

## Local District Update

TO: Grayson College

FROM: Scott Rizzo  
Policy Specialist

For purposes of clarity and consistency with policy style, Community College Services reviews all Local District Updates and makes nonsubstantive edits to the material, as necessary.

Below are the changes to your board policy manual associated with Local District Update 2020.04.

<b>CODE</b>	<b>ACTION</b>
DIAA(LOCAL)	Revised
DIAB(LOCAL)	Revised
DJ(LOCAL)	Revised
FFDA(LOCAL)	Revised
FFDB(LOCAL)	Revised
FG(LOCAL)	Revised
FI(LOCAL)	Revised
FJ(LOCAL)	Revised
FKC(LOCAL)	Revised
FLA(LOCAL)	Revised
FMA(LOCAL)	Revised

Please note that Community College Services may separate member-submitted material into two or more Local District Updates to expedite processing. All updates will be sent as they are completed.

If you have any questions about this Local District Update or any other policy issue, please call me at 800-580-1488.

### **Additional Information**

**Policy On Line® subscribers.** Please check your online policy manual to ensure that the Local District Update is accurately reflected.

**Legal review.** Local District Updates may be subject to legal review by Community College Services. The college district may subsequently be contacted with any legal concerns regarding the material.

**Printing hard copies and recording adoption dates.** For each added or revised (LOCAL) policy, *adoption dates* must be recorded [see ADOPTED: at the bottom of the last page of a (LOCAL) policy] before incorporating it into the official policy manual. If only electronic notification of this Local District Update was received, make sure to print a copy of the revised or added (LOCAL) policy to complete this step.

**Historical record reminder.** Replaced or deleted material must be maintained in a historical file in accordance with law and your local records retention practices.

**Resources for policy administrators.** Find additional policy resources in the myTASB [Policy Service Resource Library](#)<sup>1</sup> and [TASB College eLaw](#).<sup>2</sup>

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<sup>1</sup> Policy Service Resource Library: [www.tasb.org/Services/Policy-Service/myTASB.aspx](http://www.tasb.org/Services/Policy-Service/myTASB.aspx)

<sup>2</sup> TASB College eLaw: [colleges.tasb.org/elaw](http://colleges.tasb.org/elaw)

FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION  
SEX AND SEXUAL VIOLENCE

DIAA  
(LOCAL)

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**Note:** This policy addresses complaints of sex and gender discrimination, sexual harassment, sexual violence, dating violence, domestic violence, stalking, and retaliation targeting employees. For additional legally referenced material relating to discrimination, harassment, and retaliation, see DAA(LEGAL). For sex discrimination, sexual harassment, sexual violence, dating violence, domestic violence, stalking, and retaliation targeting students, see FFDA.

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**Statement of  
Nondiscrimination**

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

**Definitions**

Employee

Solely for purposes of this policy, the term “employee” includes former employees, applicants for employment, and unpaid interns.

Discrimination

Discrimination against an employee is defined as conduct directed at an employee on the basis of sex that adversely affects the employee’s employment.

In accordance with law, discrimination on the basis of sex includes discrimination on the basis of biological sex, gender identity, sexual orientation, gender stereotypes, or any other prohibited basis related to sex.

Sexual Harassment

Sexual harassment is a form of sex discrimination defined as unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal 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; or
2. The conduct is so severe, persistent, or pervasive 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.

*Sexual Violence*

Sexual violence is a form of sexual harassment. Sexual violence 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.

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<i>Dating Violence</i>	<p>“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. The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.</p>
<i>Domestic Violence</i>	<p>“Domestic violence” means violence committed by:</p> <ul style="list-style-type: none"><li>• A current or former spouse or intimate partner of the victim;</li><li>• A person with whom the victim shares a child in common;</li><li>• A person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;</li><li>• Any other member of the victim’s family as defined by state law;</li><li>• Any other current or former member of the victim’s household as defined by state law;</li><li>• A person in a dating relationship with the victim as defined by state law; or</li><li>• 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.</li></ul>
<i>Stalking</i>	<p>“Stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress.</p> <p>For the purposes of this definition:</p> <ol style="list-style-type: none"><li>1. “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.</li><li>2. “Reasonable person” means a reasonable person under similar circumstances and with similar identities to the victim.</li></ol>
<i>Examples</i>	<p>Examples of sexual harassment of an employee may include sexual advances; touching intimate body parts; coercing or forcing a sexual act on another; jokes or conversations of a sexual nature; sexual assault as defined by law; offensive or derogatory language</p>

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directed at another person's gender identity; and other sexually motivated conduct, communication, or contact.

Examples may also include forms of dating violence, domestic violence, or stalking, such as physical or sexual assaults; name-calling; put-downs; or threats directed at the employee, the employee's family members, or members of the employee's household; destroying the employee's property; threatening to commit suicide or homicide if the employee ends the relationship; tracking the employee; attempting to isolate the employee from friends and family; threatening an employee's spouse or partner; or encouraging others to engage in these behaviors.

**Prohibited Conduct** In this policy, the term "prohibited conduct" includes discrimination, sexual harassment, dating violence, domestic violence, stalking, and retaliation as described by this policy, even if the behavior does not rise to the level of unlawful conduct.

**Complainant** In this policy, the term "complainant" refers to an employee who is alleged to have experienced prohibited conduct.

**Respondent** In this policy, the term "respondent" refers to a person who is alleged to have committed prohibited conduct.

**Confidential Employee** A "confidential employee" is a person who holds a professional license requiring confidentiality, such as a counselor or medical provider, who is supervised by such a person, or a person who is a nonprofessional counselor or advocate designated in administrative procedures as a confidential source.

**Reporting Procedures**

**Reporting by  
Alleged Victim**

A victim of prohibited conduct has the right to report the incident to the College District and to receive a prompt and equitable resolution of the report.

An employee who believes that he or she has experienced prohibited conduct may report the alleged acts to his or her immediate supervisor, to the Title IX coordinator, or to the College President or designee.

Reports against the Title IX coordinator may be directed to the College President. A report against the College President may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation. An employee shall not be required to report prohibited conduct to the person alleged to have committed the conduct.

Alternatively, the employee may report electronically through the College District's website.

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A victim of a crime has the right to choose whether to report the crime to law enforcement, to be assisted by the College District in reporting the crime to law enforcement, or to decline to report the crime to law enforcement.

It is important that a victim of prohibited conduct go to a hospital for treatment and preservation of evidence, if applicable, as soon as practicable after the incident.

Reporting by Other  
Employees

Any employee who believes that another employee has experienced prohibited conduct, regardless of when or where the incident occurred, shall immediately report the alleged acts to the Title IX coordinator. Additionally, the employee may report to the College President or designee.

A report against the College President must also be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.

*Exceptions*

Disclosure at  
Event

A person who received the information solely from a disclosure at a sexual harassment, sexual assault, dating violence, or stalking public awareness event sponsored by a postsecondary educational institution or by an employee organization affiliated with the institution is not required to report the prohibited conduct unless the person has authority to institute corrective measures on behalf of the College District.

Employee  
Subject to  
Confidentiality  
Rules

Absent the employee's consent, or unless required by law, a confidential employee shall only be required to disclose the type of incident reported and may not disclose information that would violate the employee's expectation of privacy. If multiple confidential employees receive information about the same alleged incident, then only one report disclosing the type of incident must be submitted.

Prior Report

A person who has either learned of an incident of prohibited conduct during the course of the College District's review or process, or has confirmed with the person or office overseeing the review or process that the incident has been previously reported, is not required to report the prohibited conduct.

