org/</u> <u>locations/texas-health-allen</u>

## Texas Health Presbyterian Hospital Plano

6200 W. Parker Road Plano, Texas 75093 Phone: 972.981.8000 Website: <u>www.texashealth.org/</u> <u>locations/texas-health-plano</u>

# Helping a Friend Who Has Been Accused of Committing Prohibited Conduct

Listen to your friend's point of view, and acknowledge your friend's feelings about the situation.

**Be honest** with your friend about how much support you can offer. You are not expected to have all the answers, and it is not your responsibility to fix the situation or determine what happened. Let your friend know how much support you are able to provide and where other support services are available.

**Encourage** your friend to connect with appropriate resources, including counseling and mental health resources, on campus (see page 10) and off campus (see page 11).

**Talk** to your friend about whether having an advisor to assist with the complaint resolution process might help (see page 9).

Seek counseling and mental health support services for yourself if you need it.

Learn more about Collin College's Title IX complaint resolution policies and procedures online at www.collin.edu/titleix/.

## Do Not:

- 1. Offer to contact the complainant on your friend's behalf. This could be seen as retaliation, and may result in disciplinary action.
- 2. Share your friend's story with others, except the appropriate Collin College officials who are conducting the investigation.
- 3. Tell your friend what to do.
- 4. Blame or judge your friend, the person who submitted the complaint, or witnesses.

# **Supportive Measures**

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Supportive measures are designed to restore or preserve equal access to Collin College's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or Collin College's educational environment, or deter prohibited conduct. Supportive measures may include, but are not limited to:

- 1. Coordinating access to counseling or mental health services, and assistance with setting up an initial appointment.
- 2. Coordinating extensions of deadlines or other course-related adjustments.
- 3. Modifications of work or class schedules.
- 4. Arranging for the Collin College Police Department to provide campus escort services.
- 5. Issuing and enforcing mutual restrictions on contact between the parties (i.e., no-contact directive).
- 6. Facilitating changes in work or housing locations. Changes in work locations can only be implemented for individuals who are currently full-time, part-time, or student employees of Collin College. Changes in housing locations can only be implemented for individuals who are currently residing in Collin College Student Housing located on the Plano Campus.
- 7. Facilitating voluntary leaves of absence.
- 8. Coordinating with the Collin College Police Department and appropriate campus vice president/provost to increase security and monitoring of certain areas of the campus.
- 9. Suppression of directory information, as allowed by the <u>Family Educational Rights and Privacy</u> Act of 1974 (FERPA).
- 10. Assistance in resolving concerns regarding immigration status, visas, or financial aid.
- 11. Any other similar measures that can be tailored to the involved individual to achieve the goals of Collin College's Title IX policy and are reasonably available.

Collin College must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality will not impair Collin College's ability to provide the supportive measures. The appropriate Title IX coordinator or designee is responsible for coordinating the effective implementation of supportive measures. To request supportive measures, contact the appropriate Title IX coordinator or deputy Title IX coordinator listed under the "Title IX Coordinators' Contact Information" section on page 1 of this document.

# **Retaliation Prohibited**

**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; Collin College 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.

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.

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

In an effort to prevent acts of retaliation, Collin College will keep confidential and not disclose the identities of complainants, respondents, and witnesses, except as permitted by the <u>Family Educational Rights and Privacy Act of 1974 (FERPA)</u>, required by law, or necessary to investigate and resolve a Title IX complaint.

The exercise of rights protected under the First Amendment does not constitute retaliation.

Charging an individual with a violation(s) for making a materially false statement in bad faith in the course of a Title IX complaint resolution proceeding does not constitute prohibited retaliation. However, a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

Complaints alleging retaliation in connection with a complaint of prohibited conduct as will be addressed in accordance with the complaint procedures outlined in the current *Title IX Complaint Resolution Process Handbook for Collin College Students and Employees* available online at <a href="http://www.collin.edu/titleix/">www.collin.edu/titleix/</a>.

