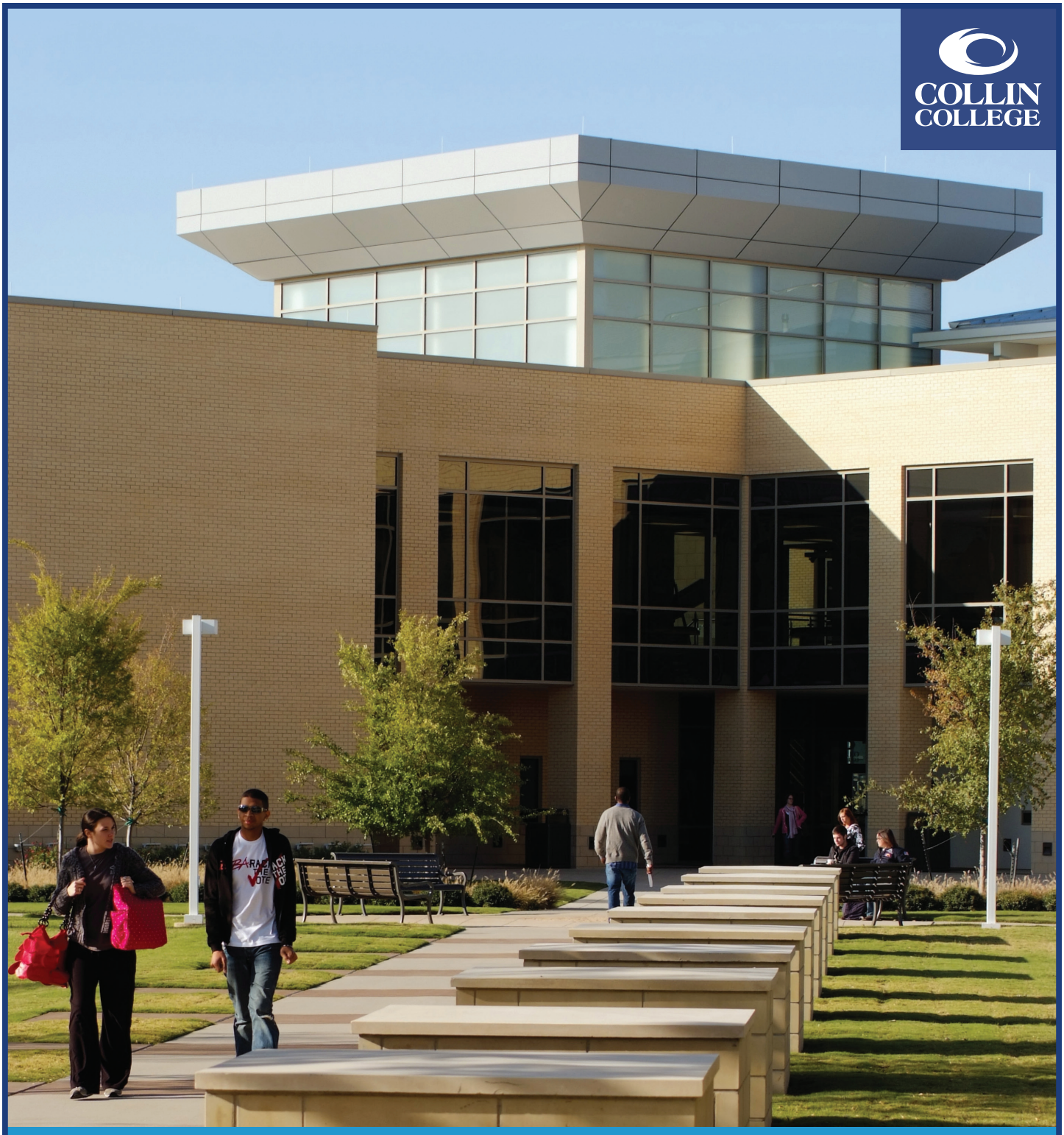
COLLIN COLLEGE



TITLE IX Complaint Resolution Process

Handbook for Collin College Students and Employees

Quick Guide for Reporting Dating Violence, Domestic Violence, Gender-Based Harassment, Retaliation, Sex Discrimination, Sexual Assault, Sexual Harassment, and Stalking

Option 1: Contact the Appropriate Title IX Coordinator or Deputy Title IX Coordinator

Title IX Coordinator for Students
Terrence Brennan
District Dean of Students
Collin Higher Education Center
3452 Spur 399
Suite 406
McKinney, TX 75069
Phone: 972.881.5734
Email: tbrennan@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, Texas 75013
Phone: 972.599.3126
Email: athroop@collin.edu

Title IX Coordinator for Employees
Dr. Allison Venuto
Chief Human Resources Officer
Collin Higher Education Center
3452 Spur 399
Suite 306
McKinney, TX 75069
Phone: 972.881.5826
Email: avenuto@collin.edu

Deputy Title IX Coordinator for Employees
Tonya Jacobson
Manager Employee Relations
Collin Higher Education Center
3452 Spur 399
Suite 306
McKinney, Texas 75069
Phone: 972.758.3856
Email: tjacobson@collin.edu

Option 2: Submit the Online Title IX Formal Complaint Form

1. Log in to OneLogin with your Collin College username and password.
2. Click on the "Collin College: Everything" tab, and then click on the "Guardian" tile.
3. Click on the blue "New Incident" button, and then select "Title IX Formal Complaint Form" under the "Report Type" field.

Option 3 (ONLY FOR COLLIN COLLEGE EMPLOYEES): Submit the Mandatory Reporting Form for Incidents of Dating Violence, Domestic Violence, Sexual Assault, Sexual Harassment, and Stalking

1. Log in to OneLogin with your Collin College username and password.
2. Click on the "Collin College: Everything" tab, and then click on the "Guardian" tile.
3. Click on the blue "New Incident" button, and then select "Mandatory Reporting Form for Incidents of Dating Violence, Domestic Violence, Sexual Assault, Sexual Harassment, and Stalking" under the "Report Type" field.

Note: The *Title IX Complaint Resolution Process Handbook for Collin College Students and Employees* is in effect as of August 14, 2020, subject to revisions in the federal Title IX regulations and applicable Collin College Board policies.

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Title IX Complaint Resolution Process Handbook for Collin College Students and Employees

The *Title IX Complaint Resolution Process Handbook for Collin College Students and Employees* is in effect as of August 14, 2020, subject to revisions in the federal Title IX regulations and applicable Collin College Board policies. This handbook is for information only and is not intended as a contract, expressed or implied. The programs, policies, and statements contained herein are subject to continual review and evaluation. Collin College reserves the right to make changes or deletions to the regulations, guidelines, and information contained in this publication at any time without notice or obligation.

Upon request, this handbook is available in an alternate format. For more information, contact Collin College's Accommodations at Collin College for Equal Support Services (ACCESS) Office at 972.881.5898 (voice) or access@collin.edu. For persons who are Deaf, hard of hearing, or have speech impairments, contact the ACCESS Office at 972.516.5056. The ACCESS Office's video phone number is 214.299.8216. Persons who are Deaf, hard of hearing, or have speech impairments can also contact Relay Texas by dialing 711, 800.735.2989 (TTY), or 877.826.1789 (VCO).

Equal Opportunity Statement

Collin College is an equal opportunity institution and provides educational and employment opportunities without discrimination on the basis of race, color, religion, sex, age, national origin, disability, veteran status, or other legally protected class.

In accordance with the Americans with Disabilities Act of 1990 (ADA), Americans with Disabilities Act as amended in 2008 (ADAAA), and Section 504 of the Vocational Rehabilitation Act of 1973, Collin College provides reasonable accommodations as required by law to afford equal educational opportunities to all people. Students requesting accommodations under these provisions should contact Collin College's Accommodations at Collin College for Equal Support Services (ACCESS) Office at 972.881.5898 (voice) or access@collin.edu. Faculty and staff requesting accommodations under these provisions should contact the Human Resources Department at 972.985.3783 (voice) or hr@collin.edu.

Board Policies

The Collin College Board Policy Manual also contains information that is applicable to Collin College students, faculty, and staff.

COLLIN COLLEGE

Mission

Collin College is a student and community-centered institution committed to developing valuable skills, strengthening character, and challenging the intellect.

Vision

Delivering a brighter future for
our students and communities.

Core Values

We have a passion for:
Learning
Service and Involvement
Creativity and Innovation
Academic Excellence
Dignity and Respect
Integrity

Purpose Statement

Through its campuses, centers, and programs, Collin College fulfills community and industry needs and its primary statutory purpose under Section 130.003(e) of the Texas Education Code by providing:

- Academic courses in the core curriculum or a field of study curriculum to transfer to higher education institutions;
- Programs leading to baccalaureate degrees, associate degrees, or certificates, including technical programs, designed to develop marketable skills and promote economic development;
- Continuing adult education programs for academic, professional, occupational, and cultural enhancement;
- Developmental education and literacy programs designed to improve the basic skills of students;
- A program of student support services, including counseling and learning resources, designed to assist individuals in achieving their educational and career goals;
- Workforce, economic, and community development initiatives designed to meet local and state needs; and
- Other purposes as may be directed by the Board and/or the laws of the State of Texas.

Preamble

Collin College strives to maintain a healthy and safe environment where all members of its students, employees, and community members feel welcome on Collin College campuses and in College District classrooms.

Collin College is committed to compliance with Title IX of the Education Amendments of 1972 (Title IX), as amended, which prohibits dating violence, domestic violence, retaliation, sex discrimination, sexual assault, sexual harassment, and stalking in federally funded education programs and activities.

Statement of Non-Discrimination

Collin College is an equal opportunity institution that provides educational and employment opportunities without discrimination, including harassment, on the basis of race, color, religion, sex, national origin, age, disability, veteran status, or other legally protected class.

Collin College prohibits discrimination, including harassment, against any student or employee on the basis of sex or gender. Retaliation against anyone involved in the complaint process is a violation of Collin College policy and is prohibited.

Application of Collin College's Title IX Complaint Resolution Procedures

Collin College has adopted the complaint resolution procedures outlined in this handbook to comply with Title IX of the Education Amendments of 1972 (Title IX), as amended and published on May 19, 2020, the Jeanne Clery Campus Safety Act (Clery Act), and the Violence Against Women Act (VAWA). The complaint resolution procedures outlined in this handbook 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.

The complaint resolution procedures outlined in this handbook 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.

Collin College's Mandatory Response Obligations and the Deliberate Indifference Standard

Collin College will respond promptly to sexual harassment, as defined in this policy, in a manner that is not deliberately indifferent, which means a response that is not clearly unreasonable in light of known circumstances, or as otherwise required by applicable Title IX regulations. Collin College's response obligations include, but are not limited to:

1. Collin College must offer supportive measures to the person making the allegations (hereafter referred to as the "complainant").
2. The appropriate Title IX coordinator, deputy Title IX coordinator, or designee must promptly contact the complainant confidentially to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of supportive measures available with or without filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.

3. 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.
4. Collin College must not restrict rights protected under the U.S. Constitution, including the First Amendment, Fifth Amendment, and Fourteenth Amendment, when complying with applicable federal Title IX regulations and this policy.
5. Under applicable federal Title IX regulations, Collin College is required to investigate allegations of prohibited conduct as defined in this policy in any formal complaint, which can be filed by a complainant or submitted by a Title IX coordinator, deputy Title IX coordinator, or designee.
6. The federal Title IX regulations affirm that a complainant's wishes with respect to whether Collin College investigates the complaint should be respected, unless the appropriate Title IX coordinator, deputy Title IX coordinator, or designee determines that submitting a formal complaint to initiate an investigation against the wishes of the complainant is not clearly unreasonable in light of the known circumstances.
7. Collin College will dismiss the allegations in a formal complaint if such allegations do not meet the definitions of prohibited conduct outlined in this policy or did not occur in Collin College's education program or activity. However, Collin College may still address the allegations in any manner it deems appropriate (e.g., general investigation for violation of the *Student Code of Conduct* in the current *Collin College Student Handbook*).

Section 1: Federal and State Laws

Americans with Disabilities Act of 1990 (ADA) and ADA Amendments Act of 2008 (ADAAA)

The Americans with Disabilities Act of 1990 (ADA) and ADA Amendments Act of 2008 (ADAAA), which was signed into law on September 25, 2008, and became effective on January 1, 2009, prohibit discrimination on the basis of disability in employment, state and local government, public accommodations, commercial facilities, transportation, and telecommunications. The ADA and ADAAA are comprehensive federal laws that give civil rights protections to individuals with disabilities similar to those provided to individuals on the basis of race, color, sex, national origin, age, and religion.

Campus Sexual Violence Elimination Act (Campus SaVe Act)

The Campus Sexual Violence Elimination Act (Campus SaVe Act), enacted in March 2013, amended the Clery Act to require that incidents of dating violence, domestic violence, sexual assault, and stalking be disclosed in annual campus crime statistics reports. The Campus SaVe Act also created additional protections for victims of dating violence, domestic violence, sexual assault, and stalking, and enacted more prescriptive requirements for prevention and awareness programs related to these offenses.

Family Educational Rights and Privacy Act of 1974 (FERPA)

The Family Educational Rights and Privacy Act of 1974 (FERPA) is a federal law that protects the privacy of students' education records, and applies to all schools that receive funds under an applicable program of the U.S. Department of Education. FERPA gives students the right to inspect and review their education records and the right to request that an institution correct records the student believes to be inaccurate or misleading. Additionally, FERPA governs the disclosure of students' education records.

Health Insurance Portability and Accountability Act of 1996 (HIPAA)

The Health Insurance Portability and Accountability Act of 1996 (HIPAA) is a federal law that protects the privacy and security of protected health information (PHI). HIPAA governs how patients' PHI is utilized, affords patients specific rights to their PHI, and limits the use of PHI to only those providers and/or individuals with a need to know. HIPAA prevents covered entities (e.g., healthcare facilities, licensed mental health professionals, medical providers) from disclosing an individual's PHI to anyone other than the patient and the patient's authorized representatives without the patient's consent. HIPAA does not restrict a patient's ability to voluntarily disclose their PHI whenever they choose to do so.

Jeanne Clery Campus Safety Act (Clery Act)

The Jeanne Clery Campus Safety Act (Clery Act) requires colleges and universities that participate in federal financial aid programs to report annual statistics on crime on or near their campuses, including sexual assault and rape, and to develop and disseminate prevention policies in an annual security report (ASR).