**Title IX Coordinator**

Reports of discrimination based on sex, including sexual harassment, may be directed to the Title IX coordinator. The College District designates the following person to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended, and related state and federal laws:

Title IX            Molly Harris, Dean of Student Affairs  
Coordinator:

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	Address: 6101 Grayson Drive, Denison, TX 75020
	Telephone: (903) 463-8714
	Email: <a href="#">Title IX Coordinator email<sup>1</sup></a>
	Webpage: <a href="#">Title IX/Sexual Misconduct webpage<sup>2</sup></a>
Reassigning the Coordinator	The College President may reassign the Title IX coordinator at any time in the event a report creates a potential conflict of interest.
<b>Responsible Employees</b>	All employees, with the exception of confidential employees, are designated as responsible employees for purposes of compliance with Title IX.
<b>Timely Reporting</b>	A failure to immediately report prohibited conduct could impair the College District's ability to investigate and address the conduct.
<b>Consolidate Reports</b>	When the allegations underlying two or more complaints arise out of the same facts or circumstances, the College District may consolidate the complaints.
<b>Advisor</b>	Each party to a complaint may be assisted by an advisor of the party's choice who may participate in the proceedings in a manner consistent with College District procedures.
<b>Conflict of Interest Prohibited</b>	No person designated as the Title IX coordinator, a deputy Title IX coordinator, an investigator, a decision-maker, or a facilitator of an informal resolution process shall have a conflict of interest or bias.
<b>Training</b>	A person designated as the Title IX coordinator, a deputy Title IX coordinator, an investigator, a decision-maker, or a facilitator of an informal resolution process shall receive training as required by law and College District procedures.
<b>Days</b>	"Days" shall mean College District business days, unless otherwise noted. In calculating timelines under this policy, the day a document is filed is "day zero." The following business day is "day one."
<b>Extension of Timelines</b>	Timelines established by this policy and associated procedures may be subject to a limited extension if good cause, as defined in this policy and College District regulations, exists. The College District shall promptly provide written notice to the parties of an extension and the reason for the extension. A limited delay determined to be necessary so as not to impede a criminal or regulatory investigation shall constitute good cause for an extension of timelines established by this policy and associated procedures.
<b>Investigation of the Report</b>	The College District may request, but shall not insist upon, a written report. If a report is made orally, the Title IX coordinator or designee shall reduce the report to written form.

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Initial Assessment	<p>Upon receipt or notice of a report, the Title IX coordinator shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the Title IX coordinator shall promptly offer supportive measures to the complainant. The Title IX coordinator shall explain the process for filing a formal complaint and assess any request not to investigate. If the College District moves forward with the investigation, the Title IX coordinator shall immediately provide notice to the known parties to the complaint.</p> <p>If the Title IX coordinator determines that the allegations, if proven, would not constitute prohibited conduct as defined by this policy but may constitute a violation of other College District rules or regulations, the Title IX coordinator shall refer the complaint for consideration under the appropriate policy.</p>
<i>Request Not to Investigate</i>	<p>The complainant may request that the College District not investigate the allegations. If the complainant requests that the allegations not be investigated, in deciding whether to initiate the investigation, the College District must consider the factors described by law and any other factors the College District considers relevant.</p> <p>The College District shall promptly notify the complainant of the decision regarding whether it will conduct the investigation. If the College District decides not to investigate the allegations, the College District shall take reasonable steps to protect the health and safety of the College District community.</p>
Formal Complaint	<p>To be considered a formal complaint under Title IX, the complainant or the Title IX coordinator must sign the written report.</p>
Notice to Parties	<p>The notice to the parties must describe the allegations and the formal and informal options for resolution of the complaint. The notice must state that the respondent is presumed not responsible until a determination regarding responsibility is made. The notice must also include information regarding the option to select an advisor, the opportunity to inspect and review evidence, and the prohibition on knowingly making false statements or submitting false information during the investigation and any ensuing proceedings.</p> <p>If the allegations are subsequently amended, the College District shall provide an updated notice reflecting the new allegations.</p>
Informal Resolution	<p>The College District may offer to the parties a process for the informal resolution of a formal complaint as defined by law. If the parties voluntarily agree in writing to participate in informal resolution of a formal complaint, the Title IX coordinator shall determine within three days if informal resolution is appropriate for the complaint. If</p>



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	<p>the Title IX coordinator determines that informal resolution is appropriate, then the Title IX coordinator or designee may facilitate that resolution within ten days. If the Title IX coordinator does not determine informal resolution to be appropriate, then the complaint will be subject to the formal resolution process.</p>
<b>Formal Resolution</b>	<p>If the complaint is not subject to the informal resolution process, the Title IX coordinator shall authorize or undertake an investigation.</p>
<b>Supportive Measures</b>	<p>If appropriate and regardless of whether a criminal or regulatory investigation regarding the alleged conduct is pending, the Title IX coordinator shall promptly provide supportive measures intended to prevent prohibited conduct, protect the safety of the parties and others, and protect the parties from retaliation prior to the completion of the investigation. Examples of possible supportive measures include work accommodations, such as leaves of absence or administrative leave; mutual restrictions on contact between the parties; counseling and health services; and increased security and monitoring of certain areas of the campus.</p>
<b>College District Investigation</b>	<p>The investigation may be conducted by the Title IX coordinator or a designee or by a third party designated by the College District, such as an attorney. When appropriate, the supervisor shall be involved in or informed of the investigation.</p> <p>The investigation may consist of personal interviews with the complainant, the respondent, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.</p> <p>The parties shall be provided an equal opportunity to present witnesses and evidence and to inspect and review any directly related evidence obtained by the College District so that the parties may meaningfully respond during the investigation process. The parties expected to participate in an investigative interview or other meeting shall be provided written notice in enough time to prepare to participate.</p> <p>At least ten days prior to the completion of the investigation report, the College District must send each party and the party's advisor evidence subject to inspection and review. The parties may submit a written response for consideration by the investigator.</p>
<b>Concluding the Investigation</b>	<p>The investigation shall be completed within a reasonable time, not to exceed 30 days from the date of the report.</p>

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	<p>The investigator shall prepare a written report of the investigation. The investigation report shall be filed with the Title IX coordinator within five days following the completion of the investigation.</p>
Notification of the Report	<p>The Title IX coordinator shall provide the investigation report, within the extent permitted by law, to the complainant and the respondent promptly following receipt. The parties shall be given ten days to respond to the report.</p>
<b>College District Action</b>	<p>The Title IX coordinator shall submit the investigation report to the executive administrator, identified by the College President, promptly after receipt of the parties' response but no later than the expiration of the parties' deadline to respond.</p> <p>The executive administrator or designee shall summon the parties for a hearing to be held within a reasonable time, not to exceed ten days. The hearing shall be conducted in accordance with law and College District procedures.</p> <p>After the hearing, the executive administrator or designee shall determine whether each individual allegation of prohibited conduct occurred using a preponderance of evidence standard and determine the appropriate disciplinary or corrective action. In making the determination, the executive administrator or designee shall evaluate all relevant evidence objectively and shall not make credibility assessments based on a person's status as the complainant, the respondent, or a witness. The executive administrator or designee shall create a written determination regarding responsibility in accordance with law and College District procedures within five days following the hearing and submit the determination to the parties simultaneously.</p>
Disciplinary or Corrective Action	<p>If the executive administrator or designee determines that prohibited conduct occurred, the College District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct.</p> <p>The College District may take action based on the results of an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct.</p> <p>Examples of disciplinary or corrective action may include:</p> <ul style="list-style-type: none"><li>• Implementing the disciplinary measures described in DH and the DM series for employees or FM for students;</li><li>• Providing a training program for those involved in the complaint;</li></ul>

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- Providing a comprehensive education program for the College District community;
- Providing counseling for the victim and the student who engaged in prohibited conduct;
- Permitting the victim or student engaged in the prohibited conduct to drop a course in which they both are enrolled without penalty;
- Conducting follow-up inquiries to determine if any new incidents or any instances of retaliation have occurred;
- Involving employees in efforts to identify problems and improve the College District climate;
- Increasing staff monitoring of areas where prohibited conduct has occurred;
- Reaffirming the College District's policy against discrimination and harassment; and
- Taking other actions described in College District regulations.