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. To view Board policies DIAB (LOCAL) and FFDB (LOCAL), go to <a href="https://pol.tasb.org/PolicyOnline/SearchResults/?">https://pol.tasb.org/PolicyOnline/SearchResults/?</a> <a href="https://pol.tasb.org/PolicyOnline/SearchResults/?">https://pol.tasb.org/PolicyOnline/Searc

# **Amnesty Policy for Collin College Students**

In accordance with the <u>Texas Education Code Section 51.284</u>, Collin College will give amnesty to (i.e., not take disciplinary action against) a student who reports, in good faith, that the student was the victim of or a witness to an incident of prohibited conduct. This amnesty policy applies regardless of the location at which the incident occurred or the outcome of Collin College's disciplinary process regarding the incident, if any. This amnesty policy does not apply to a student who reports their own commission or assistance in the commission of prohibited conduct.

# **Student Withdrawal or Graduation Pending Disciplinary Charges**

In accordance with the <u>Texas Education Code Section 51.287</u>, if a student withdraws or graduates from Collin College pending a disciplinary charge alleging that the student violated Collin College's <u>Student Code of Conduct</u> by committing dating violence, sexual assault, sexual harassment, or stalking, Collin College will evaluate the situation on a case-by-case basis and:

- 1. May not end the disciplinary process or issue a transcript to the student until the institution makes a final determination of responsibility; and
- 2. Shall expedite the institution's disciplinary process as necessary to accommodate both the student's and the alleged victim's interest in a speedy resolution.

In these instances, the appropriate Title IX coordinator, deputy Title IX coordinator, or designee will place a hold on the student's records in Collin College's student information system to prevent the student from obtaining a transcript until the institution makes a final determination of responsibility.

On request by another postsecondary educational institution, Collin College will provide to the requesting institution information relating to a determination by Collin College that a student enrolled at Collin College violated Collin College's <u>Student Code of Conduct</u> by committing dating violence, sexual assault, sexual harassment, or stalking.

# **False Reports and Claims**

A Collin College student who intentionally submits a false report, makes a false claim, or offers false statements regarding prohibited conduct will be subject to appropriate disciplinary action. Charging an individual with a violation(s) for submitting a false report, making a false claim, or making a materially false statement in bad faith during the course of a Title IX investigation regarding does not constitute retaliation. However, a determination regarding responsibility, alone, is not sufficient to conclude that any party submitted a false report, made a false claim, or made a bad faith materially false statement.

A Collin College employee who intentionally submits a false report, makes a false claim, offers false statements, or refuses to cooperate with a Collin College investigation regarding prohibited conduct will be subject to appropriate discipline. Charging an employee with a violation(s) for submitting a false report, making a false claim, making a materially false statement, or refusing to cooperate during the course of an investigation regarding prohibited conduct does not constitute retaliation. However, a determination regarding responsibility, alone, is not sufficient to conclude that any party made a false claim or materially false statement.



# **Collin College's Title IX Complaint Resolution Process: Rights and Options**

Collin College has adopted complaint resolution procedures to comply with <u>Title IX of the Education Amendments of 1972 (Title IX)</u>, as amended and published on May 19, 2020, the <u>Clery Act</u>, and the <u>Violence Against Women Reauthorization Act of 2013 (VAWA)</u> that provide for the prompt and equitable resolution of student and employee complaints alleging dating violence, domestic violence, gender-based harassment, retaliation, sex discrimination, sexual assault, sexual harassment, and stalking (i.e., prohibited conduct). These complaint resolution procedures include information on how to report or file a complaint of prohibited conduct and how Collin College will respond once it has actual notice of an allegation of prohibited conduct.

Collin College's Title IX complaint resolution procedures apply equally to all Collin College students and employees who are participating in or attempting to participate in Collin College's education program or activity. Additionally, these complaint resolution procedures only apply to prohibited conduct that impacted a person in the United States.