Section 504 of the Rehabilitation Act of 1973

Section 504 of the Rehabilitation Act of 1973 states, "No otherwise qualified person with a disability in the United States…shall, solely on the basis of disability, be denied access to, or the benefits or, or be subjected to discrimination under any program or activity provided by an institution receiving federal financial assistance…"

Title IV of the Civil Rights Act of 1964 (Title IV)

Title IV of the Civil Rights Act of 1964 (Title IV) prohibits discrimination on the basis of race, color, national origin, sex, and religion in programs and activities receiving federal funding, including higher education.

Title VI of the Civil Rights Act of 1964 (Title VI)

Title IV of the Civil Rights Act of 1964 (Title VI) prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance.

Title VII of the Civil Rights Act of 1964 (Title VII)

Title VII of the Civil Rights Act of 1964 (Title VII) prohibits discrimination by employers on the basis of race, color, religion, sex, or national origin. Title VII also prohibits discrimination against a person because of their association with someone of a particular race, color, religion, sex, or national origin (e.g., an inter-racial marriage).

Title IX of the Education Amendments of 1972 (Title IX)

Title IX of the Education Amendments of 1972 (Title IX) is a federal civil rights law that prohibits discrimination on the basis of sex against any person in education programs and activities receiving federal funding. Students have the right to pursue an education, including athletic programs, scholarships, and other activities, in an environment that is free from sex discrimination, including sexual assault and sexual harassment. Likewise, employees have the right to work in an environment that is free from sex discrimination, including sexual assault and sexual harassment. Title IX requires schools that receive federal financial assistance to take necessary steps to prevent sex discrimination, sexual assault, and sexual harassment on their campuses and to respond promptly and effectively when sex discrimination, sexual assault, or sexual harassment is reported. Title IX was amended on May 19, 2020, to include dating violence, domestic violence, and stalking in its definition of sexual harassment and prescribe specific requirements for investigating and responding to allegations of sex discrimination, dating violence, domestic violence, retaliation, sexual assault, sexual harassment, and stalking.

Texas State Laws

The State of Texas has enacted several laws regarding the policies and procedures for reporting and investigating incidents of dating violence, sexual assault, sex-based harassment, and stalking. Additionally, the State of Texas has enacted several laws regarding pregnant and parenting students' rights. For more information, see Collin College Board Policies DIAA (LEGAL), DIAA (LOCAL), FA (LEGAL), FFDA (LEGAL), and FFDA (LOCAL), and Chapter 51 of the Texas Education Code.

Texas Education Code Section 51.252 aka Texas Senate Bill 212 86(R)

An employee of a postsecondary educational institution who, in the course and scope of employment, witnesses or receives information regarding the occurrence of an incident that the employee reasonably believes constitutes sex-based harassment, sexual assault, dating violence, or stalking and is alleged to have been committed by or against a person who was a student enrolled at or an employee of the institution at the time of the incident shall promptly report the incident to the institution's Title IX coordinator or deputy Title IX coordinator.

An employee of a postsecondary educational institution designated by the institution as a person with whom students may speak confidentially concerning sex-based harassment, sexual assault, dating violence, or stalking or who receives information regarding such an incident under circumstances that render the employee's communications confidential or privileged under other law shall, in making a report under this section, state only the type of incident reported and may not include any information that would violate a student's expectation of privacy. This subsection does not affect the employee's duty to report an incident under any other law.

A campus peace officer employed by a postsecondary educational institution who receives information regarding an incident of sex-based harassment, sexual assault, dating violence, or stalking from an alleged victim who chooses to complete a pseudonym form shall, in making a report under this section, state only the type of incident reported and may not include the victim's name, phone number, address, or other information that may directly or indirectly reveal the victim's identity.

A person is not required to make a report under this section concerning:

1. An incident in which the person was a victim of sex-based harassment, sexual assault, dating violence, or stalking; or
2. An incident of which the person received information due to a disclosure made at a sex-based harassment, sexual assault, dating violence, or stalking public awareness event sponsored by a postsecondary educational institution or by a student organization affiliated with the institution.

Texas Education Code Section 51.282 aka Texas House Bill 1735 86(R)
Each postsecondary educational institution shall adopt a policy on sex-based harassment, sexual assault, dating violence, and stalking applicable to each student enrolled at and each employee of the institution.

Texas Education Code Section 51.283 aka Texas Senate Bill 968 85(R)
Each postsecondary educational institution shall adopt a policy on sexual assault applicable to each student enrolled at and each employee of the institution. Each postsecondary educational institution shall provide an option for a student enrolled at or an employee of the institution to electronically report to the institution an allegation of sex-based harassment, sexual assault, dating violence, or stalking committed against or witnessed by the student or employee, regardless of the location at which the alleged offense occurred.

Texas Education Code Section 51.3525 aka Texas Senate Bill 18 88(R)
The governing board of an institution of higher education shall ensure that each unit of the institution:

1. Does not, except as required by federal law:
    a. Establish or maintain a diversity, equity, and inclusion office;
    b. Hire or assign an employee of the institution to contract with a third party to perform the duties of a diversity, equity, and inclusion office;
    c. Compel, require, induce, or solicit any person to provide a diversity, equity, and inclusion statement or give preferential consideration to any person based on the provision of a diversity, equity, and inclusion statement;
    d. Give preference on the basis of race, sex, color, ethnicity, or national origin to an applicant for employment, an employee, or a participant in any function of the institution; or
    e. Require as a condition of enrolling at the institution or performing any institution function any person to participate in diversity, equity, and inclusion training which:
        i. Includes a training, program, or activity designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation; and
        ii. Does not include a training, program, or activity developed by an attorney and approved in writing by the institution's general counsel and the Texas Higher Education Coordinating Board (THECB) for the sole purpose of ensuring compliance with any applicable court order or state or federal law; and
2. Adopts policies and procedures for appropriately disciplining, including by termination, an employee or contractor of the institution who engages in conduct in violation of Subdivision 1.

Texas Education Code Section 51.9357 aka Texas House Bill 1361 88(R)
Each institution of higher education shall designate at least one (1) employee of the institution to act as a liaison officer for current or incoming students at the institution who are the parent or guardian of a child younger than 18 years of age. The liaison officer shall provide to the students information regarding support services and other resources available to the students at the institution, including:

1. Resources to access:
    a. Medical and behavioral health coverage and services; and
    b. Public benefit programs, including programs related to food security, affordable housing, and housing subsidies;
2. Parenting and childcare resources;
3. Employment resources;
4. Transportation assistance;
5. Student academic success strategies; and
6. Any other resources developed by the institution to assist the students.

Not later than May 1 of each academic year, an institution of higher education shall submit to the coordinating board a report that contains the following information regarding students enrolled at the institution for the current academic year who are the parent or guardian of a child younger than 18 years of age:

1. The number of those students;
2. Demographic data, including age, race, sex, and ethnicity;
3. Academic data, including full-time or part-time enrollment status and graduation, transfer, and withdrawal rates; and
4. Other data as prescribed by coordinating board rule.

Texas Education Code Section 51.982 aka Texas Senate Bill 412 88(R)
An institution of higher education may not require a pregnant or parenting student, solely because of the student's status as a pregnant or parenting student or due to issues related to the student's pregnancy or parenting to:

1. Take a leave of absence or withdraw from the student's degree or certificate program;
2. Limit the student's studies;
3. Participate in an alternative program;
4. Change the student's major, degree, or certificate program; or
5. Refrain from joining or cease participating in any course, activity, or program at the institution.

An institution of higher education shall provide reasonable accommodations to a pregnant student, including accommodations that:

1. Would be provided to a student with a temporary medical condition; or
2. Are related to the health and safety of the student and the student's unborn child, such as allowing the student to maintain a safe distance from substances, areas, and activities known to be hazardous to pregnant women or unborn children.

An institution of higher education shall, for reasons related to a student's pregnancy, childbirth, or any resulting medical status or condition:

1. Excuse the student's absence;
2. Allow the student to make up missed assignments or assessments;
3. Allow the student additional time to complete assignments in the same manner as the institution allows for a student with a temporary medical condition; and
4. Provide the student with access to instructional materials and video recordings of lectures for classes for which the student has an excused absence to the same extent that instructional materials and video recordings of lectures are made available to any other student with an excused absence.

An institution of higher education shall allow a pregnant or parenting student to:

1. Take a leave of absence; and
2. If in good academic standing at the time the student takes a leave of absence, return to the student's degree or certificate program in good academic standing without being required to reapply for admission.

Texas Education Code Section 51.983 aka Texas Senate Bill 459 88(R)

If an institution of higher education provides early registration for courses or programs at the institution for any group of students, the institution shall provide early registration for those courses or programs for parenting students in the same manner.

Violence Against Women Act (VAWA)

The Violence Against Women Act (VAWA) established federal legal definitions of dating violence, domestic violence, sexual assault, and stalking. Additionally, VAWA amended the Clery Act to include requirements for reporting and responding to incidents of dating violence, domestic violence, sexual assault, and stalking.

Section 2: Definitions

The terms used throughout this handbook are defined below. These definitions comply with Clery Act, Title IX of the Education Amendments of 1972 (Title IX), as amended, and Violence Against Women Act (VAWA) regulations. In accordance with the Clery Act, Title IX, as amended, and VAWA, these definitions will be used when investigating complaints of dating violence, domestic violence, sexual assault, and stalking against a Collin College student or employee. These definitions, as well as State of Texas and jurisdictional definitions, are included in primary and ongoing prevention and training programs.

Actual Knowledge

Actual knowledge means notice of dating violence, domestic violence, gender-based harassment, sex discrimination, retaliation, sexual assault, sexual harassment, or stalking (i.e., prohibited conduct) or allegations of prohibited conduct to the appropriate Title IX coordinator, deputy Title IX coordinator, or designee who has authority to institute corrective measures on behalf of Collin College. This standard is not met when the only individual with actual knowledge of prohibited conduct is the respondent. The term "notice," as used in this paragraph, includes, but is not limited to, a report of prohibited conduct to the appropriate Title IX coordinator, deputy Title IX coordinator, or designee.

College District Business Days

"College District business days" exclude weekends (i.e., Saturdays and Sundays), national holidays recognized by Collin College, and College District closures.

Collin College's Definition of 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.
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.

Collin College's Education Program or Activity

Collin College's education program or activity includes locations, events, or circumstances over which the institution exercises substantial control over both the respondent and the context in which the dating violence, domestic violence, gender-based harassment, retaliation, sex discrimination, sexual assault, sexual harassment, or stalking occurred; and also includes any building owned or controlled by a student organization that is officially recognized by Collin College. This policy applies to all of Collin College's education programs and activities, whether such programs or activities occur on campus or off campus. Collin College may address dating violence, domestic violence, gender-based harassment, retaliation, sex discrimination, sexual assault, sexual harassment, and stalking affecting its students that falls outside the jurisdiction of this policy in any manner it chooses, including, but not limited to, providing supportive measures or pursuing disciplinary action.

Complainant

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.

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 below.

Deliberate Indifference

Deliberate indifference occurs when an institution of higher education with actual knowledge of dating violence, domestic violence, gender-based harassment, retaliation, sex discrimination, sexual assault, sexual harassment, or stalking (i.e., prohibited conduct) in the institution's education program or activity against a person in the United States responds in a manner that is clearly unreasonable in light of the known circumstances. When an institution of higher education responds in a clearly unreasonable manner, that response constitutes intentional discrimination. Failing to promptly respond once an institution of higher education has actual knowledge of prohibited conduct can also be considered deliberate indifference.

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).

Formal Complaint

In accordance with applicable federal Title IX regulations, a "formal complaint" is a document filed by a complainant or signed and submitted by the appropriate Title IX coordinator, deputy Title IX coordinator, or designee that alleges dating violence, domestic violence, gender-based harassment, retaliation, sex discrimination, sexual assault, sexual harassment, or stalking against a respondent; requests that Collin College investigate the allegation of prohibited conduct; and meets the following requirements:

1. At the time of filing a formal complaint, the complainant must be participating in or attempting to participate in Collin College's education program or activity as defined in this policy.
2. A formal complaint may be filed with the appropriate Title IX coordinator, deputy Title IX coordinator, or designee in person, by mail, or by email by using the contact information required to be listed for the appropriate Title IX coordinator, deputy Title IX coordinator, or designee in the Reporting to the Appropriate Title IX Coordinator or Deputy Title IX Coordinator section in this handbook; by completing the online Title IX Formal Complaint Form; and by any additional method designated by Collin College.
3. The phrase "document filed by a complainant" means a document or electronic submission (e.g., by email or through an online portal provided by Collin College specifically for this purpose) that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint.
4. If the complainant is not able or willing to sign the complaint, the appropriate Title IX coordinator, deputy Title IX coordinator, or designee may sign and submit the complaint in the complainant's stead; however, where the appropriate Title IX coordinator, deputy Title IX coordinator, or designee submits a formal complaint, the appropriate Title IX coordinator, deputy Title IX coordinator, or designee is not a complainant or a party during the grievance process and must comply with the requirements for Title IX personnel to be free from conflicts and bias.

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

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.

Official with Authority

An "official with authority" is any Collin College employee to whom notice of an incident of dating violence, domestic violence, gender-based harassment, retaliation, sex discrimination, sexual assault, sexual harassment, or stalking triggers Collin College's response obligations under Title IX*;* and who has authority to institute corrective measures on behalf of Collin College. Collin College's officials with authority include, but are not limited to, the Title IX coordinators, deputy Title IX coordinators, district dean of students, associate deans of students, and student conduct officers.

Prohibited Conduct

In this policy, the term "prohibited conduct" includes dating violence, domestic violence, gender-based harassment, retaliation, sex discrimination, sexual assault, sexual harassment, and stalking, as defined in this handbook, even if the behavior does not rise to the level of unlawful conduct.

Respondent

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.

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.

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 Family Educational Rights and Privacy Act of 1974 (FERPA), 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 proceeding does not constitute prohibited retaliation. However, a determination regarding responsibility, alone, is not sufficient to conclude that any party made a bad faith materially false statement.

Complaints alleging retaliation in connection with a complaint or investigation of prohibited conduct as defined by this policy will be addressed in accordance with this policy.

