Sexual Assault, Dating Violence, Domestic Violence & Stalking at TCCD

Prevention, Awareness & How the Violence Against Women Act Protects Employees and Students

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Yes, it is called the "Violence Against Women Act," yet people who identify as non-binary and people of all genders are protected under this federal legislation!

People of all genders can be perpetrators, too.

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Introduction

This guide is intended to help explain Tarrant County College's (TCC) responsibility under Title IX and the Violence Against Women Act (VAWA). Additionally, this guide will:

- Provide you with specific resources available both on and off campus
- Provide you with details on available supportive measures
- Educate you on your right to an advisor and how they can assist you throughout the process
- Inform you of policy definitions that describe prohibited conduct
- Inform you of possible sanctions for policy violations
- Provide you with common questions and answers asked by parties (Complainants and Respondents)

If You Have Experienced Sexual Misconduct

If you are off campus and experiencing an emergency, you can call local police by dialing 911. You may also call the local police department's non-emergency line at [817-392-4390].

1. Go to a safe location as soon as you are able.
2. Seek immediate medical attention if you are injured, believe you may have been exposed to the risk of an STI/STD, or pregnancy.
3. Contact any of the following for immediate assistance on campus:
    a. Title IX Coordinator at 817-515-5234 Regular business hours, M-F.
    b. Campus Safety/University Police, at 817-515-8911. 24 hours/7 days a week
    c. Campus Health Services, at Contact Health Services. Regular business hours, M-F.
        - Northeast Campus – 817-515-6222
        - Northwest Campus – 817-515-7672
        - South Campus – 817-515-4531
        - Southeast Campus – 817-515-3591
        - Trinity River Campus – 817-515-1059
    d. Counseling Center, at Contact Counseling Services. Regular business hours, M-F
        - Northeast Campus – 817-515-6661
        - Northwest Campus – 817-515-7788
        - South Campus – 817-515-4558
        - Southeast Campus – 817-515-3590
        - Trinity River Campus – 817-515-1055
    e. National Sexual Assault Hotline, at 800-656-4619.
    f. Women's Resource Center of Tarrant County, at 817-927-2727 or 817- 927-4000
    g. Victim Assistance Coordinator, at 817-515-8911. 24 hours/7 days a week
    h. Employee Assistance Program, at 800-343-3822.
4. Medical Attention: Evidence collection should be completed within approximately 120 hours of an assault, but fluids, hair samples and DNA can be collected for a long time thereafter. Even if you have washed or bathed, evidence can often still be obtained. After 120 hours, it may still be helpful to have medical attention, even if you are not trying to obtain evidence of an assault. Sexual assault nurse examiners are trained in the collection of forensic evidence and can check for injuries and exposure to sexually transmitted infections and diseases. If you are still wearing any clothes worn during the incident, wear them to the hospital, but bring a change of clothes, as the hospital will keep the clothes you are wearing as evidence. If you have changed clothes, bring the ones you were wearing during the incident to the hospital in a clean paper (not plastic) bag or wrapped in a clean bed sheet. Leave sheets/towels at the scene of the incident. Police will collect them. Typically, police will be called to the hospital to take custody of the forensic kit, but it is up to you whether you wish to speak with them or file a criminal complaint.
    a. Campus Health Services, at Contact Health Services. Regular business hours, M-F.
        - Northeast Campus – 817-515-6222
        - Northwest Campus – 817-515-7672
        - South Campus – 817-515-4531
        - Southeast Campus – 817-515-3591
        - Trinity River Campus – 817-515-1059
    b. John Peter Smith Hospital, at 817-702-1110.
    c. Texas Health Harris Methodist Hospital, at 817-250-2000.