In accordance with federal Title IX regulations, you have the following rights:

- 1. The right to a prompt, fair, impartial, unbiased, and equitable process from the initiation of the formal complaint process through the final result.
- 2. The right to inspect and review any evidence obtained as part of the investigation that is directly related to the allegation(s).
- 3. The right to be assisted by an advisor of your choosing, who may be, but is not required to be, an attorney, during the formal complaint process. Please note that Collin College is only required to provide an advisor during the Live Hearing phase of the formal complaint process. Therefore, prior to the Live Hearing phase, complainants and respondents may provide their own advisor if they desire to do so.
- 4. The right to be informed in writing of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time to prepare to participate.
- 5. The right to be informed that the respondent is presumed not responsible until the conclusion of the formal complaint process when a determination is made.
- 6. The right to voluntarily participate in an informal resolution process. Both parties must provide their voluntary consent in writing to participate in an informal resolution process. Informal resolution is prohibited in any case where an employee is accused of engaging in prohibited conduct against a student. Collin College will not require the parties to waive their rights to a formal process and agree to informal resolution as a condition of enrollment or employment.
- 7. The right to be notified in writing of:
  - a. The results of any disciplinary proceeding that arises from your formal complaint of prohibited conduct;
  - b. Collin College's procedures for the victim and the respondent to appeal the results of the disciplinary proceeding;
  - c. Any change to the results (e.g., through the appeal process); and
  - d. When such results become final.
- 8. The right to submit a complaint to the U.S. Department of Education Office for Civil Rights (OCR). To file a complaint with OCR, call 800.421.3481, email <u>ocr@ed.gov</u>, or go to <u>www.ed.gov/laws-and-policy/civil-rights-laws/file-complaint/ocr-discrimination-complaint-form</u>.

The rights and options listed above will be afforded equally to <u>both</u> the complainant and respondent.

The *Title IX Formal Resolution Process Flowchart* on pages 6-7 of this document and the *Title IX Informal Resolution Process Flowchart* on page 11 of this document provide an overview of Collin College's Title IX Formal Resolution Process and Title IX Informal Resolution Process. For more information and specific procedures, see the current *Title IX Complaint Resolution Process Handbook for Collin College Students and Employees* available at <u>www.collin.edu/</u><u>titleix/</u> or contact the appropriate Title IX coordinator or deputy Title IX coordinator listed under the "Title IX Coordinators' Contact Information" section on page 1 of this document.

## **Title IX Formal Resolution Process Flowchart**

This document provides an overview of the Title IX Formal Resolution Process. For specific procedures, see the current Title IX Complaint Resolution Process Handbook for Collin College Students and Employees available at <u>www.collin.edu/titleix/</u>.



# **Title IX Formal Resolution Process Flowchart**

This document provides an overview of the Title IX Formal Resolution Process. For specific procedures, see the current Title IX Complaint Resolution Process Handbook for Collin College Students and Employees available at <u>www.collin.edu/titleix/</u>.



# Collin College's Title IX Complaint Resolution Process: Live Hearing Advisors

If you are unable to provide your own advisor for the Live Hearing phase of the Title IX Formal Resolution Process, Collin College will provide one (1) for you from the list below without any fee or charge. Additionally, should you choose to have your own advisor present at any time during either the Title IX Informal Resolution Process or Title IX Formal Resolution Process, you may contact any of the individuals listed below to determine whether they are available to assist you.

Tiffanee Arnold Dance Professor Plano Campus Office: Room AA-145 Phone: 972.881.5830 Email: tarnold@collin.edu

## Alexis Bohanna

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# **Collin College's Title IX Complaint Resolution Process: Potential Penalties**

Collin College must follow a grievance process that complies with applicable federal Title IX regulations before the imposition of any disciplinary sanctions (or other actions that are not supportive measures) against a respondent. After the Live Hearing, the live hearing officer(s) will deliberate on the evidence provided and determine responsibility using the preponderance of the evidence standard (i.e., more likely than not to have occurred). The live hearing officer(s) will compose a *Written Determination of Responsibility* which will clearly state any disciplinary sanctions being imposed (or recommended in the case of expulsion of a student or termination of an employee) on the respondent and any remedies that must be provided to the complainant.