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. For more information on the student disciplinary process, see the *Student Code of Conduct* located in the current *Collin College Student Handbook*, or contact the District Dean of Students Office at 972.881.5604 or dos@collin.edu. For more information on the employee disciplinary process, contact the Human Resources Department at 972.758.3856 or hr@collin.edu.

Examples
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.

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.

Sexual Harassment
Title IX Definition
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 Campus Safety Act (Clery Act); and dating violence, domestic violence, or stalking as defined in the Violence Against Women Act (VAWA).

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.

Texas Education Code Section 51.251 Definition
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.

Sexual Harassment of a Student by an Employee

For purposes of this policy, sexual harassment of a student by a Collin College employee includes unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or non-verbal conduct; or other conduct or communication of a sexual nature when:

1. A Collin College employee causes the student to believe that the student must submit to the conduct in order to participate in a Collin College program or activity, or that the employee will make an educational decision based on whether or not the student submits to the conduct (i.e., quid pro quo harassment);
2. It is based on unwelcome conduct that a reasonable person would determine is so severe, persistent, pervasive, and objectively offensive that it limits or denies the student's educational access and/or ability to participate in or benefit from Collin College's educational program; or
3. Any instance of sexual assault, as defined in the Jeanne Clery Campus Safety Act (Clery Act); and dating violence, domestic violence, or stalking as defined in the Violence Against Women Act (VAWA).

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 such misconduct is considered sufficiently serious to deprive a student of equal access.

Sexual Harassment of a Student by Others

Sexual harassment of a student, including harassment committed by another student, includes unwelcome sexual advances; requests for sexual favors; or sexually motivated physical, verbal, or non-verbal conduct when the conduct is so severe, persistent, or pervasive, and objectively offensive that it limits or denies a student's ability to participate in or benefit from Collin College's educational program. Physical contact not reasonably construed as sexual in nature is not sexual harassment.

Sexual Harassment of an Employee

For purposes of this policy, sexual harassment is a form of sex discrimination defined as unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or non-verbal conduct; or other conduct or communication of a sexual nature when:

1. Submission to the conduct is either explicitly or implicitly a condition of an employee's employment, or when submission to or rejection of the conduct is the basis for an employment action affecting the employee;
2. It is based on unwelcome conduct that a reasonable person would determine is so severe, persistent, pervasive, and objectively offensive that it has the purpose or effect of unreasonably interfering with the employee's work performance or creates an intimidating, threatening, hostile, or offensive work environment; or
3. Any instance of sexual assault, as defined in the Jeanne Clery Campus Safety Act (Clery Act); and dating violence, domestic violence, or stalking as defined in the Violence Against Women Act (VAWA).

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 such misconduct is considered sufficiently serious to deprive an employee of equal access.

Examples

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 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.

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. For more information on supportive measures, see Section 4: Rights, Options, and Supportive Measures, Supportive Measures in this handbook.

Section 3: Reporting Incidents of Prohibited Conduct

In accordance with applicable federal Title IX regulations, Collin College utilizes a consistent, transparent grievance process for resolving formal complaints of prohibited conduct.

Student Report

Any student who believes that he or she has experienced prohibited conduct or believes that another student has experienced prohibited conduct should immediately report the alleged acts to the appropriate Title IX coordinator, deputy Title IX coordinator, another Collin College employee, or, alternatively, submit the online Title IX Formal Complaint Form.

Employee Report

Any Collin College employee who suspects or receives notice that a student, group of students, or another employee has or may have experienced prohibited conduct will immediately notify the appropriate Title IX coordinator or deputy Title IX coordinator and take any other steps required by this policy. Additionally, a Collin College employee may submit the online Mandatory Reporting Form for Incidents of Dating Violence, Domestic Violence, Sexual Assault, Sexual Harassment, and/or Stalking or report it to the College District President or designee.

An employee who believes that he or she has experienced prohibited conduct should immediately report the alleged acts. The employee may report the alleged acts to his or her immediate supervisor. Alternatively, the employee may report the alleged acts to the appropriate Title IX Coordinator or deputy Title IX coordinator listed in the Reporting to the Appropriate Title IX Coordinator or Deputy Title IX Coordinator section in this handbook or submit the online Title IX Formal Complaint Form.

Reporting to the Appropriate Title IX Coordinator or Deputy Title IX Coordinator

Collin College students and employees can contact the appropriate Title IX coordinator or deputy Title IX coordinator to report incidents of prohibited conduct.

Note: Reporting to any individual or entity other than the appropriate Title IX coordinator or deputy Title IX coordinator does not constitute filing a formal complaint for the purposes of initiating the Title IX complaint resolution process. To initiate the Title IX complaint resolution process, the complainant must submit a formal complaint to the appropriate Title IX coordinator or deputy Title IX coordinator listed below. Additionally, to initiate the Title IX complaint resolution process, complainants cannot remain anonymous.

For the purposes of this policy, the following persons are designated as Collin College's Title IX coordinators and deputy 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
Phone: 972.881.5734
Email: tbrennan@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, Texas 75013
Phone: 972.599.3126
Email: athroop@collin.edu

Title IX Coordinator for Employees
Dr. Allison Venuto
Chief Human Resources Officer
Collin Higher Education Center
3452 Sour 399
Suite 306
McKinney, TX 75069
Phone: 972.881.5826
Email: avenuto@collin.edu

Deputy Title IX Coordinator for Employees
Tonya Jacobson
Manager Employee Relations
Collin Higher Education Center
3452 Spur 399
Suite 306
McKinney, Texas 75069
Phone: 972.758.3856
Email: tjacobson@collin.edu

Online Reporting Form
To file a complaint with the appropriate Title IX coordinator or deputy Title IX coordinator electronically, Collin College students and employees can submit the online Title IX Formal Complaint Form.

Reporting to the Appropriate Law Enforcement Official(s)
For immediate notification to local law enforcement, dial **911.** To report an incident that occurred on a Collin College campus or property owned or controlled by Collin College to the Collin College Police Department, call **972.578.5555** or dial extension **5555** from any campus phone. Contact information for local law enforcement agencies is also listed below.

Note: Reporting to the appropriate law enforcement official(s) does not constitute filing a formal complaint for the purposes of initiating the Title IX complaint resolution process. To initiate the Title IX complaint resolution process, the complainant must submit a formal complaint to the appropriate Title IX coordinator or deputy Title IX coordinator, as outlined in the Reporting to the Appropriate Title IX Coordinator or Deputy Title IX Coordinator section in this handbook.

If a complainant requests assistance with reporting to law enforcement, a Collin College official will help the complainant with that process. Additionally, complainants have the right not to report a crime or to decline to notify authorities, including law enforcement, if they so choose.

Allen Police Department
For information, visit the Allen Police Department website.
Address: 205 W. McDermott Ave., Allen, Texas 75013
Phone: 214.509.4200

Celina Police Department
For information, visit the Celina Police Department website.
Address: 110 N. Colorado St., Celina, Texas 75009
Phone: 972.382.2121

Collin College Police Department
For information, visit the Collin College Police Department website.
Headquarters Address: 4800 Preston Park Blvd., Plano, Texas 75093
Phone: 972.578.5555

Collin County Sheriff's Office
For information, visit the Collin County Sheriff's Office website.
Address: 4300 Community Ave., McKinney, Texas 75071
Phone: 972.547.5100

Farmersville Police Department
For information, visit the Farmersville Police Department website.
Address: 134 N. Washington St., Farmersville, Texas 75442
Phone: 972.782.6141

Frisco Police Department
For information, visit the Frisco Police Department website.
Address: 7200 Stonebrook Parkway, Frisco, Texas 75034
Phone: 972.292.6000

McKinney Police Department
For information, visit the McKinney Police Department website.
Address: 2200 Taylor Burk Drive, McKinney, Texas 75071
Phone: 972.547.2700

Plano Police Department
For information, visit the Plano Police Department website.
Address: 909 14th St., Plano, Texas 75074
Phone: 972.424.5678

Rockwall Police Department
For information, visit the Rockwall Police Department website.
Address: 205 West Rusk St., Rockwall, Texas 75087
Phone: 972.771.7717

Wylie Police Department
For information, visit the Wylie Police Department website.
Address: 2000 N. Highway 78, Wylie, Texas 75098
Phone: 972.442.8171

Anonymous Reports

In accordance with the Texas Education Code Section 51.252 and Section 51.283, Collin College students and employees can report prohibited conduct anonymously or using a pseudonym by submitting the online Title IX Formal Complaint Form. However, the submission of an anonymous report or use of a pseudonym may impair Collin College's ability to investigate and address the prohibited conduct. Additionally, to initiate the Title IX complaint resolution process, complainants cannot remain anonymous.

Alternative Reporting Procedures

A student or employee will not be required to report prohibited conduct to the person alleged to have committed the conduct. Reports concerning prohibited conduct, including reports against the Title IX coordinators and deputy Title IX coordinators, may be directed to the College District President.

A report under this policy against the College District President may be made directly to the Board of Trustees (Board). If a report is made directly to the Board, the Board will appoint an appropriate person to conduct an investigation.

Timely Reporting

Reports of prohibited conduct should be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair Collin College's ability to investigate and address the prohibited conduct.

Amnesty Policy for Collin College Students

In accordance with the Texas Education Code Section 51.284, 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 as defined by this policy. 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 as defined by this policy.

Consolidation of Reports and Other Requirements

When the allegations underlying two (2) or more complaints arise out of the same facts or circumstances, Collin College may consolidate the complaints.

Collin College will also provide other measures required by Title IX and applicable law, including, but not limited to, assistance by advisors, supportive measures, and notices to parties. Such required measures are described in detail in the appropriate sections of this document.

False Reports and Claims

A Collin College student who intentionally submits a false report, makes a false claim, or offers false statements regarding dating violence, domestic violence, gender-based harassment, sex discrimination, sexual assault, sexual harassment, and/or stalking 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 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 dating violence, domestic violence, gender-based harassment, sex discrimination, sexual assault, sexual harassment, and/or stalking is 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.

Complainant's Request Not to Investigate

In accordance with the Texas Education Code Section 51.285, a complainant may request that Collin College not investigate an allegation(s) of prohibited conduct. If a complainant requests Collin College not investigate the alleged incident(s), Collin College may investigate the alleged incident(s) in a manner that complies with the confidentiality requirements under the Texas Education Code Section 51.291. If a complainant requests that the allegation(s) not be investigated, in deciding whether to initiate an investigation, Collin College must consider the factors described by law and any other factors Collin College considers relevant. In determining whether to investigate the alleged incident(s), Collin College will consider:

1. The seriousness of the alleged incident(s),
2. Whether Collin College has received other reports of prohibited conduct committed by the alleged perpetrator(s),
3. Whether the alleged incident(s) poses a risk of harm to others, and
4. Any other factor(s) Collin College determines relevant.

Collin College will promptly notify the complainant of the decision regarding whether it will conduct the investigation. If Collin College decides not to investigate the allegation(s), Collin College will take reasonable steps to protect the health and safety of the Collin College community.

Student Withdrawal or Graduation Pending Disciplinary Charges

In accordance with the Texas Education Code Section 51.287, if a student withdraws or graduates from Collin College pending a disciplinary charge alleging that the student violated Collin College's *Student Code of Conduct* 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 *Student Code of Conduct* by committing dating violence, sexual assault, sexual harassment, or stalking.

Dismissal of Complaint

Mandatory Dismissal

An allegation(s) presented as a formal complaint under Title IX is subject to the mandatory dismissal procedures under law. Mandatory dismissal provisions include the following:

1. The alleged conduct is determined to not constitute sexual harassment, as defined in this policy;
2. The alleged conduct is determined not to have occurred within Collin College's education program or activity; or
3. The alleged conduct is determined not to have occurred against a person in the United States.

Permissive Dismissal

Any complaint may be dismissed at any time on request of a complainant. The appropriate Title IX coordinator, deputy Title IX coordinator, or designee must first assess the request in accordance with the provisions listed in the Complainant's Request Not to Investigate section in this handbook.

Permissive or discretionary dismissal provisions include the following:

1. The complainant would like to withdraw the complaint;
2. The respondent is no longer enrolled at or employed by Collin College; or
3. Specific circumstances prevent Collin College from gathering evidence sufficient to reach a determination as to the complaint or allegation(s).

In accordance with the Texas Education Code Section 51.287, Collin College may not dismiss a complaint under the Title IX permissive dismissal provisions if a student respondent is no longer enrolled at Collin College. In these instances, Collin College must continue through the Title IX Complaint Resolution Process. For more information, see the Student Withdrawal or Graduation Pending Disciplinary Charges section in this handbook.

Notice of Dismissal

Upon dismissal of a complaint, the designated Title IX coordinator, deputy Title IX coordinator, or designee will provide the parties written notice of the dismissal.

Appealing the Complaint Dismissal

Either the complainant or respondent may appeal any dismissal of the complaint on the following grounds by submitting a written request to the appropriate Title IX coordinator, deputy Title IX coordinator, or designee:

1. Procedural irregularity that affected the outcome;
2. New evidence not reasonably available that could affect the outcome; and/or
3. Conflict of interest or bias by Collin College's participants that affected the outcome.

The non-appealing party will be notified the other party has appealed and will be allowed to submit a written statement in response.

Dismissal of Complaint Appeal Procedures

The appropriate Title IX coordinator, deputy Title IX coordinator, or designee will assign an individual(s) from the pool of live hearing officers to conduct the dismissal of complaint appeal. For more information on the live hearing officers, see Live Hearing Officer(s) under the Phase 3: Live Hearing section in this handbook.

The live hearing officer will be free from conflicts of interest or bias for or against the parties.

The live hearing officer will conduct a prompt, fair, impartial, unbiased, and equitable process from receipt of the dismissal of complaint appeal to the submission of the Decision Regarding Dismissal of Complaint Appeal.

The appropriate Title IX coordinator, deputy Title IX coordinator, or designee will forward all information regarding the formal complaint, reason(s) for dismissal, appeal of the dismissal, and the non-appealing party's written statement to the live hearing officer.

The live hearing officer will review the documentation and may, at their discretion, meet separately with the complainant and/or respondent.

The live hearing officer will consider whether the dismissal of the complaint is appropriate and will write a rationale explaining their decision. The live hearing officer will then notify the parties and appropriate Title IX coordinator, deputy Title IX coordinator, or designee in writing whether the dismissal of the complaint is upheld or overturned.