*Exception*

The College District shall minimize attempts to require a complainant to resolve the problem directly with the person who engaged in the harassment; however, if that is the most appropriate resolution method, the College District shall be involved in an appropriate manner.

*Improper Conduct*

If the executive administrator or designee determines that improper conduct occurred that did not rise to the level of prohibited conduct, the College District may take disciplinary action in accordance with College District policy and procedures or other corrective action reasonably calculated to address the conduct.

**Dismissal of Complaint**

**Mandatory Dismissal**

An allegation presented as a formal complaint under Title IX is subject to the mandatory dismissal procedures under law.

**Permissive Dismissal**

Any complaint may be dismissed at any time on request of a complainant. The Title IX coordinator must first assess the request in accordance with this policy at Request Not to Investigate, above.

A complaint may also be dismissed if specific circumstances prevent the College District from gathering evidence sufficient to reach a determination as to the complaint or allegations.

**Notice of Dismissal**

Upon dismissal of a complaint, the Title IX coordinator or the executive administrator or designee shall provide the parties written notice of the dismissal.

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<b>Confidentiality</b>	To the greatest extent possible, consistent with law, the College District shall respect the privacy of the complainant or the respondent or a person who makes a report or serves as a witness. Limited disclosures may be necessary to carry out the purposes of this policy and associated regulations and to comply with applicable law.
<b>Retaliation</b>	<p>The College District prohibits retaliation against any person for the purpose of interfering with a right or privilege under this policy; the complainant; or a person who, in good faith, makes a report or complaint, serves as a witness, or otherwise participates or refuses to participate in an investigation, proceeding, or hearing under this policy. This prohibition does not apply to discipline of a person who perpetrated or assists in the perpetration of the prohibited conduct.</p> <p>A person who is alleged to have experienced retaliation may pursue a claim under this policy or policy FFDA, as appropriate.</p>
Examples	Examples of retaliation may include termination, refusal to hire, demotion, and denial of promotion. Retaliation may also include threats, unjustified negative evaluations, unjustified negative references, or increased surveillance.
<b>Failure to Report and False Claims</b>	An employee who fails to make a required report or an employee or student who intentionally makes a false claim, offers a false statement, or refuses to cooperate with a College District investigation regarding prohibited conduct shall be subject to appropriate disciplinary action.
<b>Appeal</b>	If the executive administrator or designee determines that a contract employee committed prohibited conduct that warrants suspension without pay or termination mid-contract, the executive administrator or designee shall inform the employee in writing of the determination, and a Board hearing shall be scheduled in accordance with DMAA.
Discipline or Corrective Action	
<i>Employees</i>	
Suspension Without Pay or Termination of Contract Employees	
Other Action	If the executive administrator or designee determines that the employee committed prohibited conduct that warrants other discipline or corrective action, the executive administrator or designee shall inform the employee that the employee may appeal the determination within ten days in accordance with DGBA beginning at Level Three.
<i>Students</i>	
Suspension	If the executive administrator or designee determines that a student committed prohibited conduct that warrants a suspension, the official shall forward the determination and all evidence collected during the investigation and hearing to the College President. A

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	conference shall be scheduled within ten days of the notice of determination in accordance with FMA, beginning at Appeal to College District Administration.
Expulsion	If the executive administrator or designee determines that the student committed prohibited conduct that warrants expulsion, the official shall forward the determination and all evidence collected during the investigation and hearing to the College President to schedule an expulsion hearing before the Board in accordance with FMA.
Other Action	If the executive administrator or designee determines that the student committed prohibited conduct that warrants other discipline or corrective action, the executive administrator or designee shall inform the student that the student may appeal the determination within ten days in accordance with FMA, beginning at Appeal to College District Administration.
Other Appeals	All other appeals related to this policy may be submitted through the applicable grievance policy beginning at the appropriate level. [See DGBA(LOCAL) for employees, FLD(LOCAL) for students, and GB(LOCAL) for community members]
Complaints Filed with State or Federal Agencies	A party shall be informed of any right to file a complaint with appropriate state or federal agencies.
<b>Records Retention</b>	Retention of records shall be in accordance with the College District's records retention procedures. [See CIA]
<b>Access to Policy, Procedures, and Related Materials</b>	Information regarding this policy and any accompanying procedures, as well as relevant educational and resource materials concerning the topics discussed in this policy, shall be distributed to applicants for admission and employment and annually to College District employees, students, and parents or guardians of dual credit students in compliance with 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 College District publications. Information regarding the policy, procedures, and related materials and any materials used to train a person designated as the Title IX coordinator, a deputy Title IX coordinator, an investigator, a decision-maker, or a facilitator shall also be prominently published on the College District's website on a dedicated page accessible through a clear link on the homepage, taking into account applicable legal requirements. Copies of the policy and procedures shall be readily available at the College District's administrative offices and shall be distributed to an employee who makes a report.

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<sup>1</sup> Title IX Coordinator email: <mailto:harrism@grayson.edu>

<sup>2</sup> Title IX/Sexual Misconduct webpage: <https://grayson.edu/campus-life/campus-police/title-ix-policies.html>

FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION  
OTHER PROTECTED CHARACTERISTICS

DIAB  
(LOCAL)

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**Note:** This policy addresses complaints of discrimination, harassment, and retaliation based on race, color, national origin, religion, age, or disability targeting employees. For legally referenced material relating to this subject matter, see DAA(LEGAL). For discrimination, harassment, and retaliation of students based on race, color, national origin, religion, age, or disability, see FFDB.

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**Statement of  
Nondiscrimination**

The College District prohibits discrimination, including harassment, against any employee on the basis of race, color, national origin, religion, age, disability, or any other basis prohibited by law. Retaliation against anyone involved in the complaint process is a violation of College District policy.

**Discrimination**

Discrimination against an employee is defined as conduct directed at an employee on the basis of race, color, national origin, religion, age, disability, or any other basis prohibited by law, that adversely affects the employee's employment.

**Harassment**

Prohibited harassment of an employee is defined as physical, verbal, or nonverbal conduct based on an employee's race, color, religion, national origin, age, disability, or any other basis prohibited by law, when the conduct is so severe, persistent, or pervasive that the conduct:

1. Has the purpose or effect of unreasonably interfering with the employee's work performance;
2. Creates an intimidating, threatening, hostile, or offensive work environment; or
3. Otherwise adversely affects the employee's performance, environment, or employment opportunities.

**Examples**

Examples of prohibited harassment may include offensive or derogatory language directed at another person's religious beliefs or practices, accent, skin color, or need for workplace accommodation; threatening or intimidating conduct; offensive jokes, name-calling, slurs, or rumors; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other stereotypes; or other types of aggressive conduct such as theft or damage to property.

**Retaliation**

The College District prohibits retaliation against an employee who makes a claim alleging to have experienced discrimination or harassment, or another employee who, in good faith, makes a report, serves as a witness, or otherwise participates in an investigation.