## Potential Penalties That May Be Imposed on a Respondent

## Employee Respondent

The live hearing officer(s) may impose the following penalties on an employee respondent or other penalties, as appropriate:

- 1. Coaching and Counseling
- 2. Written Disciplinary Action
- 3. Unpaid Administrative Leave
- 4. Recommendation for Termination

## Student Respondent

The live hearing officer(s) may impose the following penalties on a student respondent or other penalties, as appropriate:

- 1. **Reprimand:** A verbal or written warning to the student following a rule violation. Repetition of such misconduct may result in more severe disciplinary action.
- 2. **Restitution:** Reimbursement for damage to or misappropriation of property. Reimbursement may take the form of appropriate service to repair or otherwise compensate for damage.
- 3. Educational Project Experience (EPE): An assignment or experience allowing the student to learn specific behaviors or lessons related to the student's conduct and the specifics of the student's disciplinary case. EPEs offered by Collin College include, but are not limited to, awareness seminars, essays or written assignments, and online learning modules.
- 4. Conditional Probation for One (1) Calendar Year, Two (2) Calendar Years, or Three (3) Calendar Years: The placing of a student on notice that continued infraction of regulations may result in Suspension or Expulsion from Collin College. Conditional probation may include restrictions on a student's rights and privileges or specified community service. The conditional probation may be for a specified length of time or an indefinite period according to the relative severity of the infraction or misconduct. Failure to fulfill the terms of the conditional probation may lead to suspension or expulsion.
- 5. Suspension for One (1) Regular Long Semester (i.e., Fall or Spring), One (1) Calendar Year, Two (2) Calendar Years, Three (3) Calendar Years, or Four (4) Calendar Years: Forced withdrawal from Collin College for either a definite period of time or until stated conditions have been met. Normally, suspension will extend through a minimum of one (1) regular long semester (with summer sessions not counting in the one [1] semester minimum time lapse). However, suspension may exceed the one (1) semester minimum.
- 6. **Expulsion:** Permanent forced withdrawal from Collin College. A student receiving expulsion will have the action noted in the student's permanent record.

## Suspended or Expelled Students

No former student who has been suspended or expelled from Collin College for disciplinary reasons will be permitted on the campus or other facilities of Collin College, initiated into an honorary or service organization, or permitted to receive credit for academic work done in residence or by correspondence or extension during the period of suspension or expulsion without the prior written approval of the appropriate administrator or the Board of Trustees (Board).

## Petition to Revoke Expulsion

Once five (5) calendar years from the date of the College District President or designee's decision have expired, the student may petition to revoke the expulsion. Contact the District Dean of Students Office at 972.881.5604 or <u>dos@collin.edu</u> to request an *Expulsion Revocation Form*.

# **Collin College's Title IX Complaint Resolution Process: Potential Remedies**

Collin College must follow a grievance process that complies with applicable federal Title IX regulations before the imposition of any disciplinary sanctions (or other actions that are not supportive measures) against a respondent. After the Live Hearing, the live hearing officer(s) will deliberate on the evidence provided and determine responsibility using the preponderance of the evidence standard (i.e., more likely than not to have occurred). The live hearing officer(s) will compose a *Written Determination of Responsibility* which will clearly state any disciplinary sanctions being imposed (or recommended in the case of expulsion of a student or termination of an employee) on the respondent and any remedies that must be provided to the complainant.

## Potential Remedies That May Be Provided to a Complainant

If a respondent is found to be responsible for committing prohibited conduct, Collin College must effectively implement remedies for the complainant that are designed to restore or preserve the complainant's right to equal access to education.