If the dismissal of the complaint is overturned, the appropriate Title IX coordinator, deputy Title IX coordinator, or designee will re-initiate the Title IX complaint resolution process at the appropriate level. The Title IX complaint resolution process will resume at the same point it ended when the complaint was dismissed.

If the dismissal of the complaint is upheld, the live hearing officer's determination is final and non-appealable.

Referral to Another Appropriate Collin College Process

Even if a formal complaint is dismissed for any of the aforementioned reasons, the appropriate Title IX coordinator, deputy Title IX coordinator, or designee may refer the alleged incident to the student disciplinary process or employee general complaint process for appropriate investigation and resolution. For more information on the student disciplinary process, see the current *Student Code of Conduct* and Board policy FMA (LOCAL), or contact the District Dean of Students Office at 972.881.5604 or dos@collin.edu. For more information on the employee general complaint process, contact the Employee Success Department at 972.758.3856 or hr@collin.edu.

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 Clery Act reporting and disclosures, without inclusion of personally identifying information about the complainant. Additionally, Collin College must maintain as confidential any accommodations or 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 accommodations or supportive measures.

Authorization to Obtain Treatment Records

In accordance with federal Title IX regulations, Collin College will not access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless Collin College first obtains the party's voluntary, written consent to do so.

Simultaneous Written Notification of the Outcome

In accordance with federal laws, Collin College will provide simultaneous written notification of the outcome, within the extent permitted by applicable law, to the victim and the person against whom the complaint is filed. The parties will be given the opportunity to respond to the report. This simultaneous written notification will include, but is not limited to, the following information:

1. The results of any disciplinary proceeding that arises from an allegation of prohibited conduct as defined by this policy;
2. Collin College's procedures for the victim and the respondent to appeal the results of the disciplinary proceeding;
3. Any change to the results (e.g., through the appeal process); and
4. When such results become final.

Disclosure of Results of Disciplinary Proceeding

In accordance with federal laws, upon written request Collin College will disclose to the alleged victim of a crime of violence or non-forcible sex offense, as those terms are defined in Title 18, § 16, United States Code and the Jeanne Clery Campus Safety Act, 20 U.S.C., §1092 (f) (Clery Act), the report on the results of any disciplinary proceeding(s) and/or appeal(s) conducted by Collin College against a student or employee who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, Collin College will treat the victim's next of kin as the alleged victim, in accordance with the law.

In accordance with Title 18, § 16, United States Code, the term "crime of violence" means:

1. An offense that has as an element the use, attempted use, or threatened use of physical force against the person or property of another, or
2. Any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.

For the purpose of this policy, Collin College defines "the results of any disciplinary proceeding" as the institution's final determination with respect to the alleged crime of violence or non-forcible sex offense and any sanction that is imposed on the accused through the student disciplinary and appeal process, the employee disciplinary and appeal process, or the student and employee Title IX complaint resolution process.

Section 4: Rights, Options, and Supportive Measures

Written Notification of Rights, Options, and Supportive Measures

Collin College will provide written notification to all students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to complainants and respondents both at Collin College and in the community.

In accordance with requirements under federal law, when a student or employee reports to Collin College they have been a victim of prohibited conduct, whether the offense occurred on or off campus, Collin College will provide the student or employee with a written notification of their rights, options, and supportive measures, which will outline appropriate on- and off-campus resources as well as steps the student or employee may want to take depending on the services they need. This written notification will be provided to the student or employee whether or not they choose to submit a formal complaint of prohibited conduct, and will include, but is not limited to, the following information:

1. Procedures victims should follow,
2. Information regarding confidentiality of victims and others,
3. Campus and community victim services,
4. Information regarding accommodations and protective measures, and
5. Procedures for institutional disciplinary action.

In the event a complaint is filed and the appropriate Title IX coordinator, deputy Title IX coordinator, or designee determines an investigation should be initiated, supportive measures will also be offered to the respondent.

Collin College's Complainant's Rights, Options, and Supportive Measures and Respondent's Rights and Supportive Measures documents outline steps a complainant or respondent may want to take depending on the services they need. The resources, options, and supportive measures outlined in these documents may be helpful as a complainant or respondent decides the next steps that are best for them. All Collin College students and employees can access these documents on the Title IX at Collin College website. A paper copy of these documents can also be obtained at any of the following campus locations.

Celina Campus
2505 Kinship Parkway
Celina, Texas 75009
Collin College Police Department: Room 129
District Dean of Students Office: Suite 103

Collin Higher Education Center
3452 Spur 399
McKinney, Texas 75069
Collin College Police Department: Room 134
District Dean of Students Office: Suite 406
Human Resources Department (HR): Suite 306

Courtyard Center
4800 Preston Park Blvd.
Plano, Texas 75093
Collin College Police Department: Room 406L

Farmersville Campus
501 S. Collin Parkway
Farmersville, Texas 75442
Collin College Police Department: Room 103
District Dean of Students Office: Room 127G

Frisco Campus
9700 Wade Blvd.
Frisco, Texas 75035
Collin College Police Department: Room LH179
District Dean of Students Office: Room F109W

McKinney Campus
2200 W. University Drive
McKinney, Texas 75071
Collin College Police Department: Room C121
District Dean of Students Office: Suite W200

Plano Campus
2800 E. Spring Creek Parkway
Plano, Texas 75074
Collin College Police Department: Suite C101
District Dean of Students Office: Suite C111

Wylie Campus
391 Country Club Road
Wylie, Texas 75098
Collin College Police Department: Room CC139
District Dean of Students Office: Suite CC215

Technical Campus
2550 Bending Branch Way
Allen, Texas 75013
Collin College Police Department: Room C010
District Dean of Students Office: Suite A004

Confidential Resources

CougarCare (Confidential Resource for Non-Dual Credit Students, Adjunct Faculty, and Part-Time Staff)
CougarCare provides virtual medical and mental healthcare to all non-Dual Credit Collin College students, adjunct faculty, and part-time staff. For more information, call 844.279.7589 or visit the CougarCare website.

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. Counseling Services is located on the Frisco Campus, Room H210, McKinney Campus, Suite W200, Plano Campus, Suite C111, and Wylie Campus, Suite CC215. Counseling Services office hours vary by campus. Contact the campus location that is most convenient for you to obtain current hour. For more information, call 972.881.5126, email personalcounseling@collin.edu, or visit the Mental Health Counseling website.

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 available 24 hours a day, seven (7) days a week, and 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. For more information, call 833.993.7650 or visit the AllOne Health website.

Available Options and Interim Action

Both complainants and respondents have the same right to request available options and interim action. Collin College must provide certain options and interim action if a complainant or respondent requests them and they are reasonably available. Available options and interim action along with information on who to contact to access them are outlined below. For more information on interim action, see the Interim Action(s) and Temporary Removal(s) section in this handbook.

Course Schedule Adjustments for Students
Either the complainant or respondent can request an adjustment to their own course schedule. For more information, contact the appropriate Title IX coordinator or deputy Title IX coordinator listed in the Reporting to the Appropriate Title IX Coordinator or Deputy Title IX Coordinator section in this handbook.

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. For more information, contact the Collin College Police Department at 972.578.5555.

Employment Options, Employee Resources, and Work Schedule Reassignments

Only available for full-time, part-time, and student employees of Collin College. For more information, the appropriate Title IX coordinator or deputy Title IX coordinator listed in the Reporting to the Appropriate Title IX Coordinator or Deputy Title IX Coordinator section in this handbook.

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. For more information, contact the appropriate Title IX coordinator or deputy Title IX coordinator listed in the Reporting to the Appropriate Title IX Coordinator or Deputy Title IX Coordinator section in this handbook.

Student Housing Changes

Only available for students and employees living in Collin College Student Housing at the Plano Campus. For more information, contact the manager of student housing operations at 972.881.5151 or email studenthousing@collin.edu.

Transportation Options

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

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., a no-contact directive).
6. Facilitating changes in work or housing locations. (Note: 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 students and employees 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 provost to increase security and monitoring of certain areas of the campus.

9. Suppression of directory information, as allowed by the Family Educational Rights and Privacy 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, deputy Title IX coordinator, or designee is responsible for coordinating the effective implementation of supportive measures.

Title IX Complaint Resolution Process Rights and Options

In accordance with federal Title IX regulations, complainants and respondents 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 their 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. For more information, see Section 5: Informal Resolution Process in this handbook.
7. The right to be notified in writing of:
    a. The results of any disciplinary proceeding that arises from the 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 ocr@ed.gov, or visit the OCR: Discrimination Complaint Form website.

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

Section 5: Informal Resolution Process

The Title IX Informal Resolution Process Flowchart on page 35 provides an overview of Collin College's Title IX informal resolution process. For more information and specific procedures, see the sections below.

Receipt of Complaint

Collin College's Title IX complaint process is initiated by the alleged victim (hereafter referred to as the "complainant"), appropriate Title IX coordinator, deputy Title IX coordinator, or an official with authority to institute corrective measures on behalf of Collin College.

To file a complaint, the complainant can contact the appropriate Title IX coordinator or deputy Title IX coordinator listed in the Reporting to the Appropriate Title IX Coordinator or Deputy Title IX Coordinator section in this handbook or submit the online Title IX Formal Complaint Form.

If reported orally, the complaint will be reduced to writing by the appropriate Title IX coordinator, deputy Title IX coordinator, or designee.

The complaint must contain the complainant's actual or digital signature. If the complainant is not able or willing to sign the complaint, the appropriate Title IX coordinator, deputy Title IX coordinator, or designee may sign and submit the complaint in the complainant's stead.

Notice of Supportive Measures

Once Collin College has actual knowledge of an allegation of dating violence, domestic violence, gender-based harassment, retaliation, sex discrimination, sexual assault, sexual harassment, and/or stalking (hereafter referred to as "prohibited conduct"), the appropriate Title IX coordinator, deputy Title IX coordinator, or designee will promptly contact the complainant and offer supportive measures (i.e., appropriate advocacy and on-and off-campus resources, as outlined in Collin College's Complainant's Rights, Options, and Supportive Measures document and Section 4: Rights, Options, and Supportive Measures, Supportive Measures in this handbook).

These supportive measures and resources are available to the complainant whether or not they choose to file a formal complaint.

In the event a formal complaint is filed and the appropriate Title IX coordinator, deputy Title IX coordinator, or designee determines an investigation should be initiated, supportive measures will also be offered to the respondent (i.e., appropriate advocacy and on- and off-campus resources, as outlined in Collin College's Respondent's Rights and Supportive Measures document and Section 4: Rights, Options, and Supportive Measures, Supportive Measures in this handbook).

Initiation of Informal Resolution Process

Title IX permits the voluntary use of an Informal Resolution Process after a formal complaint is filed at any time prior to a final determination being reached in the case. The 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.

Prior to initiating the Informal Resolution Process, the appropriate Title IX coordinator, deputy Title IX coordinator, or designee will provide the parties with the required written notice of the allegation(s) and a description of the parameters of the Informal Resolution Process. This written notice will include a statement that either party is permitted to withdraw from the Informal Resolution Process and resume the Formal Resolution Process at any time prior to a final determination being reached in the case.

The appropriate Title IX coordinator, deputy Title IX coordinator, or designee will meet separately with both parties and their respective advisors (if the parties elect to provide their own advisors during the Informal Resolution Process). During this meeting, the appropriate Title IX coordinator, deputy Title IX coordinator, or designee will explain the Title IX complaint and Informal Resolution Process. The appropriate Title IX coordinator, deputy Title IX coordinator, or designee will inform the parties that an informal resolution is permissible if both parties choose to participate in and willingly consent to this type of resolution in writing. The appropriate Title IX coordinator, deputy Title IX coordinator, or designee will notify both parties that either party is permitted to withdraw from the Informal Resolution Process and resume the Formal Resolution Process at any time prior to a final determination being reached in the case.

Both parties will read and sign the Voluntary Consent to Informal Resolution form indicating they are voluntarily and willingly consenting to pursue the Informal Resolution Process at this time. This form serves as written notice to both parties that they are permitted to withdraw from the Informal Resolution Process and resume the Formal Resolution Process at any time prior to a final determination being reached in the case. Additionally, this form stipulates that the matter will be closed once a final determination is reached and informs the parties that the Formal Resolution Process will not be re-initiated once both parties agree to the final determination in writing. If either party chooses to withdraw from the Informal Resolution Process after signing the Voluntary Consent to Informal Resolution form, they will be required to read and sign the Withdrawal from Informal Resolution Process form. This form must be completed prior to a final determination being reached and both parties signing the Informal Resolution Agreement form.

Anticipated Time Frame for the Informal Resolution Process

Collin College will endeavor to expedite all informal resolutions. Absent extenuating circumstances, such as a request by a law enforcement or regulatory agency for Collin College to delay its investigation, the Informal Resolution Process should be completed within a reasonably prompt time frame. However, Collin College may temporarily delay or grant a limited extension of the time frame for good cause as long as both parties are notified in writing of the delay or extension and the reason(s) for the action.

The anticipated time frame from receipt of the formal complaint through the Informal Resolution Process, culminating with both parties signing the Informal Resolution Agreement form, is 30 College District business days.

Role of the Informal Resolution Facilitator

Collin College will maintain a pool of informal resolution facilitators. The informal resolution facilitators will not be the Title IX coordinators, deputy Title IX coordinators, investigators, removal challenge officers, live hearing advisors, live hearing officers, or appeal decision makers.

The appropriate Title IX coordinator, deputy Title IX coordinator, or designee will assign an individual(s) from the pool of informal resolution facilitators to coordinate the Informal Resolution Process.

All informal resolution facilitators will receive appropriate training on at least an annual basis to function in this role.

The informal resolution facilitator will be free from conflicts of interest or bias for or against the parties.

The informal resolution facilitator will conduct a prompt, fair, impartial, unbiased, and equitable process from the initiation of the Informal Resolution Process of the Informal Resolution Agreement.

Through mediation, the informal resolution facilitator will work separately with both parties to formulate terms for an agreement that are amenable to both parties. The Informal resolution facilitator will not conduct an investigation, gather evidence, or meet with witnesses.

Advisors' Roles During the Informal Resolution Process

In accordance with Title IX, both parties will have equal right to be accompanied by an advisor of their choice (e.g., family member, friend, legal counsel) to meetings with the informal resolution facilitator. However, only the party may speak on their own behalf. Collin College will not provide an advisor for either party during the Informal Resolution Process. Collin College retains the right to limit the role of both parties' advisors in meetings with the informal resolution facilitator. Should a party's advisor continuously speak on the party's behalf, become combative, or otherwise disrupt the proceedings, the informal resolution facilitator reserves the right to ask them to leave or to end the proceedings and reschedule for a later date.