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	An employee who intentionally makes a false claim, offers false statements, or refuses to cooperate with a College District investigation regarding harassment or discrimination is subject to appropriate discipline.
Examples	Examples of retaliation may include termination, refusal to hire, demotion, and denial of promotion. Retaliation may also include threats, unjustified negative evaluations, unjustified negative references, or increased surveillance.
<b>Prohibited Conduct</b>	In this policy, the term "prohibited conduct" includes discrimination, harassment, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.
<b>Reporting Procedures</b>	<p>An employee who believes that he or she has experienced prohibited conduct or believes that another employee has experienced prohibited conduct should immediately report the alleged acts. The employee may report the alleged acts to his or her immediate supervisor.</p> <p>Alternatively, the employee may report the alleged acts to one of the College District officials below.</p> <p>For the purposes of this policy, College District officials are the ADA/Section 504 coordinator and the College President.</p>
<b>Definition of College District Officials</b>	The College District designates the following person to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, as amended, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973, as amended:
ADA / Section 504 Coordinator	<p>Name: Dava Washburn, PhD</p> <p>Position: Vice President of Instruction</p> <p>Address: 6101 Grayson Drive, Denison, TX 75020</p> <p>Telephone: (903) 463-8634</p>
Reassigning the Coordinator	The College President may reassign the ADA/Section 504 coordinator at any time in the event a report creates a potential conflict of interest.
Other Anti-discrimination Laws	The College President or designee shall serve as coordinator for purposes of College District compliance with all other antidiscrimination laws.
<b>Alternative Reporting Procedures</b>	An employee shall not be required to report prohibited conduct to the person alleged to have committed it. Reports concerning prohibited conduct, including reports against the ADA/Section 504 coordinator, may be directed to the College President or designee.



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	<p>A report against the College President may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.</p>
<b>Timely Reporting</b>	<p>Reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to promptly report may impair the College District's ability to investigate and address the prohibited conduct.</p>
<b>Notice of Report</b>	<p>Any College District supervisor who receives a report of prohibited conduct shall immediately notify the appropriate College District official listed above and take any other steps required by this policy.</p>
<b>Investigation of the Report</b>	<p>The College District may request, but shall not insist upon, a written report. If a report is made orally, the College District official shall reduce the report to written form.</p> <p>Upon receipt or notice of a report, the College District official shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the College District official shall immediately authorize or undertake an investigation, regardless of whether a criminal or regulatory investigation regarding the same or similar allegations is pending.</p> <p>If the College District official determines that the allegations, if proven, would not constitute prohibited conduct as defined by this policy but may constitute a violation of other College District rules or regulations, the College District official shall refer the complaint for consideration under the appropriate policy.</p> <p>If appropriate, the College District shall promptly take interim action calculated to prevent prohibited conduct during the course of an investigation.</p> <p>The investigation may be conducted by the College District official or a designee or by a third party designated by the College District, such as an attorney. When appropriate, the supervisor shall be involved in or informed of the investigation.</p> <p>The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.</p>
<b>Concluding the Investigation</b>	<p>Absent extenuating circumstances, the investigation should be completed within ten College District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.</p>

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	<p>The investigator shall prepare a written report of the investigation. The report shall be filed with the College District official overseeing the investigation.</p>
<b>College District Action</b>	<p>If the results of an investigation indicate that prohibited conduct occurred, the College District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct.</p> <p>The College District may take action based on the results of an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct.</p>
<b>Confidentiality</b>	<p>To the greatest extent possible, the College District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.</p>
<b>Appeal</b>	<p>A party who is dissatisfied with the outcome of the investigation may appeal through the applicable grievance policy beginning at the appropriate level. [See DGBA(LOCAL) for employees, FLD(LOCAL) for students, and GB(LOCAL) for community members]</p> <p>The party may have a right to file a complaint with appropriate state or federal agencies.</p>
<b>Records Retention</b>	<p>Retention of records shall be in accordance with the College District's records retention procedures. [See CIA]</p>
<b>Access to Policy, Procedures, and Related Materials</b>	<p>Information regarding this policy and any accompanying procedures, as well as relevant educational and resource materials concerning the topics discussed in this policy, shall be distributed annually to College District employees and students in compliance with 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 College District publications. Information regarding the policy, procedures, and related materials shall also be prominently published on the College District's website, taking into account applicable legal requirements. Copies of the policy and procedures shall be readily available at the College District's administrative offices and shall be distributed to an employee who makes a report.</p>

ASSIGNMENT, WORK LOAD, AND SCHEDULES

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<b>Assignment</b>	All employees shall be subject to assignment and reassignment by the College President at any time.
<b>Teaching Load</b>	<p>The College District shall have a published policy for determining faculty teaching loads.</p> <p>The policy for determining faculty teaching loads shall be periodically reviewed by the faculty association and administration representatives. Their findings and recommendations shall be presented to the College President.</p> <p>The policy for determining teaching loads for faculty shall be presented to the Board and shall be approved by the Board before implementation.</p> <p>The policy for determining full-time teaching loads and overload and any updates shall be promptly published in the College District's policies and procedures manual.</p>
<b>Teaching Load Full-Time Professors</b> Background	All full-time faculty members shall be defined as full-time salaried employees. Though faculty assignments vary from department to department and from individual to individual within a department, all full-time faculty members shall be responsible for teaching, advising, recruiting, maintaining office hours, providing College District service (including committee work), and participating in various College District events (graduation ceremonies, general faculty and departmental meetings, registration, UIL, fall and spring professional development meetings, and similar College District events as they develop). Some faculty members shall have additional responsibilities such as administrative tasks, equipment maintenance, lab supervision, rehearsals and productions of arts events, extensive evaluation of large quantities of student work, club sponsorship, and student tutoring. Others must spend part of their work-week traveling between campuses. As a part of normal work, faculty may be expected to teach courses via distance education, at night, or on weekends. To give reasonable and equitable teaching assignments to all full-time faculty members, the College District has established a formula for calculating teaching loads based on load hours and student contact hours.
Definitions	<p>The following definitions shall apply:</p> <ul style="list-style-type: none"><li>• Semester hours: The credit a student receives for a course.</li><li>• Contact hours: The number of scheduled weekly hours of contact for formal instruction between a professor and students in the classroom, laboratory, or clinical-type setting. Contact hours may include continuing education courses taught by the professor as part of his or her load. This shall</li></ul>

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not include individual meetings during the professor's office hours.

- Student contact hours: The number of scheduled weekly hours of contact between a professor and students in a course multiplied by the number of students enrolled in the course.
- Load hour: The value of a load hour is as follows:

<u>Description</u>	<u>Weight</u>
Lecture	1 per contract hour
Clinical instruction (ADN, VN, and EMS)	1 per contract hour
Lab instruction	0.75 per contract hour

### Procedures

During the fall and spring semesters of an academic year, any professor shall have a full instructional load if the following conditions are met: 15 load hours per week and 270 student contact hours per week.

These minimum load requirements shall have been met for both semesters if the load hours for the academic year total 30 and the student contact hours total 540.

Full-time faculty members shall be expected to consider the costs of instruction as an element of program review and as a factor in meeting budgetary goals established through both the planning and evaluation measures of institutional effectiveness. Furthermore, full-time faculty members shall be charged with providing high-quality instruction within these parameters of cost effectiveness. Therefore, a faculty member's load hours and student contact hours must meet the needs of students and the institution while respecting the faculty member's need for professional development and service.

The numbers in a practicum, co-op, or internship course shall be treated in terms of credit hours as indicated in the course number. Class size shall be set by appropriate instructional deans.

When a teaching assignment is shared, each participating professor shall be credited with the course load proportional to his or her instructional assignment.