## Employee Complainant

Remedies the live hearing officer(s) can offer to an employee complainant include, but are not limited to:

- 1. Increased Security and Staff Monitoring of Certain Areas of the Campus;
- 2. Information Regarding and Referrals to the Appropriate Agency for a No-Contact Order, Order of Protection, Restraining Order, or Similar Lawful Order through a Civil, Criminal, or Tribal Court;
- 3. No-Contact Directive Issued by Collin College;
- 4. Referral to Appropriate Medical Facility;
- 5. Referral to Appropriate Off-Campus Resources;
- 6. Referral to Collin College Police Department and/or Local Law Enforcement Agency;
- 7. Referral to Employee Assistance Program (EAP);
- 8. Specific Educational Programming for an Individual or Group; and
- 9. Work Schedule Reassignment.

## Student Complainant

Remedies the live hearing officer(s) can offer to a student complainant include, but are not limited to:

- 1. Campus Change;
- 2. Class Schedule Change;
- 3. Drop a Course Without an Academic Penalty;
- 4. Increased Security and Staff Monitoring of Certain Areas of the Campus;
- 5. Information Regarding and Referrals to the Appropriate Agency for a No-Contact Order, Order of Protection, Restraining Order, or Similar Lawful Order through a Civil, Criminal, or Tribal Court;
- 6. Late Withdrawal from a Course;
- 7. No-Contact Directive Issued by Collin College;
- 8. Referral to Appropriate Medical Facility;
- 9. Referral to Appropriate Off-Campus Resources;
- 10. Referral to Collin College Police Department and/or Local Law Enforcement Agency;
- 11. Referral to Counseling Services;
- 12. Specific Educational Programming for an Individual or Group;
- 13. Student Employment Assignment Change; and
- 14. Student Housing Change (If Residing in Collin College Student Housing).

# **Title IX Informal Resolution Process Flowchart**

This document provides an overview of the Title IX Informal Resolution Process. For specific procedures, see the current Title IX Complaint Resolution Process Handbook for Collin College Students and Employees available at <u>www.collin.edu/titleix/</u>.



# Additional Campus Resources

If you are named as the respondent in a complaint of prohibited conduct, there are resources on campus from which you may seek support.

#### Accommodations at Collin College for Equal Support Services (ACCESS) Office (Accessibility/Disability Services)

The Accommodations at Collin College for Equal Support Services (ACCESS) Office provides disability services, reasonable accommodations, individual attention, and support for Collin College students who need assistance with any aspect of their campus experience (e.g., accessibility, academics, testing, and registration).

#### Office Locations:

Celina Campus, Room 103D Farmersville Campus, Room 127G Frisco Campus, Room H-210 McKinney Campus, Suite W-200 Plano Campus, Suite D-140 Technical Campus, Suite A-004 Wylie Campus, Suite CC-215

## Phone: 972.881.5898

Email: access@collin.edu

Website: www.collin.edu/studentresources/disabilityservices/ index.html

## Collin College Police Department

The Collin College Police Department works to ensure a positive learning environment that is free of crime, violence, or the threat of violence. Collin College Police Department officers are located at each campus and center, except for the Rockwall Center which is patrolled by the Rockwall Police Department, and can take reports, investigate incidents, make lawful arrests of violators, and issue citations when necessary.

#### Office Locations:

Celina Campus, Room 129 Collin Higher Education Center, Room 134 Courtyard Center, Room 125 Farmersville Campus, Room 103 Frisco Campus, Room LH-179 McKinney Campus, Room C-121 Plano Campus, Suite K-119 Technical Campus, Room C-010 Wylie Campus, Room B-139

Hours: 24 hours a day, 365 days a year Phone: 972.578.5555 Website: www.collin.edu/campuspolice/index.html

## **Collin College Student Housing**

Collin College Student Housing provides housing for currently enrolled Collin College students at the Plano Campus. Assists with housing changes only for students who are already residing on the property.

Hours: Mon. through Thurs. 9:00 a.m. to 6:00 p.m., Fri. 8:00 a.m. to 5:00 p.m. Phone: 972.881.5151

Email: <u>studenthousing@collin.edu</u> Website: <u>www.collin.edu/studenthousing/</u>

## Financial Aid and Veterans Services Office

The Financial Aid and Veterans Services Office provides federal, state, and veterans financial assistance for Collin College students. Assists students with identifying and obtaining resources to support their educational pursuits.