Meeting with the Informal Resolution Facilitator

The informal resolution facilitator will meet separately with both parties and their respective advisors (if the parties elect to provide their own advisors during the Informal Resolution Process) to ascertain the parameters for an informal resolution agreement. It is at the discretion of the informal resolution facilitator to determine whether meetings should be held in person or via Zoom or other web conferencing software approved by Collin College. The informal resolution facilitator will conduct as many meetings with the parties as necessary to ascertain terms for the Informal Resolution Agreement.

The informal resolution facilitator will contact the parties to request they schedule meetings through one (1) or more of the following methods:

1. A written communication sent to the individual's Collin College email account;
2. A written communication sent to the individual's personal email account, if the individual is not a Collin College student or employee and/or the individual requests that communication be sent through this method;
3. A letter mailed to the individual's address as listed with the Student and Enrollment Services Office or Human Resources Department;
4. A letter hand-delivered to the individual on campus by the informal resolution facilitator. The informal resolution facilitator will document the date, time, and place of hand-delivery; and/or
5. A phone call to the individual's number as listed with the Student and Enrollment Services Office, Human Resources Department, or provided to the informal resolution facilitator.

If a party does not respond to the informal resolution facilitator's communication within 10 College District business days, the informal resolution facilitator will attempt to contact the individual one (1) more time through at least one (1) of the methods listed above. If a party does not respond to this second communication within 10 College District business days, the informal resolution facilitator will notify the appropriate Title IX coordinator, deputy Title IX coordinator, or designee that the party is not responding. The appropriate Title IX coordinator, deputy Title IX coordinator, or designee will then re-evaluate the matter and determine whether to initiate the Title IX Formal Resolution Process or refer the matter to another Collin College process for appropriate resolution.

During the meetings, the informal resolution facilitator will ensure the parties understand the Title IX complaint and Informal Resolution Process. The informal resolution facilitator will remind the parties that an informal resolution is

permissible if both parties choose to participate in and willingly consent to this type of resolution in writing. The informal resolution facilitator will remind the parties that either party is permitted to withdraw from the Informal Resolution Process and resume the Formal Resolution Process at any time prior to a final determination being reached in the case.

Informal Resolution Agreement

After meeting with both parties and their respective advisors (if the parties elect to provide their own advisors during the Informal Resolution Process) separately to ascertain the parameters for an informal resolution agreement, the informal resolution facilitator will complete the Informal Resolution Agreement form. The informal resolution facilitator will present the Informal Resolution Agreement form to both parties and clearly explain the informal resolution terms.

Both parties and their respective advisors (if the parties elect to provide their own advisors during the Informal Resolution Process) will be notified simultaneously in writing of the completed Informal Resolution Agreement form and allowed 10 College District business days to review and respond to the document prior to finalizing it.

Any edits made to the Informal Resolution Agreement form by either party and/or the informal resolution facilitator will be simultaneously sent in writing to both parties and their respective advisors (if the parties elect to provide their own advisors during the Informal Resolution Process).

If, after 10 College District business days, both parties agree to the informal resolution terms, including any edits made by either party and/or the informal resolution facilitator during the review period, they will sign the final Informal Resolution Agreement form. Both parties and their respective advisors (if the parties elect to provide their own advisors during the Informal Resolution Process) will be provided an electronic or hard copy of the signed Informal Resolution Agreement form for their respective records by the informal resolution facilitator or appropriate Title IX coordinator, deputy Title IX coordinator, or designee.

Once the final Informal Resolution Agreement form is signed, the matter will be closed, the informal resolution will be non-appealable, and the Formal Resolution Process will not be re-initiated.

If, after 10 College District business days, either party does not sign the final Informal Resolution Agreement form, the Formal Resolution Process will resume at the point where it was stopped when both parties agreed to pursue the Informal Resolution Process and signed the Voluntary Consent to Informal Resolution form. The informal resolution facilitator will notify both parties and their respective advisors (if the parties elect to provide their own advisors during the Informal Resolution Process) simultaneously in writing that the Informal Resolution Agreement form was not signed. The appropriate Title IX coordinator, deputy Title IX coordinator, or designee will contact both parties to re-initiate the Formal Resolution Process.

Title IX Informal Resolution Process Flowchart

The flowchart below provides an overview of the Title IX Informal Resolution Process. For specific procedures, see the appropriate sections in this handbook.

Receipt of Complaint

- The Title IX complaint process is initiated by the alleged victim (hereafter referred to as the "complainant"), appropriate Title IX coordinator, deputy Title IX coordinator, or an official with the authority to institute corrective measures on behalf of Collin College.
- To file a complaint, the complainant contacts the appropriate Title IX coordinator or deputy Title IX coordinator or submits the online *Title IX Formal Complaint Form*.
- If reported orally, the complaint is reduced to writing by the appropriate Title IX coordinator, deputy Title IX coordinator, or designee.
- The complaint must contain the complainant's actual or digital signature. If the complainant is not able or willing to sign the complaint, the appropriate Title IX coordinator, deputy Title IX coordinator, or designee may sign and submit the complaint in the complainant's stead.

Notice of Supportive Measures

- The appropriate Title IX coordinator, deputy Title IX coordinator, or designee promptly contacts the complainant and offers supportive measures (i.e., appropriate advocacy and on- and off-campus resources, as outlined in Collin College's *Complainant's Rights, Options, and Supportive Measures* packet).
- These supportive measures and resources are available to the complainant whether or not they choose to file a formal complaint.
- In the event a formal complaint is filed and the appropriate Title IX coordinator, deputy Title IX coordinator, or designee determines an investigation should be initiated, supportive measures are also offered to the respondent (i.e., appropriate advocacy and on- and off-campus resources, as outlined in Collin College's *Respondent's Rights and Supportive Measures* packet).

Initiation of Informal Resolution Process

- **Informal resolution is prohibited in any case where an employee is accused of engaging in prohibited conduct against a student.**
- The parties must provide their voluntary consent in writing to participate in the Informal Resolution Process.
- The appropriate Title IX coordinator, deputy Title IX coordinator, or designee provides the parties with the required written notice of the allegation(s) and a description of the parameters of the Informal Resolution Process. This written notice will include a statement that either party is permitted to withdraw from the Informal Resolution Process and resume the Formal Resolution Process at any time prior to a final determination being reached in the case.
- Both parties read and sign the *Voluntary Consent to Informal Resolution* form indicating they are voluntarily and willingly consenting to pursue the Informal Resolution Process.

Meeting with Informal Resolution Facilitator

- The informal resolution facilitator meets separately with both parties and their respective advisors (if the parties elect to provide their own advisors during the Informal Resolution Process) to ascertain the parameters for an informal resolution agreement.
- The informal resolution facilitator notifies both parties of their rights and options, including the right to withdraw from the Informal Resolution Process and resume the Formal Resolution Process at any time prior to a final determination being reached in the case.
- If either party chooses to withdraw from the Informal Resolution Process, they will be required to read and sign the *Withdrawal from Informal Resolution Process* form prior to a final determination being reached and both parties signing the *Informal Resolution Agreement* form.

Informal Resolution Agreement

- The informal resolution facilitator completes the *Informal Resolution Agreement* form and clearly explains the informal resolution terms.
- The informal resolution facilitator sends the parties the *Informal Resolution Agreement* form and gives them 10 College District business days to review and respond to the document prior to finalizing it.
- If, after 10 College District business days, both parties agree to the informal resolution terms, they will sign the final *Informal Resolution Agreement* form. The informal resolution facilitator will then notify both parties simultaneously in writing of the final signed *Informal Resolution Agreement* form. Once the final *Informal Resolution Agreement* form is signed, the matter will be closed, the informal resolution will be non-appealable, and the Formal Complaint Process will not be re-initiated.
- If, after 10 College District business days, either party does not sign the final *Informal Resolution Agreement* form, the Formal Resolution Process will resume at the point where it was stopped when both parties agreed to pursue the Informal Resolution Process and signed the *Voluntary Consent to Informal Resolution* form.

Section 6: Formal Resolution Process

The Title IX Formal Resolution Process Flowchart on pages 51-52 provides an overview of Collin College's Title IX formal resolution process. For more information and specific procedures, see the sections below.

Receipt of Complaint

Collin College's Title IX complaint process is initiated by the alleged victim (hereafter referred to as the "complainant"), appropriate Title IX coordinator, deputy Title IX coordinator, or an official with authority to institute corrective measures on behalf of Collin College.

To file a complaint, the complainant can contact the appropriate Title IX coordinator or deputy Title IX coordinator listed in the Reporting to the Appropriate Title IX Coordinator or Deputy Title IX Coordinator section in this handbook or submit the online Title IX Formal Complaint Form.

If reported orally, the complaint will be reduced to writing by the appropriate Title IX coordinator, deputy Title IX coordinator, or designee.

The complaint must be signed. If the complainant is not able or willing to sign the complaint, the appropriate Title IX coordinator, deputy Title IX coordinator, or designee may sign the complaint in the complainant's stead.

Notice of Supportive Measures

Once Collin College has actual knowledge of an allegation of dating violence, domestic violence, gender-based harassment, retaliation, sex discrimination, sexual assault, sexual harassment, and/or stalking (hereafter referred to as "prohibited conduct"), the appropriate Title IX coordinator, deputy Title IX coordinator, or designee will promptly contact the complainant and offer supportive measures (i.e., appropriate advocacy and on-and off-campus resources, as outlined in Collin College's Complainant's Rights, Options, and Supportive Measures document and Section 4: Rights, Options, and Supportive Measures, Supportive Measures in this handbook).

These supportive measures and resources are available to the complainant whether or not they choose to file a formal complaint.

In the event a formal complaint is filed and the appropriate Title IX coordinator, deputy Title IX coordinator, or designee determines an investigation should be initiated, supportive measures will also be offered to the respondent (i.e., appropriate advocacy and on- and off-campus resources, as outlined in Collin College's Respondent's Rights and Supportive Measures document and Section 4: Rights, Options, and Supportive Measures, Supportive Measures in this handbook).

Anticipated Time Frame for the Formal Resolution Process

Collin College will endeavor to expedite all formal complaint investigations and resolutions. Absent extenuating circumstances, such as a request by a law enforcement or regulatory agency for Collin College to delay its investigation, the Formal Resolution Process should be completed within a reasonably prompt time frame. However, Collin College may temporarily delay or grant a limited extension of the time frame for good cause as long as both parties are notified in writing of the delay or extension and the reason(s) for the action.

The anticipated time frame from receipt of the formal complaint through the investigation and Live Hearing phases, culminating with the live hearing officer's Written Determination of Responsibility, is 60 College District business days.

The anticipated time frame for the appeal process phase, culminating with the appeal decision maker's Appeal Determination or the College District President or designee's decision (in cases where expulsion of a student or termination of an employee is recommended), is 45 College District business days.

Phase 1: Determination to Proceed with an Investigation

The appropriate Title IX coordinator, deputy Title IX coordinator, or designee will determine whether the allegation(s):

1. Occurred while participating in or attempting to participate in Collin College's education program or activity;
2. Impacted a person in the United States; and/or
3. If proven, would meet the definition of prohibited conduct.

The alleged conduct must be so severe, pervasive, or objectively offensive that it limits or denies a student's ability to participate in or benefit from an educational program or activity. Note: Quid pro quo harassment, Clery Act, and VAWA offenses are not evaluated for severity, pervasiveness, or offensiveness, or denial of equal educational access because such misconduct is sufficiently serious to deprive a student of equal access.

If the allegations in the complaint meet the criteria defined above, the appropriate Title IX coordinator, deputy Title IX coordinator, or designee will assign an appropriate individual(s) to investigate the complaint.

If the allegation(s) should be addressed through another Collin College process, the Title IX coordinator, deputy Title IX coordinator, or designee will forward the complaint to the appropriate party.

Phase 2: Investigation

Initiating the Investigation

The appropriate Title IX coordinator, deputy Title IX coordinator, or designee will send an initial written notice containing details of the complaint and allegation(s) to both parties at the onset of the investigation.

The respondent will be presumed to be not responsible for the alleged prohibited conduct until a written determination is made at the conclusion of the Title IX complaint process. This presumption will be stated in the initial written notice provided to both parties at the onset of the investigation.

Investigator(s)

Collin College will maintain a pool of investigators consisting of members of the District Dean of Students Office and any other appropriately trained investigators designated by Collin College. The appropriate Title IX coordinator, deputy Title IX coordinator, or designee will assign an individual(s) from the pool of investigators to investigate the complaint.

All investigators will receive appropriate training on at least an annual basis to function in this role.

The investigator(s) will be free from conflicts of interest or bias for or against the complainant or respondent (hereafter referred to as "the parties").

The investigator(s) will conduct a prompt, fair, impartial, unbiased, and equitable process from the initial investigation to the submission of the Investigation Report.

Throughout the investigation, the burden of gathering evidence and burden of proof will fall on Collin College and the investigator(s), not the parties.

Advisors' Roles During the Investigation Phase

In accordance with Title IX, both parties will have equal right to be accompanied by an advisor of their choice (e.g., family member, friend, legal counsel) to interviews and meetings with the investigator(s). However, only the party may speak on their own behalf. Collin College will not provide an advisor for either party during the investigation phase of the Title IX Formal Resolution Process. Collin College retains the right to limit the role of both parties' advisors in interviews and meetings with the investigator(s). Should a party's advisor continuously speak on the party's behalf, become combative, or otherwise disrupt the proceedings, the investigator(s) reserves the right to ask them to leave or to end the proceedings and reschedule for a later date.

Interim Action(s) and Temporary Removal(s)

If, after engaging in an individualized safety and risk analysis, the appropriate Title IX coordinator, deputy Title IX coordinator, or designee determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegation of prohibited conduct justifies the temporary removal of the respondent, the appropriate Title IX coordinator, deputy Title IX coordinator, or designee may approve interim action(s). The appropriate Title IX coordinator, deputy Title IX coordinator, or designee will provide the respondent with written notice of the interim action(s).