Choose how to proceed. You have options. You can: (1) do nothing until you are ready, (2) pursue resolution by Tarrant County College, and/or (3) initiate criminal proceedings, and/or 4) initiate a civil process against the perpetrator. You may pursue whichever combination of options is best for you. If you pursue resolution by Tarrant County College, your options may include a formal response, informal resolution, and/or supportive measures. If you wish to have an incident investigated and resolved by Tarrant County College, students and employees should contact the Title IX Coordinator. Tarrant County College's procedures will be explained and are summarized below. Those who wish incidents to be handled criminally should contact Tarrant County College's campus police or the City of Fort Worth Police Department and have the right to be assisted by the College in doing so.

Confidentiality

To make informed choices, all parties should be aware of confidentiality and privacy considerations, as well as institutional mandatory reporting requirements.

Confidential Reporting: If a Complainant wishes to keep the details of an incident confidential, they should speak with campus mental health counselors and/or health service providers. Campus counselors are available to help on an emergency basis. Their service is free of charge. Local resources such as crisis centers are also confidential and have no duty to report disclosed information to Tarrant County College.

Confidential Resources:

- Northeast Campus – 817-515-6661
- Northwest Campus – 817-515-7788
- South Campus – 817-515-4558
- Southeast Campus – 817-515-3590
- Trinity River Campus – 817-515-1055

Mandated Reporting: All employees not designated as confidential above are mandated reporters. This means they are required to share information that you have disclosed to them with the Title IX Coordinator, though that does not obligate you to any formal involvement. The Title IX Coordinator will simply reach out to you to offer support and the opportunity to file a formal complaint.

Officials with Authority (OWAs): The District Title IX Office has been designated as Officials with Authority to institute supportive measures and provide notice to the Title IX Coordinator. Giving an OWA notice of an incident will result in the offering of supportive measures and options for formal and informal resolution. If a formal complaint is filed with an OWA or the Title IX Coordinator, such incidents will be investigated and resolved in a prompt and equitable manner under the Tarrant County College resolution procedures, which are discussed later within this brochure.

You may request that the Title IX Coordinator (or designee) provide you with supportive measures and resources without initiating a formal resolution process. If you wish to pursue a formal resolution process, the Title IX Coordinator will be unable to honor any request for confidentiality. The Respondent must be provided sufficient information, including the identity of the Complainant, to allow them to appropriately respond.

If Tarrant County College decides it is obligated to pursue formal resolution based on the notice you have given, the Title IX Coordinator can initiate a complaint. You are not obligated to participate in the resolution process as Complainant, or you could participate as a witness, instead. Regardless of whether you participate, you will have all the rights to which a Complainant is entitled, if you want them. The ability of Tarrant County College to enforce its policies may be limited if you decide not to participate at all.

Duties with respect to minors (those under age 18) may require reporting to state agencies and/or local law enforcement. As a result, confidentiality cannot be guaranteed.

Officials with Authority

- Northeast Campus – 817-515-6661
- Northeast & Northwest – 817-515-5216; or 817-515-5245
- South & Southeast – 817-515-5213; or 817-515-5208
- Trinity River & Connect – 817-515-5206
- District – 817-515-5041; or 817-515-5234

Sexual Miscoduct: Risk Reduction for Intimate Partner Violence, Stalking, Sexual Harassment, and Sexual Assault

While victim-blaming is never appropriate and Tarrant County College fully recognizes that only those who commit sexual offenses are responsible for their actions, Tarrant County College provides the suggestions that follow to help members of the campus community reduce their risk of being victimized and their risk of committing sexual offenses.