Registration limits in all internet classes shall be set at a multiple of 35 (exceptions are listed in the faculty handbook).

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**Overload and  
Supplemental  
Compensation**

Professors with more than 15 load hours during a semester, and 300 or more student contact hours, shall receive overload compensation in the amount of \$600 per load hour above 15 or \$4 per student contact hour above 450, whichever amount is greater.

**Overload  
Compensation**

Overloads may vary among faculty members and disciplines. The calculation of instructional loads shall be the responsibility of the instructional deans and shall take into account such factors as number of preparations, number of students taught, nature of subject, and help available from support staff.

It is also the instructional dean's responsibility to make certain that faculty members are not assigned or do not assume a load that detracts from the quality of the work they are employed to perform for the institution.

Overload contract commitments shall be finalized the day prior to the first day of class for the semester.

When all minimum load factors (indicated in the previous table) are met and at least one maximum load factor has been exceeded, the faculty member shall be paid overload compensation.

Overload compensation shall be paid in only one category, whichever category is most remunerative to the professor.

Overload compensation shall be prorated if the class size is less than 14 students. Exceptions may be made by the vice president of instruction and the appropriate dean.

Courses taught in the same time slot shall be treated as a single course insofar as load hours are counted.

Faculty members working overloads must add the number of overload contact hours to their 40-hour workweek.

If a teaching assignment is shared, the compensation shall be shared proportionally.

**Class Assignment**

Professor class assignments shall be made by the appropriate instructional administrator.

Teaching assignments of professors in the College District shall conform to the current standards of the College Delegate Assembly of the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC).

A professor teaching a class, where there is a possible safety risk to students due to potentially dangerous equipment (welding, heating, refrigeration, air conditioning, electronics, and auto body), may receive a lab assistant when lab enrollment exceeds 18 students in

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a course. The lab assistant shall be compensated on an hourly basis at a rate established by the College District.

**Full-Time Professors  
(Teaching  
Minimester or  
Summer Sessions)  
or Adjunct  
Professors  
Prorated Full-Time  
Contracts**

Full-time professors teaching minimester or summer session(s) or adjunct professors teaching any semester (session) shall receive compensation as determined annually. Compensation may be prorated if the class size is less than 14 students. Exceptions may be made by the vice president of instruction and the appropriate dean.

Prorated contracts shall be issued to persons whose assignments are considered permanent and whose time and duty requirements are a proportionate share of full-time faculty assignments.

**Part-Time Contracts**

Part-time (adjunct) contracts offered to employees whose assignments are considered temporary and/or whose time and duty requirements are no more than 18 hours/week (contact hours x 2).

**Summer Four-Day  
Schedule**

Each year the four-day week schedule start and end dates shall be determined by the College President.

Hourly employees in the maintenance and College District police departments and all 12-month, full-time salaried employees shall continue the 40-hour workweek during the summer schedule.

Faculty members shall report to work in accordance with their class schedule. Instructional personnel should make themselves readily available before and after class for adequate student availability.

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**Note:** This policy addresses complaints of sex discrimination, sexual harassment, sexual assault, dating violence, domestic violence, stalking, and retaliation targeting students. For additional legally referenced material relating to discrimination, harassment, and retaliation, see FA(LEGAL). For sex discrimination, sexual harassment, sexual assault, dating violence, domestic violence, stalking, and retaliation targeting employees, see DIAA.

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**Statement of  
Nondiscrimination**

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

**Definitions**

*Discrimination*

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

*Sexual Harassment  
By an Employee*

Sexual harassment of a student by a College District employee includes unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

1. A College District employee causes the student to believe that the student must submit to the conduct to participate in a college program or activity, or that the employee will make an educational decision based on whether or not the student submits to the conduct; or
2. The conduct is so severe, persistent, or pervasive that it limits or denies the student's ability to participate in or benefit from the College District's educational program or activities.

*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 nonverbal conduct when the conduct is so severe, persistent, or pervasive that it limits or denies a student's ability to participate in or benefit from the College District's educational program or activities.

*Sexual Violence*

Sexual violence is a form of sexual harassment. Sexual violence 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.

*Dating Violence*

"Dating violence" means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature

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with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with 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*

"Domestic violence" means violence committed by:

- A current or former spouse or intimate partner of the victim;
- A person with whom the victim shares a child in common;
- A person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- Any other member of the victim's family as defined by state law;
- Any other current or former member of the victim's household as defined by state law;
- A person in a dating relationship with the victim as defined by state law; or
- 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.

*Stalking*

"Stalking" means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress.

For the purposes of this definition:

1. "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.
2. "Reasonable person" means a reasonable person under similar circumstances and with similar identities to the victim.

*Examples*

Examples of sexual harassment of a student may include sexual advances; touching intimate body parts or coercing physical contact that is sexual in nature; jokes or conversations of a sexual nature; rape; sexual assault as defined by law; sexual battery; sexual coercion; and other sexually motivated conduct, communications, or contact.



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Examples may also include forms of dating violence, domestic violence, or stalking, such as physical or sexual assaults; name-calling; put-downs; or threats directed at the student, the student's family members, or members of the student's household; destroying the student's property; threatening to commit suicide or homicide if the student ends the relationship; tracking the student; attempting to isolate the student from friends and family; threatening a student's spouse or partner; or encouraging others to engage in these behaviors.

Gender-Based  
Harassment

Gender-based harassment includes physical, verbal, or nonverbal conduct based on the student's gender, the student's expression of characteristics perceived as stereotypical for the student's gender, or the student'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, or pervasive that the conduct limits or denies a student's ability to participate in or benefit from the College District'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, regardless of the student'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.

Prohibited Conduct

In this policy, the term "prohibited conduct" includes discrimination, harassment, dating violence, domestic violence, stalking, and retaliation as described by this policy, even if the behavior does not rise to the level of unlawful conduct.

Complainant

In this policy, the term "complainant" refers to an applicant for admission or a student who is alleged to have experienced prohibited conduct. The term also includes a former student who is alleged to have experienced prohibited conduct while participating, or attempting to participate, in the College District's educational program or activity.

Respondent

In this policy, the term "respondent" refers to a person who is alleged to have committed prohibited conduct.

Confidential  
Employee

A "confidential employee" is a person who holds a professional license requiring confidentiality, such as a counselor or medical provider, who is supervised by such a person, or a person who is a

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	nonprofessional counselor or advocate designated in administrative procedures as a confidential source.
<b>Reporting Procedures</b>	A victim of prohibited conduct has the right to report the incident to the College District and to receive a prompt and equitable resolution of the report.
Student Report	<p>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 Title IX coordinator, the College President, or another employee. A report against the College President may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation. A student shall not be required to report prohibited conduct to the person alleged to have committed the conduct.</p> <p>Alternatively, a student may submit the report electronically through the College District's website. The submission of an anonymous electronic report may impair the College District's ability to investigate and address the prohibited conduct.</p> <p>A victim of a crime has the right to choose whether to report the crime to law enforcement, to be assisted by the College District in reporting the crime to law enforcement, or to decline to report the crime to law enforcement.</p> <p>It is important that a victim of prohibited conduct go to a hospital for treatment and preservation of evidence, if applicable, as soon as practicable after the incident.</p>
<i>Exception</i>	Absent consent or unless required by law, a student designated in administrative regulations as a student advocate to whom another student may speak confidentially concerning prohibited conduct may not disclose any communication made by the other student.
Employee Report	<p>Any College District employee who suspects or receives notice that a student or group of students has or may have experienced prohibited conduct, regardless of when or where the incident occurred, shall immediately notify the Title IX coordinator and shall take any other steps required by this policy. Additionally, the employee may report to the College President or designee.</p> <p>A report against the College President must also be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.</p>
<i>Exceptions</i>	A person who received the information solely from a disclosure at a sexual harassment, sexual assault, dating violence, or stalking public awareness event sponsored by a postsecondary educational
Disclosure at Event	

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institution or by a student organization affiliated with the institution is not required to report the prohibited conduct unless the person has the authority to institute corrective measures on behalf of the College District.