The appropriate Title IX coordinator, deputy Title IX coordinator, or designee will meet with the respondent to discuss and explain the interim action(s). If the interim action(s) include a temporary removal (e.g., temporary immediate suspension, temporary removal from Collin College Student Housing, temporary employee administrative leave):

1. The appropriate Title IX coordinator, deputy Title IX coordinator, or designee will explain to the respondent their right to challenge the interim action(s) immediately after the temporary removal.
2. The appropriate Title IX coordinator, deputy Title IX coordinator, or designee will provide to the respondent the Notice to Challenge a Temporary Removal form.

If the respondent chooses to challenge the temporary removal and completes the Notice to Challenge a Temporary Removal form, the appropriate Title IX Coordinator, deputy Title IX coordinator, or designee will submit it to the designated removal challenge officer along with a brief rationale explaining the individualized safety and risk analysis utilized to approve the temporary removal. The removal challenge officer will review the documentation, consider whether the temporary removal is appropriate, make a decision regarding the temporary removal, and write a rationale explaining their decision. The removal challenge officer will then notify the parties and the appropriate Title IX Coordinator, deputy Title IX coordinator, or designee simultaneously in writing whether the removal is upheld or overturned. The removal challenge officer's decision regarding the temporary removal is final and non-appealable.

Investigative Interviews and Meetings

The investigator(s) will contact the parties and witnesses to request they schedule investigative interviews and meetings. This communication will be made through one (1) or more of the following methods:

1. A written communication sent to the individual's Collin College email account;
2. A written communication sent to the individual's personal email account, if the individual is not a Collin College student or employee and/or the individual requests that communication be sent through this method;
3. A letter mailed to the individual's address as listed with the Student and Enrollment Services Office or Human Resources Department;

4. A letter hand-delivered to the individual on campus by the investigator(s). The investigator(s) will document the date, time, and place of hand-delivery; and/or
5. A phone call to the individual's number as listed with the Student and Enrollment Services Office, Human Resources Department, or provided to the investigator(s).

If a party or witness does not respond to the investigator(s)'s communication within 10 College District business days, the investigator(s) will attempt to contact the individual one (1) more time through at least one (1) of the methods listed above. If a party or witnesses does not respond to this second communication within 10 College District business days, the investigator(s) will proceed with the investigation.

The investigator(s) will meet separately with the parties, their respective advisors (if the parties elect to provide their own advisors during this phase), and witnesses either in person or via Zoom or other web conferencing software approved by Collin College.

The investigator(s) will send written notice of any investigative interviews and/or meetings to both parties and afford them sufficient time to prepare for these events.

During the initial interview or meeting with the parties and their respective advisors (if the parties elect to provide their own advisors during this phase), the investigator(s) will:

1. Notify the parties and their respective advisors (if the parties elect to provide their own advisors during this phase) of their rights and options, including their right to file a complaint with the U.S. Department of Education Office for Civil Rights (OCR). To file a complaint with OCR, call 800.421.3481, email ocr@ed.gov, or visit the OCR: Discrimination Complaint Form website;
2. Explain the preponderance of the evidence standard (i.e., more likely than not to have occurred);
3. Provide a list of potential disciplinary sanctions and remedies. The investigator(s) will review and explain this document and answer any questions regarding the potential disciplinary sanctions and remedies; and
4. Explain the informal resolution provisions outlined in Section 5: Informal Resolution Process in this handbook.

The parties will have equal opportunity to present witnesses (including both fact and expert witnesses), inculpatory evidence (i.e., evidence that can establish an individual's involvement in an act or guilt), and exculpatory evidence (i.e., evidence that can exonerate an individual).

The investigator(s) will not restrict the ability of either party or their respective advisors (if the parties elect to provide their own advisors during this phase) to gather or present relevant evidence or discuss the allegations outside of these interviews and/or meetings.

Concluding the Investigation

Prior to writing an Investigation Report, the investigator(s) will send to both parties and their respective live hearing advisors a link to access a secured electronic folder containing all information and evidence that is directly related to the allegation(s), including the evidence upon which Collin College does not intend to rely in reaching a determination regarding responsibility and inculpatory and exculpatory evidence whether obtained from a party or other sources, so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation.

Additionally, the investigator(s) will write an Investigation Report that fairly summarizes the investigation and includes all relevant evidence. The investigator(s) will simultaneously send the parties and their respective live

hearing advisors the draft of the Investigation Report in electronic format or hard copy and will give them 10 College District business days to inspect, review, and respond to the document prior to finalizing it.

The parties and/or their respective live hearing advisors should send any edits or additions to the draft Investigation Report to the investigator(s) by the stated deadline. The investigator(s) will include all edits and additions received by the stated deadline as addendums at the end of the final document.

The investigator(s) will complete the final Investigation Report at least 10 College District business days prior to the Live Hearing. The investigator(s) will simultaneously send the parties and their respective live hearing advisors the final Investigation Report in electronic format or hard copy.

Phase 3: Live Hearing

The investigation will be followed by a Live Hearing.

Live Hearing Advisors

If a party is unable to obtain an advisor for the Live Hearing, Collin College will provide one (1) free of charge for the purpose of conducting cross-examination for the party.

Collin College will maintain a pool of appointed live hearing advisors. The live hearing advisors will not be the Title IX coordinators, deputy Title IX coordinators, informal resolution facilitators, investigators, removal challenge officers, live hearing officers, or appeal decision makers.

The investigator(s) will ascertain whether each party will provide their own live hearing advisor (e.g., family member, friend, legal counsel). If a party is not able to provide their own live hearing advisor, the appropriate Title IX coordinator, deputy Title IX coordinator, or designee will assign an individual(s) from the pool of live hearing advisors to the party for the Live Hearing.

All live hearing advisors will receive appropriate training on at least an annual basis to function in this role.

The live hearing advisor(s) will be free from conflicts of interest or bias for or against the parties.

The live hearing advisor(s) will conduct a prompt, fair, impartial, unbiased, and equitable process from receipt of the link to access a secured electronic folder containing all information and evidence that is directly related to the allegation(s) to receipt of the Written Determination of Responsibility.

Live Hearing Officer(s)

The live hearing officer(s) will serve as the first decision maker in the Title IX Formal Resolution Process.

Collin College will maintain a pool of appointed live hearing officers. The live hearing officers will not be the Title IX coordinators, deputy Title IX coordinators, informal resolution facilitators, investigators, removal challenge officers, appeal decision makers, or the live hearing officer who made a determination in the complaint dismissal appeal, if applicable.

The appropriate Title IX coordinator, deputy Title IX coordinator, or designee will assign an individual(s) from the pool of live hearing officers to conduct the Live Hearing.

All live hearing officers will receive appropriate training on at least an annual basis to function in this role.

The live hearing officer(s) will be free from conflicts of interest or bias for or against the parties.

The live hearing officer(s) will conduct a prompt, fair, impartial, unbiased, and equitable process from the Live Hearing to the submission of the Written Determination of Responsibility.

Notifying the Parties of the Live Hearing

The appropriate Title IX coordinator, deputy Title IX coordinator, or designee will notify the parties, their respective live hearing advisors, the live hearing officer(s), and any witnesses in writing of the date, time, and place of the Live Hearing.

If a party needs to postpone the Live Hearing due to unavoidable circumstances, the party must contact the appropriate Title IX coordinator, deputy Title IX coordinator, or designee no later than three (3) College District business days prior to the Live Hearing. It is at the sole discretion of the appropriate Title IX coordinator, deputy Title IX coordinator, or designee to postpone the Live Hearing for good cause as long as all parties involved are notified of the new date, time, and location.

If a party does not contact the appropriate Title IX coordinator, deputy Title IX coordinator, or designee by the stated deadline and does not appear for the Live Hearing, the live hearing officer(s) retains the right to proceed with the Live Hearing and render a determination of responsibility in the party's absence.

The Live Hearing will be rescheduled due to unavoidable circumstances no more than two (2) times.

Pre-Live Hearing Meeting with the Live Hearing Officer(s)

If either the complainant and/or respondent request it, the live hearing officer(s) can meet with each party and their live hearing advisor separately prior to the Live Hearing. The purpose of this meeting is to allow the live hearing officer(s) to review the cross-examination questions each party would like to ask during the Live Hearing, determine the relevancy of the proposed questions, and respond with an appropriate rationale if a question is denied. These meetings must be done in a timely manner so that each party has an opportunity to evaluate the live hearing officer(s)'s response and generate new questions, if necessary.

Live Hearing Procedures

Specific procedures for the Live Hearing, including time limits for statements, rebuttal, and cross-examination, will be provided to the complainant, respondent, and their respective live hearing advisors prior to the Live Hearing.

The Live Hearing will be conducted by the live hearing officer(s) on the specified date and time to hear from the complainant, respondent, their respective live hearing advisors, and witnesses. Live Hearings will be conducted in a designated room at the appropriate Collin College campus, another location designated by Collin College, and/or via Zoom or other web conferencing software approved by Collin College. When Live Hearings are held via Zoom or other web conferencing software approved by Collin College, all participants are required to have their cameras on while speaking.

At either party's request, the live hearing officer(s) will provide the parties with separate rooms and the use of appropriate technology so the live hearing officer(s), the parties, and their respective live hearing advisors can simultaneously see and hear all questions.

The live hearing officer(s) must make an audio recording, video recording, or transcript of the Live Hearing. The live hearing officer(s) will make the audio recording, video recording, or transcript available to the parties for inspection and review after the conclusion of the Live Hearing.

The live hearing officer(s) will permit each party's advisor to ask the other party and all witnesses any relevant questions and follow-up questions, including those bearing on credibility. Cross-examination will be conducted directly, orally, and in real time by the parties' respective live hearing advisors and never by the parties personally.

Live hearing advisors' roles will not be limited when cross-examination is permitted during the Live Hearing. However, the live hearing officer(s) has the responsibility to determine the relevancy of questions and explain in real time any decision not to permit a question. Questions and evidence concerning a complainant's sexual predisposition or prior sexual behavior are irrelevant and not permitted, unless these questions are offered to prove that someone other than the respondent committed the alleged misconduct or to prove consent.

A party or witness may refuse to submit to cross-examination during a Live Hearing. If a party or witness does not submit to cross-examination during a Live Hearing, that individual's statement(s) may be relied on by the live hearing officer(s) in reaching a determination regarding responsibility. Collin College is not permitted to draw an adverse inference based on the mere fact that an individual refused to submit to cross-examination.

The Live Hearing will generally proceed as follows:

1. Live Hearing Officer's Opening Remarks (No More Than 10 Minutes)
2. Investigators' Review of the Investigation (No More Than 10 Minutes)
3. Complainant's Statement (No More Than 20 Minutes)
4. Respondent's Statement (No More Than 20 Minutes)
5. Complainant's Rebuttal (No More Than 10 Minutes)
6. Respondent's Rebuttal (No More Than 10 Minutes)
7. Live Hearing Officer Questions the Complainant and Respondent (No More Than 20 Minutes Per Party)
8. Witness Statements and Cross-Examination of the Parties and Witnesses (No More Than 20 Minutes for Each Party and Witness)
9. Complainant's Closing Statement (No More Than 5 Minutes)
10. Respondent's Closing Statement (No More Than 5 Minutes)
11. Live Hearing Officer Concludes the Live Hearing (No More Than 5 Minutes)

Written Determination of Responsibility

After the Live Hearing, the live hearing officer(s) or the appropriate Title IX coordinator, deputy Title IX coordinator, or designee will send an email to the parties and their respective live hearing advisors containing the link(s) to the audio recording, video recording, and/or transcript of 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:

1. Identify the allegation(s) at issue;
2. Describe the procedural steps taken throughout the case;
3. Detail the findings of fact supporting the live hearing officer(s)'s determination;
4. Enumerate the conclusions regarding application of Collin College's Title IX policy;
5. Contain a detailed statement and rationale as to the determination for each allegation;
6. 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; and
7. Describe the procedures and permissible grounds for appeal.

The live hearing officer(s) or the appropriate Title IX coordinator, deputy Title IX coordinator, or designee will send the Written Determination of Responsibility simultaneously to the parties and their respective live hearing advisors in electronic format or hard copy along with information about how to file an appeal.

The Written Determination of Responsibility will become final when:

1. The stated time period to file an appeal has passed for both parties and neither party appeals, or
2. The parties are notified that the live hearing officer(s)'s determination was upheld after the appeal process has been exhausted for both parties.

Potential Penalties Imposed on a Respondent

Student Respondent

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

1. **Reprimand:** A 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).

Disciplinary Notations on Collin College Transcripts

In accordance with the Texas Education Code Section 51.9364, in disciplinary cases where a penalty of suspension or expulsion is imposed and, therefore, the student is ineligible to re-enroll, Collin College will include on the student's transcript a notation stating the student is ineligible to re-enroll at Collin College for a disciplinary reason.

If a student withdraws from Collin College pending disciplinary charges that may result in the student becoming ineligible to re-enroll for a disciplinary reason, Collin College may not end the disciplinary process until the institution makes a final determination of responsibility, including, if applicable, a determination of whether the student will be ineligible to re-enroll in Collin College for a disciplinary reason. If, as a result of the disciplinary process, the student is ineligible to re-enroll in Collin College for a disciplinary reason, Collin College will include on the student's transcript the required disciplinary notation.

At the student's request, Collin College may remove the disciplinary notation from the student's transcript if:

1. The student is eligible to re-enroll at Collin College, or
2. Collin College determines good cause exists to remove the disciplinary notation.

A student who wants to have the disciplinary notation removed from their transcript must submit a request to the District Dean of Students Office. To obtain a Petition for Disciplinary Suspension or Permanent Expulsion Transcript Notation Removal form, go to the District Dean of Students Office Resources website or contact the District Dean of Students Office at 972.881.5604 or dos@collin.edu.

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

For more information, contact the Human Resources Department at 972.758.3856 or hr@collin.edu.

Potential Remedies Provided to Complainants

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.

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).

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.

Phase 4: Appeal

Submitting an Appeal

Either the complainant or respondent may appeal the live hearing officer(s)'s determination on the following grounds by submitting a written request to the appropriate Title IX coordinator, deputy Title IX coordinator, or designee within 10 College District business days of the live hearing officer(s)'s decision:

1. Procedural irregularity that affected the outcome;
2. New evidence not reasonably available that could affect the outcome; and/or
3. Conflict of interest or bias by Collin College's participants that affected the outcome.

The non-appealing party will be notified the other party has appealed and will be allowed to submit a written statement in response.