## Office Locations:

Celina Campus, Room 124 Farmersville Campus, Room 123E Frisco Campus, Suite F-109 McKinney Campus, Suite W-100 Plano Campus, Suite G-103 Technical Campus, Room A-102 Wylie Campus, Suite CC-100

Hours: Hours vary by campus. Contact the campus location that is most convenient for you to obtain current hours. Phone: 972.881.5760 Email: financialaid@collin.edu Website: www.collin.edu/financialaid/index.html

## International Student Office (Visa and Immigration Assistance for Students)

The International Student Office (ISO) provides visa and immigration assistance for Collin College students.

Office Location: McKinney Campus, Suite W-200 Hours: Mon. through Thurs. 8:00 a.m. to 5:00 p.m., Fri. 9:00 a.m. to 5:00 p.m.

Phone: 972.516.5012 Email: <u>ISO@collin.edu</u> Website: <u>www.collin.edu/advising/international/index.html</u>

## Veterans Resource Centers (VRCs)

The Veterans Resource Centers (VRCs) coordinate college-wide services to connect military-affiliated students with Collin College and community resources. Services provided by the VRCs range from providing information regarding academics, admissions, financial aid, and Department of Veterans Affairs (VA) educational benefits to advocacy and resource referrals. Veterans and militaryaffiliated students are welcomed and encouraged to utilize the study areas and computer stations in the VRCs. Spending time in the VRCs also provides veterans and military-affiliated students the opportunity to network with other individuals who have served.

## **Office Locations and Phone Numbers:**

Celina Campus, Room 124: 469.905.3527 Farmersville Campus, Room 123E: 972.549.6436 Frisco Campus, Room F-141: 972.377.1020 McKinney Campus, Suite W-204: 972.548.6767 Plano Campus, Rooms D-200 and D-201: 972.881.5774 Technical Campus, Room A-150: 972.553.1186 Wylie Campus, Suite CC-214: 972.378.8291

Hours: Monday through Friday 8:00 a.m. to 5:00 p.m. Email: <u>vrc@collin.edu</u> Website: <u>www.collin.edu/studentresources/veteransresources/</u>

# Additional Community and Off-Campus Resources

If you are named as the respondent in a complaint of prohibited conduct, there are off-campus community resources from which you may seek support.

#### 988 Suicide and Crisis Lifeline

The 988 Suicide and Crisis Lifeline provides free and confidential support for people in distress. Additionally, it connects individuals to trained counselors who are part of the existing Lifeline network. These trained counselors will listen, understand how their problems are affecting the individual, provide support, and connect the individual to appropriate resources, as necessary.

#### 24/7 Suicide and Crisis Lifeline Phone, Text, and Chat: 988 Phone: 800.273.8255

Website: https://988lifeline.org/

#### Assistance Center of Collin County

The Assistance Center of Collin County brings carefully qualified and prompt short-term assistance to individuals and families in financial crisis to help them regain self-sufficiency. Through discerning programs, guidance and funds, the Assistance Center of Collin County helps stabilize Collin County families' home economies to fight homelessness, hunger and poverty as well as help protect the entire community by serving those in need.

Address: 900 E. 18<sup>th</sup> St., Plano, Texas 75074 Hours: Monday through Friday 9:00 a.m. to 5:00 p.m. Assistance Hotline: 972.422.1850 Phone: 972.422.1125 Website: https://assistancecenter.org/

#### **Catholic Charities Dallas Immigration Legal Services**

Catholic Charities Dallas Immigration Legal Services' primary goal is to treat refugees, asylees, and immigrants with the respect and dignity they deserve. Catholic Charities Dallas Immigration Legal Services provides equal representation and access to legal services, regardless of each person's status. Program caseworkers are committed to helping individuals understand the immigration law and their rights under the law. Services are offered by appointment only.