Employee  
Subject to  
Confidentiality  
Rules

Absent the student's consent, or unless required by law, a confidential employee shall only be required to disclose the type of incident reported and may not disclose information that would violate the student's expectation of privacy. If multiple confidential employees receive information about the same alleged incident, then only one report disclosing the type of incident must be submitted.

Prior Report

A person who has either learned of an incident of prohibited conduct during the course of the College District's review or process, or has confirmed with the person or office overseeing the review or process that the incident has been previously reported, is not required to report the prohibited conduct.

**Title IX Coordinator**

Reports of discrimination based on sex, including sexual harassment and gender-based harassment, may be directed to the Title IX coordinator. The College District designates the following person to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended, and related state and federal laws:

Title IX Coordinator: Molly Harris, Dean of Student Affairs

Address: 6101 Grayson Drive, Denison, TX 75020

Telephone: (903) 463-8714

Email: [Title IX Coordinator email<sup>1</sup>](#)

Webpage: [Title IX/Sexual Misconduct webpage<sup>2</sup>](#)

Deputy Title IX  
Coordinators

The College District designates the following persons as deputy coordinators:

Name: Logan Maxwell

Position: Dean of South Campus

Address: 1455 West Van Alstyne Parkway, Van Alstyne, TX 75495

Telephone: (903) 415-2506

Name: Mr. Mike McBrayer

Position: Athletic Director/Softball Coach

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Address: 6101 Grayson Drive, Denison, TX 75020

Telephone: (903) 463-8753

Name: Robyn Voight

Position: Director of Human Resources

Address: 6101 Grayson Drive, Denison, TX 75020

Telephone: (903) 463-8648

**Responsible  
Employees**

All employees, with the exception of confidential employees, are designated as responsible employees for purposes of compliance with Title IX.

**Timely Reporting**

A failure to immediately report prohibited conduct may impair the College District's ability to investigate and address the conduct.

**Consolidate Reports**

When the allegations underlying two or more reports arise out of the same facts or circumstances, the College District may consolidate the reports.

**Advisor**

Each party to the complaint may be assisted by an advisor of the party's choice who may participate in the proceedings in a manner consistent with College District procedures.

**Conflict of Interest  
Prohibited**

No person designated as the Title IX coordinator, a deputy Title IX coordinator, an investigator, a decision-maker, or a facilitator of an informal resolution process shall have a conflict of interest or bias.

**Training**

A person designated as the Title IX coordinator, a deputy Title IX coordinator, an investigator, a decision-maker, or a facilitator of an informal resolution process shall receive training as required by law and College District procedures.

**Days**

"Days" shall mean College District business days, unless otherwise noted. In calculating timelines under this policy, the day a document is filed is "day zero." The following business day is "day one."

**Extension of  
Timelines**

Timelines established by this policy and associated procedures may be subject to a limited extension if good cause, as defined in this policy and College District regulations, exists. The College District shall promptly provide written notice to the parties of an extension and the reason for the extension.

**Investigation of the  
Report**

The College District may request, but shall not require, a written report. If a report is made orally, the Title IX coordinator or designee shall reduce the report to written form.

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Initial Assessment	<p>Upon receipt or notice of a report, the Title IX coordinator shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the Title IX coordinator shall promptly offer supportive measures to the complainant. The Title IX coordinator shall explain the process for filing a formal complaint and assess any request not to investigate. If the College District moves forward with the investigation, the Title IX coordinator shall immediately provide notice to the known parties to the complaint.</p> <p>If the Title IX coordinator determines that the allegations, if proven, would not constitute prohibited conduct as defined by this policy but may constitute a violation of other College District rules or regulations, the Title IX coordinator shall refer the complaint for consideration under the appropriate policy.</p>
<i>Request Not to Investigate</i>	<p>The complainant may request that the College District not investigate the allegations. If the complainant requests that the allegations not be investigated, in deciding whether to initiate the investigation, the College District must consider the factors described by law and any other factors the College District considers relevant.</p> <p>The College District shall promptly notify the complainant of the decision regarding whether it will conduct the investigation. If the College District decides not to investigate the allegations, the College District shall take reasonable steps to protect the health and safety of the College District community.</p>
Formal Complaint	<p>To be considered a formal complaint under Title IX, the complainant or the Title IX coordinator must sign the written report.</p>
Notice to Parties	<p>The notice to the parties must describe the allegations and the formal and informal options for resolution of the complaint. The notice must state that the respondent is presumed not responsible until a determination regarding responsibility is made. The notice must also include information regarding the option to select an advisor, the opportunity to inspect and review evidence, and the prohibition on knowingly making false statements or submitting false information during the investigation and any ensuing proceedings.</p> <p>If the allegations are subsequently amended, the College District shall provide an updated notice reflecting the new allegations.</p>
Informal Resolution	<p>The College District may offer to the parties a process for the informal resolution of a formal complaint as defined by law. If the parties voluntarily agree in writing to participate in informal resolution of the complaint, the Title IX coordinator shall determine within three days if informal resolution is appropriate for the complaint. If</p>

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the Title IX coordinator determines that informal resolution is appropriate, then the Title IX coordinator or designee may facilitate that resolution within ten days. If the Title IX coordinator does not determine informal resolution to be appropriate, then the complaint will be subject to the formal resolution process. This process is not available in situations where an employee is alleged to have sexually harassed a student.

**Formal Resolution** If the complaint is not subject to the informal resolution process, the Title IX coordinator shall authorize or undertake an investigation, except as provided below at Criminal or Regulatory Investigation.

**Supportive Measures** If appropriate and regardless of whether a criminal or regulatory investigation regarding the alleged conduct is pending, the Title IX coordinator shall promptly provide supportive measures intended to address prohibited conduct, protect the safety of the parties and others, and protect the parties from retaliation prior to the completion of the investigation. Examples of possible supportive measures include academic accommodations, such as extensions of deadlines or other course-related adjustments and modifications of class schedules; housing and dining modifications; temporary removal from an education program or activity in accordance with law; counseling; health services; campus escort services; mutual restrictions on contact between the parties; and increased security and monitoring of certain areas of the campus.

**College District Investigation** The investigation may be conducted by the Title IX coordinator or designee or by a third party designated by the College District, such as an attorney.

The investigation may consist of personal interviews with the complainant, the respondent, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.

The parties shall be provided an equal opportunity to present witnesses and evidence and to inspect and review any directly related evidence obtained by the College District so that the parties may meaningfully respond during the investigation process. The parties expected to participate in an investigative interview or other meeting shall be provided written notice in enough time to prepare to participate.

At least ten days prior to the completion of the investigation report, the College District must send each party and the party's advisor evidence subject to inspection and review. The parties may submit a written response for consideration by the investigator.