Reducing The Risk Of Victimization

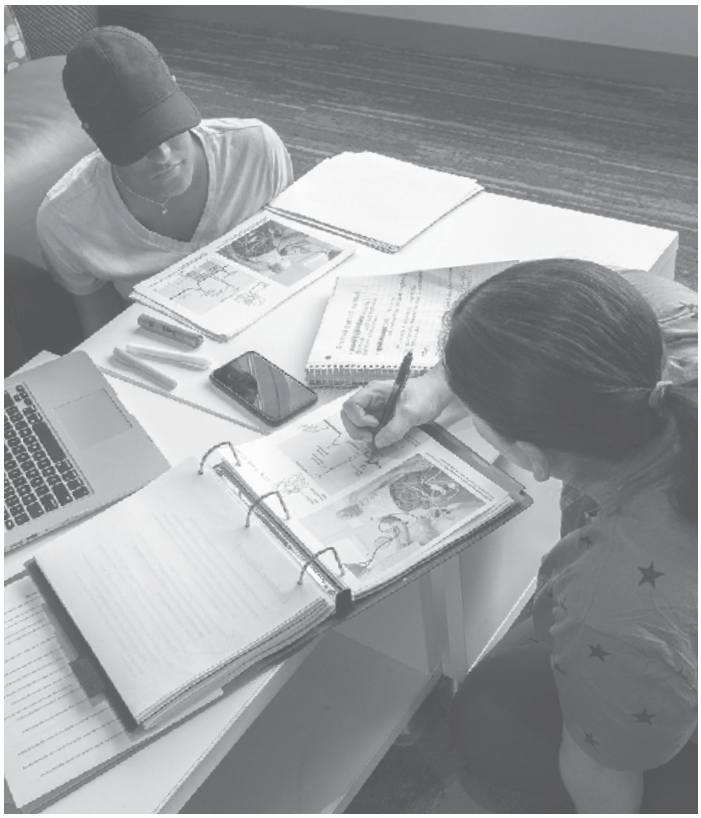
- Make any limits and/or boundaries you may have known as early as possible.
- Tell a sexual aggressor "no," as clearly and firmly as possible.
- Remove yourself, if possible, from an aggressor's physical presence.
- Reach out for help, either from someone who is physically nearby or by calling someone.
- Bystanders around you may be waiting for a signal that you need help.
- Take affirmative responsibility for your alcohol and/or drug consumption, understanding that alcohol and drugs can increase your vulnerability to sexual victimization.
- Look out for your friends and ask them to look out for you. Respect them, and ask them to respect you, but be willing to challenge each other about high-risk choices.

Reducing the Risk of Being Accused of a Sex Offense

- Show your potential partner respect if you are in a position of initiating sexual behavior.
- If they say "no," accept it and don't push. If you want a yes, ask for it, and don't proceed without clear permission.
- Communicate your intentions to your potential sexual partner clearly and give that person a chance to share their intentions and/or boundaries with you.
- Respect personal boundaries. If you are unsure what's okay in any interaction, ask.
- Avoid ambiguity. Just ask. Don't make assumptions about consent, about whether someone is attracted to you, how far you can go with that person, or if the individual is physically and mentally able to consent. If you have questions or are unclear, you don't have consent.
- Don't take advantage of the fact that someone may be under the influence of drugs or alcohol, even if that person chose to become that way. Their loss of control does not put you in control.
- Be on the lookout for mixed messages. That should be a clear indication to stop and talk about what your potential partner wants or doesn't want to happen. They may be undecided about how far to go with you, or you may have misread a previous signal.
- Respect the timeline for sexual behaviors with which others are comfortable and understand that everyone is entitled to change their minds.
- Recognize that even if you don't think you are intimidating in any way, your potential partner may be intimidated by or fearful of you, perhaps because of your sex, physical size, or a position of power or authority you may hold.
- Do not assume that someone's silence or passivity is an indication of consent. Pay attention to both verbal and non-verbal signals to avoid misreading intentions.
- Understand that consent to one type of sexual behavior does not automatically grant you consent to other types of sexual behaviors. If you are unsure, stop and ask.
- If your partner indicates a need to stop, or withdraws consent, respect them. Immediately.
- If you've had consent with your partner previously, still check in with them. Just because something was okay with them before doesn't mean it will be okay in the future.

When Does Title IX Apply?