Hours: Monday through Friday 8:00 a.m. to 5:00 p.m. Address: 1421 W. Mockingbird Lane, Dallas, TX 75247 Phone: 214.634.7182 Website: www.ccdallas.org/services/immigration-legal-services/

#### **Collin County Cares**

Collin County Cares is a searchable directory of service providers. This comprehensive directory is a collaboration of Texas Health Presbyterian Hospital Plano and the Assistance Center of Collin County, and includes information on medical services, mental health services, victim's services, and other service providers throughout Collin County, Texas.

Email: info@collincares.org Website: https://collincares.org/agency1 list.php

#### LGBT National Help Center

The LGBT National Help Center provides free and confidential peer support as well as local, national, and international resources for the lesbian, gay, bisexual, transgender, queer, and questioning community. The LGBT National Help Center assists with comingout issues, safer-sex information, bullying, family concerns, relationship problems, questions regarding sexual orientation and gender identity, and more.

#### National Hotline: 888.843.4564

National Youth Talkline (Callers Through Age 25): 800.246.7743 National Senior Hotline (Callers Age 50 and Above): 888.234.7243 Website: www.glbthotline.org/

#### LifePath Systems

LifePath Systems is a community-based, non-profit organization created specifically to help individuals and their families dealing with mental illnesses, intellectual disabilities, and developmental delays. LifePath Systems provides mental health services for people in Collin County, Texas, and surrounding areas.

## 24/7 Crisis Hotline: 877.422.5939

Phone: 972.562.0190 Website: www.lifepathsystems.org/

#### Refugee Services of Texas (RST), Dallas Service Center

Refugee Services of Texas (RST) provides resettlement, legal services, and social services to refugees and other displaced persons fleeing persecution based on race, religion, nationality, political opinion, or membership in a particular social group, as well as to the communities that welcome them. Originating in Dallas, Texas, RST now has service centers in Amarillo, Austin, Dallas, Fort Worth, Houston, the Rio Grande Valley, and San Antonio.

Address: 11880 Greenville Ave., Suite 130, Dallas, Texas 75243 Phone: 214.821.4883

Email: <u>dallas@rstx.org</u> Website: <u>www.rstx.org/locations/dallas.html</u>

#### Texas Law Help

Texas Law Help provides free legal information and court forms for civil legal problems including but not limited to, dating violence, domestic/family violence, protective orders, and sexual assault.

#### Website: https://texaslawhelp.org/

#### **Texas Legal Services Center**

Texas Legal Services Center is a statewide non-profit organization whose mission is to provide legal advice, advocacy, representation, and education to underserved people across the state. With more than a dozen practice areas, Texas Legal Services Center's work touches almost every aspect of civil law that impacts low-income Texans. Texas Legal Services Center provides critical legal services and safety planning to survivors of abuse, domestic violence, exploitation, human trafficking, and sexual assault throughout the state.

Phone: 512.477.6000

# Website: <u>www.tlsc.org/</u>

#### U.S. Citizenship and Immigration Services Dallas Field Office

The U.S. Citizenship and Immigration Services Dallas Field Office administers the nation's lawful immigration system, safeguarding its integrity and promise by efficiently and fairly adjudicating requests for immigration benefits. The U.S. Citizenship and Immigration Services Dallas Field Office offers Green Card help, assistance with Employment Authorization Documentation, naturalization ceremonies, and information on adoptions and citizenship.

Address: 6500 Campus Circle Drive E., Irving, Texas 75063 Hours: By appointment only Phone: 800.375.5283 or 800.767.1833 (TTY) Website: www.uscis.gov/about-us/find-a-uscis-office/field-offices

#### U.S. Department of Education Title IX Website

This website was created by the U.S. Department of Education to house information related to Title IX of the Education Amendments of 1972 (Title IX), as amended. Information regarding the law, policies, and enforcement is available on this comprehensive website.

## Website: https://sites.ed.gov/titleix/