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Criminal or Regulatory Investigation	<p>If a law enforcement or regulatory agency notifies the College District that a criminal or regulatory investigation has been initiated, the College District shall confer with the agency to determine if the College District's investigation would impede the criminal or regulatory investigation. The College District shall proceed with its investigation only to the extent that it does not impede the ongoing criminal or regulatory investigation. After the law enforcement or regulatory agency has completed gathering its evidence, the College District shall promptly resume its investigation. Any delay under this provision shall constitute good cause for an extension of timelines established by this policy and associated procedures.</p>
<b>Concluding the Investigation</b>	<p>The investigation shall be completed within a reasonable time, not to exceed 30 days from the date of the report.</p> <p>The investigator shall prepare a written report of the investigation. The investigation report shall be filed with the Title IX coordinator within five days following the completion of the investigation.</p>
Notification of the Report	<p>The Title IX coordinator shall provide the investigation report, within the extent permitted by the Family Educational Rights and Privacy Act (FERPA) or other law, to the complainant and the respondent promptly following receipt. The parties shall be given ten days to respond to the report.</p>
<b>College District Action</b>	<p>The Title IX coordinator shall submit the investigation report and any response from the parties to the Title IX decision-maker promptly after receipt of the parties' response but no later than the expiration of the parties' deadline to respond.</p> <p>The Title IX decision-maker or designee shall summon the parties for a hearing to be held within a reasonable time, not to exceed ten days, following the receipt of the investigation report. The hearing shall be conducted in accordance with law and College District procedures.</p> <p>After the hearing, the Title IX decision-maker or designee shall determine whether each individual allegation of prohibited conduct occurred using a preponderance of the evidence standard and determine the appropriate disciplinary or corrective action. In making the determination, the Title IX decision-maker or designee shall evaluate all relevant evidence objectively and shall not make credibility assessments based on a person's status as the complainant, the respondent, or a witness. The Title IX decision-maker or designee shall create a written determination regarding responsibility in accordance with law and College District procedures within five days following the hearing and submit the determination to the parties simultaneously.</p>

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Disciplinary or  
Corrective Action

If the Title IX decision-maker or designee determines that prohibited conduct occurred, the College District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct.

Examples of disciplinary or corrective action may include:

- Implementing the disciplinary measures described in FM for students or DH and DM series for employees;
- Providing a training program for those involved in the complaint;
- Providing a comprehensive education program for the College District community;
- Providing counseling for the victim and the party who engaged in prohibited conduct;
- Permitting the victim or student who engaged in the prohibited conduct to drop a course in which they both are enrolled without penalty;
- Conducting follow-up inquiries to determine if any new incidents or any instances of retaliation have occurred;
- Involving students in efforts to identify problems and improve the College District climate;
- Increasing staff monitoring of areas where prohibited conduct has occurred;
- Reaffirming the College District's policy against discrimination and harassment; and
- Taking other actions described in College District regulations.

*Exception*

The College District shall minimize attempts to require a complainant to resolve the problem directly with the person who engaged in the harassment; however, if that is the most appropriate resolution method, the College District shall be involved in an appropriate manner. In no event may a student be required to resolve a complaint of sexual harassment by an employee directly with the employee.

*Improper  
Conduct*

If the Title IX decision-maker or designee determines that improper conduct occurred that did not rise to the level of prohibited conduct, the College District may take disciplinary action in accordance with College District policy and procedures or other corrective action reasonably calculated to address the conduct.



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**Dismissal of  
Complaint**

Mandatory  
Dismissal

An allegation presented as a formal complaint under Title IX is subject to the mandatory dismissal procedures under law.

Permissive  
Dismissal

Any complaint may be dismissed at any time on request of a complainant. The Title IX coordinator must first assess the request in accordance with this policy at Request Not to Investigate, above.

A complaint may also be dismissed if specific circumstances prevent the College District from gathering evidence sufficient to reach a determination as to the complaint or allegations.

Notice of Dismissal

Upon dismissal of a complaint, the Title IX coordinator or the Title IX decision-maker or designee shall provide the parties written notice of the dismissal.

**Confidentiality**

To the greatest extent possible, consistent with law, the College District shall respect the privacy of the complainant or the respondent or a person who makes a report or serves as a witness. Limited disclosures may be necessary to carry out the purposes of this policy and associated regulations and to comply with applicable law.

**Retaliation**

The College District prohibits retaliation against any person for the purpose of interfering with a right or privilege under this policy; the complainant; or a person who, in good faith, makes a report or complaint, serves as a witness, or otherwise participates or refuses to participate in an investigation, proceeding, or hearing under this policy. This prohibition does not apply to discipline of a person who perpetrated or assists in the perpetration of the prohibited conduct.

A person who is alleged to have experienced retaliation may pursue a claim under this policy or policy DIAA, as appropriate.

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.

**Failure to Report and  
False Claims**

An employee who fails to make a required report or a student or employee who intentionally makes a false claim, offers a false statement, or refuses to cooperate with a College District investigation regarding prohibited conduct shall be subject to appropriate disciplinary action.

FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION  
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<b>Appeal</b>	If the Title IX decision-maker or designee determines that a student committed prohibited conduct that warrants a suspension, the official shall forward the determination and all evidence collected during the investigation and hearing to the College President. A conference shall be scheduled within ten days of the notice of determination in accordance with FMA, beginning at Appeal to College District Administration.
Discipline or Corrective Action	
<i>Students</i>	
Suspension	
Expulsion	If the Title IX decision-maker or designee determines that the student committed prohibited conduct that warrants expulsion, the official shall forward the determination and all evidence collected during the investigation and hearing to the College President to schedule an expulsion hearing before the Board in accordance with FMA.
Other Action	If the Title IX decision-maker or designee determines that the student committed prohibited conduct that warrants other discipline or corrective action, the Title IX decision-maker or designee shall inform the student that the student may appeal the determination within ten days in accordance with FMA, beginning at Appeal to College District Administration.
<i>Employee</i>	
Suspension Without Pay or Termination of Contract Employees	If the Title IX decision-maker or designee determines that a contract employee committed prohibited conduct that warrants suspension without pay or termination mid-contract, the Title IX decision-maker or designee shall inform the employee in writing of the determination, and a Board hearing shall be scheduled in accordance with DMAA.
Other Action	If the Title IX decision-maker or designee determines that the employee committed prohibited conduct that warrants other discipline or corrective action, the Title IX decision-maker or designee shall inform the employee that the employee may appeal the determination within ten days in accordance with DGBA, beginning at Level Three.
Other Appeals	All other appeals related to this policy may be submitted through the applicable grievance policy beginning at the appropriate level. [See DGBA(LOCAL) for employees, FLD(LOCAL) for students, and GB(LOCAL) for community members]
Complaints Filed with OCR	A party shall be informed of his or her right to file a complaint with the U.S. Department of Education Office for Civil Rights (OCR).
<b>Records Retention</b>	Retention of records shall be in accordance with the College District's records retention procedures. [See CIA]

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**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, shall be distributed to applicants for admission and employment and annually to College District employees, students, and parents or guardians of dual credit students in compliance with 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 College District publications. Information regarding the policy, procedures, and related materials and any materials used to train a person designated as the Title IX coordinator, a deputy Title IX coordinator, an investigator, a decision-maker, or a facilitator shall also be prominently published on the College District's website on a dedicated page accessible through a clear link on the homepage, taking into account applicable legal requirements. Copies of the policy and procedures shall be readily available at the College District's administrative offices and shall be distributed to a student who makes a report.

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<sup>1</sup> Title IX Coordinator email: <mailto:harrism@grayson.edu>

<sup>2</sup> Title IX/Sexual Misconduct webpage: <https://grayson.edu/campus-life/campus-police/title-ix-policies.html>



FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION  
OTHER PROTECTED CHARACTERISTICS

FFDB  
(LOCAL)

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**Note:** This policy addresses complaints of discrimination, harassment, and retaliation based on race, color, national origin, religion, age, or disability targeting students. For legally referenced material relating to this subject matter, see FA(LEGAL). For discrimination, harassment, and retaliation targeting employees based on race, color, national origin, religion, age, or disability, see DIAB.