- Title IX only applies when Tarrant County College has jurisdiction over the complaint. This happens when the Complainant is participating in (or attempting to participate) in a Tarrant County College educational program or activity, AND the Respondent is a student or employee of Tarrant County College, AND the behavior occurred within Tarrant County College's control in the United States (meaning not on private property, outside the scope of the educational program, etc.).
- If it is unclear whether Title IX applies to your situation, contact the Title IX Coordinator for additional assistance. If Title IX does not apply to your situation, the conduct may still be addressable under other Tarrant County College policies. You may report all complaints online via the *Title IX Incident Report* form.



A Brief History Of VAWA

The Violence Against Women Act §304.
VAWA was originally enacted in 1994 to address concerns with violent crimes and violence against women. The goals of VAWA are to prevent violent crimes, respond to the needs of crime victims, learn more about crime, and change public attitudes through a collaborative effort made by a variety of organizations and systems. In 2013, President Obama signed the Violence Against Women Reauthorization Act, which, among many provisions, amended sections of the 1990 Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act).

To summarize, the major relevant provisions of VAWA are:

- A requirement for institutions to maintain statistics about the number of incidents of dating violence, domestic violence, sexual assault, and stalking that meet the specific definition of those terms.
- Requirement for institutions to provide primary prevention programs to incoming students and new employees that must include: a statement that the institution prohibits the crimes of dating and domestic violence, sexual assault, and stalking; the definition of consent in reference to sexual activity; a description of safe and positive options for bystander intervention; information on risk reduction; and information on the institution's policies and procedures after a sex offense occurs; and an obligation to describe all of these within the *Tarrant County College's Annual Security Report*.
- A requirement to provide ongoing prevention and awareness campaigns for students and employees and to describe these in the annual security report.

- A requirement to describe each type of disciplinary proceeding used by the institution; the steps, anticipated timelines, and decision-making process for each type of disciplinary proceeding that includes how to file a disciplinary complaint, and how the institution determines which type of proceeding to use based on the circumstances of an allegation of dating violence, domestic violence, sexual assault, or stalking.
- A requirement for institutions to describe the range of protective (supportive) measures that the institution may offer.
- A requirement for institutions to provide a prompt, fair, and impartial disciplinary proceeding in which: officials are appropriately trained and do not have a conflict of interest or bias for or against any party; the Complainant and Respondent have equal opportunities to have others present, including an Advisor of their choice; the Complainant and Respondent receive simultaneous notification, in writing, of the results of the hearing and any available appeal procedures; the procedures completed in a reasonable prompt timeframe; the Complainant and Respondent are given timely notice of meetings at which one or the other or both may be present; and the Complainant and the Respondent and their Advisors are given timely and equal access to information that will be used during formal and informal disciplinary meetings and hearings.
- There are a lot of similarities between Title IX and VAWA compliance. Ultimately, both ensure Complainants and Respondents have a full understanding of their rights, the institution's responsibilities, and transparency with navigating the institution's process for resolving reported sex offenses.

The Violence Against Women Act (VAWA) creates and supports comprehensive, cost-effective responses to domestic violence, sexual assault, dating violence and stalking.

Up for renewal every five years, each VAWA reauthorization builds on existing protections and programs to better meet survivor's needs.

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Policy Terminology and Sex Offense Definitions

There is certain terminology used in both the policy and procedures that are important for you to know. Additionally, members of the Title IX team will use these terms in their written and verbal communication. Below is a chart of the most common terminology used and its definition:

Actual Knowledge	Notice of sexual harassment or allegations of sexual harassment to the Tarrant County College's Title IX Coordinator or any official of the College who has the authority to institute corrective measure on behalf of the College.
Complainant	An individual who is alleged to be the victim of conduct that could constitute sexual harassment.
Formal Complaint	A document filed by a Complainant or signed by the Title IX Coordinator alleging sexual harassment against a Respondent and requesting that Tarrant County College investigate the allegations of sexual harassment.
Respondent	An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.
Supportive Measures	Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a formal complaint or where no formal complaint has been filed.
Advisor	A person chosen by a party or appointed by the institution to accompany the party to meetings related to the resolution process, to advise the party on that process, and to conduct questioning for the party at the hearing, if any.
Confidential Resource	An employee who is not a Mandated Reporter of notice of harassment, discrimination, and/or retaliation.
Decision-Maker	The person, panel, and/or Chair who hears evidence, determines relevance, and makes the final determination of whether the policy has been violated.