Appeal Decision Maker

The appeal decision maker will be an appropriate vice president or designee. The appeal decision maker will not be the Title IX coordinators, deputy Title IX coordinators, informal resolution facilitators, investigators, removal challenge officers, live hearing advisors, or live hearing officers.

All appeal decision makers will receive appropriate training on at least an annual basis to function in this role.

The appeal decision maker will be free from conflicts of interest or bias for or against the parties.

The appeal decision maker will conduct a prompt, fair, impartial, unbiased, and equitable process from the appeal to the submission of the Appeal Determination.

Advisors' Roles During the Appeal Phase

In accordance with Title IX, both parties will have equal right to be accompanied by an advisor of their choice (e.g., family member, friend, legal counsel) to meetings with the appeal decision maker. However, only the party may speak on their own behalf. Collin College will not provide an advisor for either party during the appeal phase of the Title IX Formal Resolution Process. Collin College retains the right to limit the role of both parties' advisors in meetings with the appeal decision maker. Should a party's advisor continuously speak on the party's behalf, become

combative, or otherwise disrupt the proceedings, the appeal decision maker reserves the right to ask them to leave or to end the proceedings and reschedule for a later date.

Appeal Procedures

The appropriate Title IX coordinator, deputy Title IX coordinator, or designee will forward all information regarding the investigation, Investigation Report, and live hearing officer(s)'s Written Determination of Responsibility to the appeal decision maker.

The appeal decision maker will review the records and evidence and may, at their discretion, meet separately with the complainant and their advisor (if the complainant elects to provide their own advisor during the appeal phase), the respondent and their advisor (if the respondent elects to provide their own advisor during the appeal phase), and/or witnesses. It is at the discretion of the appeal decision maker to determine whether meetings should be held in person or via Zoom or other web conferencing software approved by Collin College. If the appeal decision maker meets with any party and/or witness, the appeal decision maker must audio and/or video record the meeting.

If the appeal decision maker elects to meet with the complainant and their advisor (if the complainant elects to provide their own advisor during the appeal phase), the respondent and their advisor (if the respondent elects to provide their own advisor during the appeal phase), and/or witnesses, the appeal decision maker will contact the party and/or witness to request they schedule separate meetings. This communication will be made through one (1) or more of the following methods:

1. A written communication sent to the individual's Collin College email account;
2. A written communication sent to the individual's personal email account, if the individual is not a Collin College student or employee and/or the individual requests that communication be sent through this method;
3. A letter mailed to the individual's address as listed with the Student and Enrollment Services Office or Human Resources Department;
4. A letter hand-delivered to the individual on campus by the appeal decision maker. The appeal decision maker will document the date, time, and place of hand-delivery; and/or
5. A phone call to the individual's number as listed with the Student and Enrollment Services Office, Human Resources Department, or provided to the appeal decision maker.

If a party or witness does not respond to the appeal decision maker's communication within 10 College District business days, the appeal decision maker will attempt to contact the individual one (1) more time through at least one (1) of the methods listed above. If a party or witness does not respond to this second communication within 10 College District business days, the appeal decision maker will proceed with the appeal.

Appeal Determination

After the appeal, the appeal decision maker will send an email to the complainant and their advisor (if the complainant elects to provide their own advisor during the appeal phase) and the respondent and their advisor (if the respondent elects to provide their own advisor during the appeal phase) containing the link(s) to the audio and/or video recording(s) of any meeting(s).

The appeal decision maker will deliberate on the evidence provided and make a determination using the preponderance of the evidence standard (i.e., more likely than not to have occurred). The appeal decision maker will compose an Appeal Determination, which will describe the:

1. Appeal and rationale for the determination, and
2. Procedures and permissible grounds for appeal.

The appeal decision maker or appropriate Title IX coordinator, deputy Title IX coordinator, or designee will send the Appeal Determination simultaneously to the parties and their respective advisors (if the parties elect to provide their own advisors during the appeal phase) in electronic format or hard copy along with information about how to file an appeal, if applicable, within 10 College District business days.

The appeal decision maker's determination is final and non-appealable except when expulsion of a student or termination of an employee is recommended.

Phase 5: Expulsion and Termination Appeals to the College District President or Designee

Submitting an Appeal

In cases where expulsion of a student or termination of an employee is recommended, either the complainant or respondent may appeal the appeal decision maker's determination on the following grounds by submitting a written request to the appropriate Title IX coordinator, deputy Title IX coordinator, or designee within 10 College District business days of the appeal decision maker's determination:

1. Procedural irregularity that affected the outcome;
2. New evidence not reasonably available that could affect the outcome; and/or
3. Conflict of interest or bias by Collin College's participants that affected the outcome.

The non-appealing party will be notified the other party has appealed and will be allowed to submit a written statement in response.

Appeals regarding recommendation for termination of an employee that arise out of any circumstances not related to a report or complaint of prohibited conduct, as defined in this handbook, will be filed, heard, and resolved in accordance with Collin College Board policy DGBA (LOCAL) and the employee disciplinary process.

College District President or Designee

Only the College District President or designee can approve the expulsion of a student or termination of an employee. The College District President or designee will review all recommendations for expulsion of a student or termination of an employee, whether or not the complainant or respondent chooses to appeal the appeal decision maker's determination.

The College District President or designee will receive appropriate training on at least an annual basis to function in this role.

The College District President or designee will be free from conflicts of interest or bias for or against the parties.

The College District President or designee will conduct a prompt, fair, impartial, unbiased, and equitable process from the appeal to the submission of the Final Decision Regarding Expulsion of a Student or Termination of an Employee.

Advisors' Roles During the Expulsion and Termination Appeals to the College District President or Designee Phase

In accordance with Title IX, both parties will have equal right to be accompanied by an advisor of their choice (e.g., family member, friend, legal counsel) to meetings with the College District President or designee. However, only the party may speak on their own behalf. Collin College will not provide an advisor for either party during the expulsion and termination appeals phase of the Title IX Formal Resolution Process. Collin College retains the right to limit the

role of both parties' advisors in meetings with the College District President or designee. Should a party's advisor continuously speak on the party's behalf, become combative, or otherwise disrupt the proceedings, the College District President or designee reserves the right to ask them to leave or to end the proceedings and reschedule for a later date.

Expulsion and Termination Appeal Procedures

The appropriate Title IX coordinator, deputy Title IX coordinator, or designee will forward all information regarding the investigation, Investigation Report, live hearing officer(s)'s Written Determination of Responsibility, and appeal decision maker's Appeal Determination to the College District President or designee.

The College District President or designee will review the records and evidence and may, at their discretion, meet separately with the complainant and their advisor (if the complainant elects to provide their own advisor during the appeal phase), the respondent and their advisor (if the respondent elects to provide their own advisor during the appeal phase), and/or witnesses. It is at the discretion of the College District President or designee to determine whether meetings should be held in person or via Zoom or other web conferencing software approved by Collin College. If the College District President or designee meets with any party and/or witness, the College District President or designee must audio and/or video record the meeting.

If the College District President or designee elects to meet with the complainant and their advisor (if the complainant elects to provide their own advisor during the appeal phase), the respondent and their advisor (if the respondent elects to provide their own advisor during the appeal phase), and/or witnesses, the College District President or designee will contact the party and/or witness to request they schedule separate meetings. This communication will be made through one (1) or more of the following methods:

1. A written communication sent to the individual's Collin College email account;
2. A written communication sent to the individual's personal email account, if the individual is not a Collin College student or employee and/or the individual requests that communication be sent through this method;
3. A letter mailed to the individual's address as listed with the Student and Enrollment Services Office or Human Resources Department;
4. A letter hand-delivered to the individual on campus by the College District President or designee. The College District President or designee will document the date, time, and place of hand-delivery; and/or
5. A phone call to the individual's number as listed with the Student and Enrollment Services Office, Human Resources Department, or provided to the College District President or designee.

If a party or witness does not respond to the College District President or designee's communication within 10 College District business days, the College District President or designee will attempt to contact the individual one (1) more time through at least one (1) of the methods listed above. If a party or witnesses does not respond to this second communication within 10 College District business days, the College District President or designee will proceed with the appeal.

Final Decision Regarding Expulsion of a Student or Termination of an Employee

After the appeal, the College District President or designee will send an email to the complainant and their advisor (if the complainant elects to provide their own advisor during the appeal phase) and the respondent and their advisor (if the respondent elects to provide their own advisor during the appeal phase) containing the link(s) to any audio and or video recording(s) of any meeting(s).

The College District President or designee will deliberate on the evidence provided and make a determination to affirm, modify, or reverse the recommendation for expulsion or termination using the preponderance of the evidence standard (i.e., more likely than not to have occurred). The College District President or designee will compose the Final Decision Regarding Expulsion of a Student or Termination of an Employee, which will describe the rationale for the determination.

The College District President or designee or appropriate Title IX coordinator, deputy Title IX coordinator, or designee will send the Final Decision Regarding Expulsion of a Student or Termination of an Employee simultaneously to the parties and their respective advisors (if the parties elect to provide their own advisors during the expulsion and termination appeals phase) in electronic format or hard copy within 10 College District business days.

The College District President or designee's decision is final and non-appealable.

Petition to Revoke Expulsion
Board policy FMA (LOCAL) is associated with this section.

Once five (5) calendar years from the date of the College District President or designee's final decision have expired, the student may petition to revoke the expulsion. To initiate the expulsion revocation process, the student must complete the Expulsion Revocation Form and return it to the district dean of students or designee. To obtain an Expulsion Revocation Form, go to the District Dean of Students Office Resources website or contact the District Dean of Students Office at 972.881.5604 or dos@collin.edu.

Once the completed Expulsion Revocation Form is received, the district dean of students or designee will forward it to the College District President or designee for consideration. The College District President or designee will review the student's petition to revoke the expulsion and may request a meeting with the student prior to issuing a final decision.

If the petition to revoke the expulsion is approved by the College District President or designee, the student will be required to meet with the district dean of students or designee prior to returning to Collin College. Once the meeting with the district dean of students or designee is concluded, the student will be allowed to return to all Collin College campuses and will be considered to be in good disciplinary standing. For more information, see the Reinstatement Procedures for Students section in this handbook.

If the petition to revoke the expulsion is not approved by the College District President or designee, the student's expulsion will remain in effect and the student will not be allowed to return to Collin College.

Reinstatement Procedures for Students

Favorable Determination or Appeal
The appropriate Title IX coordinator, deputy Title IX coordinator, or designee will make reasonable efforts to reinstate a student who receives a favorable determination or appeal. This may include, but is not limited to, working with the student's professor(s) to permit the student to make up missed coursework, revoking a temporary immediate suspension, coordinating with the Collin College Police Department to revoke a criminal trespass warning notice, and, at the student's request, assisting with obtaining a late withdrawal.

Non-Favorable Determination or Appeal
In a case where a student does not receive a favorable determination and does not appeal, or has exhausted all levels of appeal, the final determination reached in the Title IX case will stand.

Reinstatement After Suspension or Expulsion

Once the student's suspension period has elapsed or if the College District President or designee approves the student's petition to revoke the expulsion, the student will be required to meet with the district dean of students or designee prior to returning to Collin College. During the reinstatement meeting, the district dean of students or designee will review the current *Student Code of Conduct*, reinforce that any additional violation(s) of the *Student Code of Conduct* will be considered grounds for further disciplinary action, up to and including recommendation for expulsion from Collin College, and request the student sign the Reinstatement After Suspension or Expulsion Form. Once the meeting with the district dean of students or designee is concluded, the student will be allowed to return to all Collin College campuses and will be considered to be in good disciplinary standing.

Title IX Formal Resolution Process Flowchart

The flowchart below provides an overview of the Title IX Formal Resolution Process. For specific procedures, see the appropriate sections in this handbook.

Receipt of Complaint

- The Title IX complaint process is initiated by the alleged victim (hereafter referred to as the "complainant"), appropriate Title IX coordinator, deputy Title IX coordinator, or an official with the authority to institute corrective measures on behalf of Collin College.
- To file a complaint, the complainant contacts the appropriate Title IX coordinator or deputy Title IX coordinator, or submits the online *Title IX Formal Complaint Form*.
- If reported orally, the complaint is reduced to writing by the appropriate Title IX coordinator, deputy Title IX coordinator, or designee.
- The complaint must contain the complainant's actual or digital signature. If the complainant is not able or willing to sign the complaint, the appropriate Title IX coordinator, deputy Title IX coordinator, or designee may sign and submit the complaint in the complainant's stead.

Notice of Supportive Measures

- The appropriate Title IX coordinator, deputy Title IX coordinator, or designee promptly contacts the complainant and offers supportive measures (i.e., appropriate advocacy and on- and off-campus resources, as outlined in Collin College's *Complainant's Rights, Options, and Supportive Measures* packet).
- These supportive measures and resources are available to the complainant whether or not they choose to file a formal complaint.
- In the event a formal complaint is filed and the appropriate Title IX coordinator, deputy Title IX coordinator, or designee determines an investigation should be initiated, supportive measures are also offered to the respondent (i.e., appropriate advocacy and on- and off-campus resources, as outlined in Collin College's *Respondent's Rights and Supportive Measures* packet).

Determination to Proceed with an Investigation

- The appropriate Title IX coordinator, deputy Title IX coordinator, or designee determines whether the allegation(s):
  1. occurred while participating in or attempting to participate in Collin College's education program or activity, 2. impacted a person in the United States, and/or 3. if proven, would meet the definition of prohibited conduct.
- If the allegation(s) meet the criteria listed above, the appropriate Title IX coordinator, deputy Title IX coordinator, or designee assigns an appropriate individual(s) to investigate the complaint.
- If the allegation(s) should be addressed through another Collin College process, the appropriate Title IX coordinator, deputy Title IX coordinator, or designee forwards the complaint to the appropriate Collin College employee(s).
- If the allegations do not meet one (1) or more of the criteria listed above, the complaint is dismissed. Additionally, Collin College may dismiss a complaint at any time if: 1. the complainant would like to withdraw the complaint, 2. the respondent is no longer enrolled at or employed by Collin College, or 3. specific circumstances prevent Collin College from gathering evidence sufficient to reach a determination as to the complaint or allegation(s).