Investigator	The person or persons designated by Tarrant County College to gather facts about an alleged violation of the policy, assess relevance and credibility, synthesize the evidence, and compile this information into an investigation report of relevant evidence and a file of directly related evidence.
Mandated Reporter	An employee of Tarrant County College who is obligated by policy to share knowledge, notice, and/or reports of harassment, discrimination, and/or retaliation with the Title IX Coordinator
Notice	When an employee, student, or third-party informs the Title IX Coordinator or other Official with Authority of the alleged occurrence of harassing, discriminatory, and/or retaliatory conduct.
Official with Authority (OWA)	An employee of Tarrant County College explicitly vested with the responsibility to implement corrective measures for harassment discrimination, and/or retaliation on behalf of the College.
Parties	The Complainant(s) and Respondent(s), collectively

The Tarrant County College Freedom from Discrimination, Harassment, and Retaliation Sex and Sexual Violence policy is intended to define expectations for appropriate conduct and outline resolution processes to address conduct that does not meet these expectations. *You can review the College's full policy here.*

Sex offenses, including but not limited to, sexual harassment, sexual assault, domestic violence, dating violence, and/or stalking are violations of Tarrant County College's Student handbook and its Freedom from Discrimination, Harassment, and Retaliation Sex and Sexual Violence policy. A number of federal laws and regulations, including Title IX, VAWA, and the Clery Act, mandate how institutions of higher education must respond to sex offenses. Many types of sex offenses also constitute violations of Texas law.

Members of the campus community, guests, and visitors have a right to be free from sexual offenses and to be protected by Tarrant County College's policy regardless of sex, sexual orientation, gender identity, or gender expression. All members of the campus community must conduct themselves in a way that does not infringe upon the rights of others. When individuals are found to have violated policy, the College may impose sanctions, as noted in the Sanctions section of this document.

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Sex Offense Definitions

The following are the definitions of conduct prohibited by the Tarrant County College *Freedom from Discrimination, Harassment, and Retaliation Sex and Sexual Violence* policy:

Sexual Harassment:

Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

- An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to a TCCD education program or activity; or
- "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

Sexual Assault, defined as:

An offense that meets the definition of rape, fondling, incest, or statutory rape:

- Rape: the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.

Dating Violence, defined as:

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Domestic Violence, defined as:

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship

- is a current or former spouse or intimate partner of the victim, or person similarly situated to a spouse of the victim;
- is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;
- shares a child in common with the victim; or
- commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction

Stalking, defined as:

A course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial emotional distress. For the purposes of this definition:

- Course of conduct means two 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.

- Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Sexual Harassment Procedures

Tarrant County College treats Complainants and Respondents equitably by providing remedies to a Complainant when a determination of responsibility for sexual harassment has been made against the Respondent and by following a grievance process that complies with the Title IX regulations and VAWA.

Major Steps in the Title IX Resolution Process:

STEP ONE: INTAKE

The Title IX Coordinator (or designee) may assist the Complainant with understanding the policy and procedures, their options, and accessing resources. Assuming the Complainant chooses to file and complaint and move forward with a formal or informal resolution process, the next step is an Initial Assessment.

All resolutions will be conducted by officials who receive annual training on issues related to sexual harassment, which includes domestic violence, dating violence, sexual assault, and stalking. The Title IX Coordinator, Investigators, Decision-makers, and any person who facilitates an informal resolution process are required to be trained on: the definitions of sexual harassment; the scope of Tarrant County College's education program or activity; how to conduct an investigation and grievance process that includes hearings, appeals, and informal resolution processes, as applicable; and serving impartially, including by avoiding prejudgment of the facts at issue, identifying conflicts of interest, and bias.

The Tarrant County College resolution process is confidential. The institution will protect the confidentiality of parties throughout the resolution process, consistent with the provisions of state and federal law.

STEP TWO: INITIAL ASSESSMENT

An initial assessment of the allegations is made by the Title IX Coordinator to determine appropriate jurisdiction and applicable policies/procedures. Under the federal Title IX regulations, the Title IX Coordinator is required to dismiss any formal complaint if one or more of the following is true:

- The alleged conduct would not constitute sexual harassment as defined within the Sexual Harassment policy, even if proved;
- The alleged conduct did not occur in Tarrant County College's education program or activity;
- The alleged conduct did not occur against a person in the United States; or
- The Complainant is not participating or attempting to participate in a Tarrant County College education program or activity at the time of filing the complaint.

Additionally, the Title IX Coordinator may dismiss any formal complaint if one or more of the following is true:

- At any time during the investigation or hearing a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal Complainant or any allegations therein;
- The Respondent is no longer enrolled or employed by Tarrant County College; or
- Specific circumstances prevent the College from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon a dismissal required or permitted under the federal Title IX regulations, the Title IX Coordinator

will promptly send written notice of the dismissal and the rationale to the parties simultaneously. The parties (meaning the Complainant and Respondent) will have an opportunity to appeal this decision by following the appeal procedures located in the *Freedom from Discrimination, Harassment, and Retaliation Sex and Sexual Violence regulation*.

If a dismissal occurs, the Title IX Coordinator may refer or reinstate the allegations for resolution under an alternative campus process, if appropriate.

STEP THREE: INVESTIGATION

Trained campus or external Investigators will conduct an investigation that is prompt, thorough, reliable, equitable, fair, and impartial. They will interview the parties and witnesses and prepare a report. Your Advisor can accompany you to all interviews. As part of the investigation, parties and their Advisors will be provided access to all relevant and directly related evidence collected and will be given an opportunity to review and comment upon it.

STEP FOUR: HEARING

The Tarrant County College resolution process provides for a neutral and independent Decision-maker. The Decision-maker(s) will have the opportunity to question Investigators, parties, and witnesses during a hearing. The parties may make opening and closing statements. During the hearing, parties' Advisors will have the opportunity to question the other party and witnesses.

Standard of Evidence: Tarrant County College uses a preponderance of evidence standard. This means that Decision-makers consider whether, given the available relevant, credible evidence, it is more likely than not that a violation occurred.

STEP FIVE: FINAL DETERMINATION

The parties will be informed of the outcome of Tarrant County College's resolution of a complaint in writing, without significant delay between the notifications to each party. This notice will include the final determination, any sanctions imposed, a rationale for the final determination and any sanctions, the institution's procedures for the parties to appeal, any change to the results that occurs prior to the time that such results become final, and when the College considers those results to be final.

STEP SIX: APPEAL

All parties involved in sexual harassment proceedings may appeal a decision within five business days on the basis of grounds permitted by Tarrant County College policy. All parties are included in any appeal reconsideration and have equal rights of participation. All appeals are conducted by written exchange of materials. There is only one level of appeal for the determination of responsibility. That decision is final.

TIMELINES FOR RESOLUTION

Tarrant County College is committed to resolving complaints within a reasonably prompt timeframe. The College's policy and procedures contained in its Regulation detail this timeline more specifically. Tarrant County College's process allows for the temporary delay of the grievance process or limited extensions of time frames for good cause with written notice to the Complainant and the Respondent. This notification will include specifics of the delay or extension with a detailed reason for the action. Contact the Title IX Coordinator if you need a delay in the process, or an extension for an aspect of the process.