Investigation

- The respondent is presumed to be not responsible for the alleged prohibited conduct until a written determination is made at the conclusion of the Title IX complaint process.
- The burden of gathering evidence and burden of proof falls on the investigator(s), not the parties.
- The investigator(s) notifies the parties of their rights and options.
- The investigator(s) meets separately with each party and their respective advisors (if the parties elect to provide their own advisors during this phase).
- The investigator(s) meets separately with each witness.
- The investigator(s) engages in an individualized safety and risk analysis to determine whether interim action(s) are appropriate and may recommend interim action(s) to the appropriate Title IX coordinator, deputy Title IX coordinator, or designee. If the interim action(s) include a removal (e.g., temporary immediate suspension, temporary removal from Collin College Student Housing, temporary employee administrative leave), the respondent has the right to challenge the interim action(s) immediately after the removal.

Title IX Formal Resolution Process Flowchart (Continued)

The flowchart below provides an overview of the Title IX Formal Resolution Process. For specific procedures, see the appropriate sections in this handbook.

Investigation Report

- At the conclusion of the investigation, the investigator(s) writes an *Investigation Report* that fairly summarizes the investigation and includes all evidence directly related to the allegation(s).
- The investigator(s) or appropriate Title IX coordinator, deputy Title IX coordinator, or designee sends the parties and their respective advisors the *Investigation Report* in electronic format or hard copy and gives them 10 College District business days to inspect, review, and respond to the document prior to finalizing it.
- The investigator(s) finalizes the *Investigation Report* at least 10 College District business days prior to the Live Hearing.
- The investigator(s) or appropriate Title IX coordinator, deputy Title IX coordinator, or designee notifies the parties and their respective advisors simultaneously in writing of the final *Investigation Report* and sends a copy of the document to them in electronic format or hard copy.

Live Hearing

- The investigation is followed by a Live Hearing.
- If a party is unable to obtain an advisor, the appropriate Title IX coordinator, deputy Title IX coordinator, or designee assigns an appropriate advisor to the party for the purpose of conducting cross-examination for the party during the Live Hearing.
- The appropriate Title IX coordinator, deputy Title IX coordinator, or designee notifies the parties and their respective advisors simultaneously in writing of the date, time, and place of the Live Hearing.
- Specific procedures for the Live Hearing, including time limits for statements, rebuttal, and cross-examination, will be provided to the parties and their respective advisors prior to the Live Hearing.
- The appropriate Title IX coordinator, deputy Title IX coordinator, or designee assigns an individual(s) from the pool of live hearing officers to conduct the Live Hearing.
- The live hearing officer(s) deliberates on the evidence, determines responsibility using the preponderance of the evidence standard (i.e., more likely than not to have occurred), and composes a *Written Determination of Responsibility.*

Appeal

- Either the complainant or respondent may appeal the live hearing officer(s)'s determination within 10 College District business days on the following grounds: 1. procedural irregularity that affected the outcome, 2. new evidence not reasonably available that could affect the outcome, and/or 3. conflict of interest or bias by Collin College's participants that affected the outcome.
- The appropriate Title IX coordinator, deputy Title IX coordinator, or designee notifies the non-appealing party the other party has appealed and allows them to submit a written statement in response.
- The appropriate Title IX coordinator, deputy Title IX coordinator, or designee assigns the appropriate vice president or designee to serve as the appeal decision maker.
- The appropriate vice president or designee deliberates on the evidence, makes a determination using the preponderance of the evidence standard (i.e., more likely than not to have occurred), and composes an *Appeal Determination.*
- The appropriate vice president or designee's determination is final and non-appealable except when Expulsion of a student or Termination of an employee is recommended.

Expulsion and Termination Appeals

- In cases where Expulsion of a student or Termination of an employee is recommended, either party may appeal by submitting a written request to the appropriate Title IX coordinator, deputy Title IX coordinator, or designee within 10 College District business days of the appeal decision maker's determination.
- The appropriate Title IX coordinator, deputy Title IX coordinator, or designee notifies the non-appealing party the other party has appealed and allows them to submit a written statement in response.
- The appropriate Title IX coordinator, deputy Title IX coordinator, or designee forwards all information regarding the case to the College District president or designee.
- The College District president or designee deliberates on the evidence and makes a determination to affirm, modify, remand, or reverse the recommendation for Expulsion or Termination.
- The College District president or designee's decision is final and non-appealable.

Section 7: Information for Collin College Employees

Child Abuse and Neglect Reporting

Board policies DHB (LEGAL) and DHB (LOCAL) are associated with this section.

Reporting

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.

As defined in state law, child abuse and neglect include both sex and labor trafficking of a child. For purposes of this policy, the term "child" is defined in state law as a person younger than 17 years of age.

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 24 hours after the professional first has reasonable cause to believe the abuse or neglect has occurred or may be occurring.

A "professional" is anyone licensed or certified by the state who has direct contact with children in the normal course of duties for which the individual is licensed or certified.

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.

Oral Reports

As required by law, an oral report made to the Texas Department of Family and Protective Services (DFPS) is recorded.

Making a Report

Reports may be made to any of the following:

1. A law enforcement agency, as defined by law;
2. The Child Protective Services (CPS) division of DFPS at 800.252.5400 or the Texas Abuse Hotline Website;
3. A local CPS office; or
4. If applicable, the state agency operating, licensing, certifying, or registering the facility in which the suspected abuse or neglect occurred.

However, if the suspected abuse or neglect involves a person responsible for the care, custody, or welfare of the child, the report must be made to DFPS, unless the report is to the state agency that operates, licenses, certifies, or registers the facility where the suspected abuse or neglect took place; or the report is to the Texas Juvenile Justice Department as a report of suspected abuse or neglect in a juvenile justice program or facility.

An individual does not fulfill the person's responsibilities under the law by only reporting suspicion of abuse or neglect to the College District President or another Collin College staff member. Collin College will not require an employee to first report the employee's suspicion to a Collin College or campus administrator.

In accordance with law, an individual must provide the individual's name and telephone number. If the individual making the report is a professional, as defined by law, the individual must also provide the individual's business address and profession, such as title.

Confidentiality

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.

Immunity

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.

Failure to Report

By failing to report suspicion of child abuse or neglect, an employee:

1. May be placing a child at risk of continued abuse or neglect;
2. Violates the law and may be subject to legal penalties, including criminal sanctions for knowingly failing to make a required report; and
3. Violates Board policy and may be subject to disciplinary action, including possible termination of employment.

It is a criminal offense to coerce someone into suppressing or failing to report child abuse or neglect.

Responsibilities Regarding Investigations

In accordance with law, Collin College officials will be prohibited from:

1. Denying an investigator's request to interview a child on campus in connection with an investigation of child abuse or neglect;
2. Requiring a parent or Collin College employee be present during the interview; or
3. Coercing someone into suppressing or failing to report child abuse or neglect.

Collin College personnel will cooperate fully and without parental consent with an investigation of reported child abuse or neglect.

Adverse Employment Action Prohibited

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.

Training

Collin College will provide training to employees as required by law. Training will address reporting requirements and techniques to prevent and recognize sexual abuse, trafficking, and all other maltreatment of children.

Employee Mandatory Reporting Under State Law

Note: Submitting a Mandatory Reporting Form for Incidents of Dating Violence, Domestic Violence, Sexual Assault, Sexual Harassment, and Stalking does not constitute filing a formal complaint for the purposes of initiating the Title IX complaint resolution process. To initiate the Title IX complaint resolution process, the complainant must submit a formal complaint to the appropriate Title IX coordinator or deputy Title IX coordinator, as outlined in the Reporting to the Appropriate Title IX Coordinator or Deputy Title IX Coordinator section in this handbook.

In accordance with the Texas Education Code Section 51.252, a Collin College employee who, in the course and scope of employment, witnesses or receives information regarding the occurrence of an incident that the employee reasonably believes constitutes dating violence, sexual assault, sexual harassment, or stalking as defined in this policy, and 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, will promptly report the incident to Collin College's Title IX coordinator or deputy Title IX coordinator. The report must include all information concerning the incident known to the reporting person that is relevant to the investigation and, if applicable, redress of the incident, including whether an alleged victim has expressed a desire for confidentiality in reporting the incident.

In accordance with the Texas Education Code Section 51.252, an employee who is designated by Collin College as a person with whom students may speak confidentially concerning dating violence, sexual assault, sexual harassment, or stalking as defined in this policy, or who receives information regarding such an incident under circumstances that render the employee's communications confidential or privileged under other law will, in making a report under this section, state only the type of incident reported and may not include any information that would violate a student's expectation of privacy. This requirement does not affect the employee's duty to report an incident under any other law.

Peace Officer

A Collin College peace officer who receives information regarding an incident from an alleged victim who chooses to complete a pseudonym form as described by law will, in making a report, state only the type of incident reported and may not include the victim's name, phone number, address, or other information that may directly or indirectly reveal the victim's identity.

Exceptions

A Collin College employee is not required to make a report concerning:

1. An incident in which the employee was a victim of dating violence, sexual assault, sexual harassment, or stalking; or
2. An incident in which the employee received information due to a disclosure made at a dating violence, sexual assault, sexual harassment, or stalking public awareness event sponsored by Collin College or by a student organization affiliated with Collin College.

Mandatory Reporting Form

Collin College employees should complete and submit the online Mandatory Reporting Form for Incidents of Dating Violence, Domestic Violence, Sexual Assault, Sexual Harassment, and Stalking to promptly report the incident to Collin College's Title IX coordinator or deputy Title IX coordinator. To access the online form, follow the instructions below.

1. Log in to OneLogin with your Collin College username and password.
2. Click on the "Collin College: Everything" tab, and then click on the "Guardian" tile.
3. Click on the blue "New Incident" button, and then select "Mandatory Reporting Form for Incidents of Dating Violence, Domestic Violence, Sexual Assault, Sexual Harassment, and Stalking" under the "Report Type" field.

Title IX Complaints Against an Employee

All complaints of dating violence, domestic violence, gender-based harassment, retaliation, sex discrimination, sexual assault, sexual harassment, and stalking in which a Collin College employee is the respondent will be

investigated and resolved in accordance with the procedures outlined in Section 5: Informal Resolution Process and Section 6: Formal Resolution Process in this handbook.

Training for Collin College Employees Involved in the Title IX Complaint Resolution Process

At a minimum, all Collin College employees involved in the Title IX complaint resolution process (i.e., Title IX coordinators, deputy Title IX coordinators, investigators, informal resolution facilitators, removal challenge officers, live hearing advisors, live hearing officers, and appeal decision-makers) will receive annual training on issues related to dating violence, domestic violence, gender-based harassment, retaliation, sex discrimination, sexual assault, sexual harassment, and stalking as well as how to conduct an investigation that protects victim safety and promotes accountability. In accordance with the Texas Education Code Section 51.3525, all training will be approved in writing by Collin College's general counsel and the Texas Higher Education Coordinating Board (THECB). Annual training will include, but is not limited to, information on the following topics:

1. Applicable laws, regulations, and federal regulatory guidance, including updates to and new local, state, and federal regulations.
2. The scope of Collin College's equal opportunity, civil rights, and sexual harassment policies.
3. The definitions of dating violence, domestic violence, gender-based harassment, retaliation, sex discrimination, sexual assault, sexual harassment, and stalking.
4. Collin College's and the State of Texas' definitions of consent to sexual activity.
5. Treating complainants and respondents with fairness and equity while upholding their due process rights.
6. Recognizing and preventing implicit bias.
7. Avoiding actual and perceived conflicts of interest.
8. Impartiality and objectivity.
9. Disparate treatment and its impact.
10. Reporting, confidentiality, and privacy requirements.
11. Providing appropriate advocacy and interim measures while maintaining confidentiality.
12. Basic procedural rules for conducting an investigation.
13. Relevant evidence and how it should be used during an investigation.
14. Proper techniques for questioning complainants, respondents, and witnesses.
15. Conducting thorough, reliable, impartial, and trauma-informed investigations, hearings, and informal resolution processes that protect the safety of complainants and respondents while promoting accountability.
16. Determining relevance of questions, weighing evidence, and assessing credibility.
17. Creating an informal resolution agreement that is non-punitive and contains acceptable terms for both the complainant and respondent.
18. Creating an investigation report that fairly summarizes relevant evidence.
19. Use of technology during the Live Hearing phase of the Title IX Formal Resolution Process.
20. Rendering findings and generating clear, concise, and evidence-based rationales.
21. Determining appropriate disciplinary sanctions to be imposed on respondents.
22. Implementing appropriate and situation-specific remedies for complainants.
23. Conducting appeals.

All Collin College employees involved in the Title IX complaint resolution process are required to attend the annual training. Additionally, supplemental training sessions are offered to these employees throughout each calendar year. The materials used to train all Collin College employees involved in the Title IX complaint resolution process are available on the Title IX Training Materials website.

Section 8: Additional Information

Records Retention

Retention of records will be in accordance with Collin College's records retention procedures. For more information, see Board policies CIA (LEGAL) and CIA (LOCAL).

Records of formal complaint resolutions and informal resolutions will be retained by Collin College for a period of seven (7) calendar years (i.e., January 1 through December 31). In the event a Collin College employee is terminated or a student is subject to a four (4) calendar year extended suspension or expulsion, the formal complaint resolution records will be kept permanently.

Collin College will retain all materials used to train institutional participants in the various phases of the Title IX complaint resolution process, including the Title IX coordinators, deputy Title IX coordinators, investigators, informal resolution facilitators, removal challenge officers, appeal decision makers, and College District President for a period of seven (7) calendar years (i.e., January 1 through December 31). All materials utilized to train these individuals will be available on the Title IX Training Materials website on Collin College's website, in accordance with applicable federal Title IX regulation requirements.

In instances where Collin College receives a report of prohibited conduct but a formal complaint is not filed, Collin College will maintain a record of all actions taken, including supportive measures, for a period of seven (7) calendar years (i.e., January 1 through December 31). In these instances, Collin College will include a written rationale explaining why a formal complaint was not filed.

Access to Policy, Procedures, and Related Materials

Information regarding this policy and any accompanying procedures, as well as relevant educational and resource materials concerning the topics discussed in this policy, will be distributed annually to Collin College employees and students in compliance with the law and in a manner calculated to provide easy access and wide distribution, such as through electronic distribution and inclusion in the employee and student handbooks and other major Collin College publications. Information regarding the policy, procedures, and related materials will also be prominently published on Collin College's website, taking into account applicable legal requirements. Copies of the policy and procedures will be readily available at Collin College's administrative offices and will be distributed to a student or employee who makes a report.

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