INFORMAL RESOLUTION PROCESS

To initiate an informal resolution process, a Complainant must submit a formal complaint first. After submission of the formal complaint, the Title IX Coordinator will provide additional information if an informal resolution is an option. Parties who wish to initiate an informal resolution process should contact the Title IX Coordinator.

All parties must agree, in writing, to initiate an informal resolution process. The parties may agree as a condition of engaging in informal resolution that statements made or evidence shared during the informal resolution process will not be considered in the formal grievance process unless all parties consent.

It is not necessary to pursue informal resolution first to pursue a formal grievance process, and any party participating in informal resolution can stop the process at any time and begin or resume the formal grievance process.

RIGHTS OF COMPLAINANTS AND RESPONDENTS

- The right to an equitable investigation and resolution of all credible allegations of prohibited harassment, discrimination, and/or retaliation made in good faith to Tarrant County College officials.
- The right to timely written notice of all alleged violations, including the identity of the parties involved (if known), the precise misconduct being alleged, the date and location of the alleged misconduct (if known), the implicated policies and procedures, and possible sanctions.
- The right to timely written notice of any material adjustments to the allegations (e.g., additional incidents or allegations, additional Complainants, unsubstantiated allegations) and any attendant adjustments needed to clarify potentially implicated policy violations.
- The right to be informed in advance of any public release of information by Tarrant County College regarding the allegation(s) or underlying incident(s), whenever possible.
- The right not to have any personally identifiable information released by Tarrant County College to the public without consent provided, except to the extent permitted by law.
- The right to be treated with respect by Tarrant County College officials.
- The right to have Tarrant County College policy and procedures followed without material deviation.
- The right not to be pressured to mediate or otherwise informally resolve any reported misconduct involving violence, including sexual violence.
- The right not to be discouraged by Tarrant County College officials from reporting sexual harassment, discrimination, and/or retaliation to both on-campus and off-campus authorities.
- The right to be informed by Tarrant County College officials of options to notify proper law enforcement authorities, including on-campus and local police, and the option(s) to be assisted by the College in notifying such authorities, if the party so chooses. This also includes the right not to be pressured to report.
- The right to have allegations of violations of Tarrant County College policy responded to promptly and with sensitivity by Tarrant County College law enforcement and/or other Tarrant County College officials.
- The right to be informed of available supportive measures, such as counseling; advocacy; health care; student financial aid; visa, and immigration assistance; and/or other services, both on campus and in the community.
- The right to a Tarrant County College-implemented no-contact order or a no-trespass order against a nonaffiliated third party when a person has engaged in or threatens to engage in stalking, threatening, harassing, or other improper conduct.
- The right to be informed of available assistance in changing academic, and/or working situations after an alleged incident of discrimination, harassment, and/or retaliation, if such changes are reasonably available. No formal report, or investigation, either campus or criminal, needs to occur before this option is available.
- The right to have Tarrant County College maintain such actions for as long as necessary and for supportive measures to remain confidential, provided confidentiality does not impair Tarrant County College's ability to provide the supportive measures.

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- The right to have the Investigator(s), Advisors, and/or Decision-maker(s) identify and question relevant available witnesses, including expert witnesses.
- The right to provide the Investigator(s)/ Decision-maker(s) with a list of questions that, if deemed relevant, may be asked of any party or witness.
- The right to have inadmissible prior sexual predisposition/history or irrelevant character evidence excluded by the Decision-maker.
- The right to know the relevant and directly related evidence obtained and to respond to that evidence.
- The right to a fair opportunity to provide the Investigator(s) with their account of the alleged misconduct and have that account be on the record.
- The right to receive a copy of all relevant and directly related evidence obtained by the investigation, subject to privacy limitations imposed by state and federal law, and a ten (10) business day period to review and comment on the evidence.
- The right to receive a copy of the final investigation report, including all factual, policy, and/or credibility analyses performed, and to have at least ten (10) business days to review and comment on the report prior to the hearing.
- The right to be informed of the names of all witnesses whose information will be used to make a finding, in advance of that finding, when relevant.
- The right to regular updates on the status of the investigation and/or resolution.
- The right to have complaints addressed by Investigator(s), Title IX Coordinator(s), and Decisionmaker(s) who have received relevant annual training.
- The right to preservation of confidentiality/ privacy, as permitted by law.
- The right to petition that any Tarrant County College representative in the process be recused on the basis of disqualifying bias and/or conflict of interest.
- The right to have an Advisor of their choice to accompany and assist the party in all meetings and/or interviews associated with the resolution process.
- The right to the use of the appropriate standard of evidence, preponderance of the evidence, to make a finding after an objective evaluation of all relevant evidence.
- The right to be present, including presence via remote technology, during all testimony given and evidence presented during any formal grievance hearing.
- The right to have an impact statement considered by the Decision-maker(s) following a determination of responsibility for any allegation, but prior to sanctioning.
- The right to be promptly informed in a written Notice of Outcome letter of the finding(s) and sanction(s) of the resolution process (if any) and a detailed rationale of the decision delivered simultaneously (without undue delay) to the parties.
- The right to be informed in writing of when a decision by the institution is considered final and any changes to the final determination or sanction(s) that occur post Notification of Outcome.
- The right to be informed of the opportunity to appeal the finding(s) and sanction(s) of the resolution process, and the procedures for doing so in accordance with the standards for appeal.

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Sanctions and Remedies

There are several factors considered when determining a sanction. Sanctions are imposed and enforced when the Respondent has been found in violation of the Tarrant County College Freedom from Discrimination, Harassment, and Retaliation Sex and Sexual Violence policy. Some considerations for sanctioning include:

- The nature, severity of, and circumstances surrounding the violation(s);
- The Respondent's disciplinary history;
- The need for sanctions to bring an end to the discrimination, harassment, and/or retaliation;
- The need for sanctions to prevent future recurrence of discrimination, harassment, and/or retaliation;
- The need to remedy the effects of the discrimination, harassment, and/or retaliation on the Complainant and the community;
- The impact on the parties; and/or
- Any other information deemed relevant by the Decision-maker(s)

Sanctions are typically implemented as soon as feasible, either upon the outcome of any appeal or the expiration of the window to appeal without an appeal being requested.

Examples of student sanctions are:

- *Suspension:* Forced withdrawal from the College District for either a definite period of time or until stated conditions have been met. Normally, suspension shall extend through a minimum of one regular long semester (with summer sessions not counting in the one-semester minimum time lapse). However, suspension may exceed the one-semester minimum.
- *Expulsion:* Permanent separation of the respondent from the College.
- *Withholding Diploma:* The College District shall have the authority to block registration or withhold transcripts, grades, diplomas or other official records if the action is reasonably necessary to preserve the College District's ability to enforce disciplinary rules.
- *Other Actions:* In addition to or in place of the above sanctions, Tarrant County College may assign any other sanctions found in the *Student Handbook* as deemed appropriate.

Examples of employee sanctions are:

- Warning – Verbal or Written;
- Probation;
- Loss of merit or other raises;
- Reduction in salary;
- Reduction in rank with loss of salary;
- Revocation of tenure;
- Suspension with or without pay for a specific period of time;
- Termination; and/or
- Other corrective action(s) as deemed a ppropriate under the circumstances.

Long-term Remedies/Other actions

Following the conclusion of the resolution process, and in addition to any sanctions implemented, the Title IX Coordinator may implement additional long-term remedies or actions with respect to the parties and/or the campus community that are intended to stop the harassment, discrimination, and/or retaliation, remedy the effects, and prevent reoccurrence.

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