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**Statement of  
Nondiscrimination**

The College District prohibits discrimination, including harassment, against any student on the basis of race, color, national origin, disability, religion, age, or any other basis prohibited by law. Retaliation against anyone involved in the complaint process is a violation of College District policy and is prohibited.

**Discrimination**

Discrimination against a student is defined as conduct directed at a student on the basis of race, color, national origin, disability, religion, age, or on any other basis prohibited by law, that adversely affects the student.

**Prohibited  
Harassment**

Prohibited harassment of a student is defined as physical, verbal, or nonverbal conduct based on the student's race, color, religion, national origin, disability, age, or any other basis prohibited by law that is so severe, persistent, or pervasive that the conduct limits or denies a student's ability to participate in or benefit from the College District's educational program.

Examples

Examples of prohibited harassment may include offensive or derogatory language directed at another person's religious beliefs or practices, accent, skin color, or need for accommodation; threatening, intimidating, or humiliating conduct; offensive jokes, name-calling, slurs, or rumors; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other negative stereotypes; or other kinds of aggressive conduct such as theft or damage to property.

**Retaliation**

The College District prohibits retaliation by a student or College District employee against a student alleged to have experienced discrimination or harassment or another student who, in good faith, makes a report of harassment or discrimination, serves as a witness, or otherwise participates in an investigation.

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.

**False Claims**

A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a College District investigation

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	regarding discrimination or harassment shall be subject to appropriate disciplinary action.
<b>Prohibited Conduct</b>	In this policy, the term “prohibited conduct” includes discrimination, harassment, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.
<b>Reporting Procedures</b>	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 a responsible employee.
Student Report	
Employee Report	Any College District employee who suspects and any responsible employee who receives notice that a student or group of students has or may have experienced prohibited conduct shall immediately notify the appropriate College District official listed in this policy and shall take any other steps required by this policy.
<i>Exceptions</i>	<p>A person who holds a professional license requiring confidentiality, such as a counselor, or who is supervised by such a person shall not be required to disclose a report of prohibited conduct without the student’s consent.</p> <p>A person who is a nonprofessional counselor or advocate designated in administrative procedures as a confidential source shall not be required to disclose information regarding an incident of prohibited conduct that constitutes personally identifiable information about a student or other information that would indicate the student’s identity without the student’s consent, unless the person is disclosing information as required for inclusion in the College District’s annual security report under the Clery Act. [See GCC]</p>
Responsible Employee	<p>For purposes of this policy, a “responsible employee” is an employee:</p> <ol style="list-style-type: none"><li>1. Who has the authority to remedy prohibited conduct.</li><li>2. Who has been given the duty of reporting incidents of prohibited conduct.</li><li>3. Whom a student reasonably believes has the authority to remedy prohibited conduct or has been given the duty of reporting incidents of prohibited conduct.</li></ol> <p>The College District designates the following persons as responsible employees: any instructor, any administrator, or any College District official defined below.</p>
<b>Definition of College District Officials</b>	For the purposes of this policy, College District officials are the ADA/Section 504 coordinator and the College President.

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ADA / Section 504 Coordinator	<p>Reports of discrimination based on disability may be directed to the ADA/Section 504 coordinator. The College District designates the following person to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, as amended, which incorporates and expands the requirements of Section 504 of the Rehabilitation Act of 1973, as amended:</p> <p>Name: Dr. Dava Washburn</p> <p>Position: Vice President of Instruction</p> <p>Address: 6101 Grayson Drive, Denison, TX 75020</p> <p>Telephone: (903) 463-8634</p>
Other Anti- discrimination Laws	<p>The College President or designee shall serve as coordinator for purposes of College District compliance with all other antidiscrimination laws.</p>
<b>Alternative Reporting Procedures</b>	<p>A student shall not be required to report prohibited conduct to the person alleged to have committed the conduct. Reports concerning prohibited conduct, including reports against the ADA/Section 504 coordinator, may be directed to the College President.</p> <p>A report against the College President may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.</p>
<b>Timely Reporting</b>	<p>Reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair the College District's ability to investigate and address the prohibited conduct.</p>
<b>Investigation of the Report</b>	<p>The College District may request, but shall not require, a written report. If a report is made orally, the College District official shall reduce the report to written form.</p>
Initial Assessment	<p>Upon receipt or notice of a report, the College District official shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the College District official shall immediately authorize or undertake an investigation, except as provided below at Criminal Investigation.</p> <p>If the College District official determines that the allegations, if proven, would not constitute prohibited conduct as defined by this policy but may constitute a violation of other College District rules or regulations, the College District official shall refer the complaint for consideration under the appropriate policy.</p>

FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION  
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Interim Action	If appropriate and regardless of whether a criminal or regulatory investigation regarding the alleged conduct is pending, the College District shall promptly take interim action calculated to address prohibited conduct prior to the completion of the College District's investigation.
College District Investigation	<p>The investigation may be conducted by the College District official or a designee or by a third party designated by the College District, such as an attorney. The investigator shall have received appropriate training regarding the issues related to the complaint and the relevant College District's policy and procedures.</p> <p>The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.</p>
Criminal Investigation	If a law enforcement or regulatory agency notifies the College District that a criminal or regulatory investigation has been initiated, the College District shall confer with the agency to determine if the College District's investigation would impede the criminal or regulatory investigation. The College District shall proceed with its investigation only to the extent that it does not impede the ongoing criminal or regulatory investigation. After the law enforcement or regulatory agency has completed gathering its evidence, the College District shall promptly resume its investigation.
<b>Concluding the Investigation</b>	<p>Absent extenuating circumstances, such as a request by a law enforcement or regulatory agency for the College District to delay its investigation, the investigation should be completed within ten College District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.</p> <p>The investigator shall prepare a written report of the investigation. The report shall be filed with the College District official overseeing the investigation.</p>
<i>Notification of the Outcome</i>	The College District shall provide written notice of the outcome, within the extent permitted by the Family Educational Rights and Privacy Act (FERPA) or other law, to the victim and the person against whom the complaint is filed.
<b>College District Action</b>	If the results of an investigation indicate that prohibited conduct occurred, the College District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct, in accordance with College District policy and procedures [see FM and FMA].
Prohibited Conduct	



FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION  
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<i>Corrective Action</i>	Examples of corrective action may include a training program for those involved in the complaint, a comprehensive education program for the College District community, counseling for the victim and the student who engaged in prohibited conduct, follow-up inquiries to determine if any new incidents or any instances of retaliation have occurred, involving students in efforts to identify problems and improve the College District climate, increasing staff monitoring of areas where prohibited conduct has occurred, and reaffirming the College District's policy against discrimination and harassment.
Improper Conduct	If the investigation reveals improper conduct that did not rise to the level of prohibited conduct, the College District may take disciplinary action in accordance with College District policy and procedures or other corrective action reasonably calculated to address the conduct.
<b>Confidentiality</b>	To the greatest extent possible, the College District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.
<b>Appeal</b>	A party who is dissatisfied with the outcome of the investigation may appeal through the applicable grievance policy beginning at the appropriate level. [See DGBA(LOCAL) for employees, FLD(LOCAL) for students, and GB(LOCAL) for community members] A party shall be informed of his or her right to file a complaint with the U.S. Department of Education Office for Civil Rights.
<b>Records Retention</b>	Retention of records shall be in accordance with the College District's records retention procedures. [See CIA]
<b>Access to Policy, Procedures, and Related Materials</b>	Information regarding this policy and any accompanying procedures, as well as relevant educational and resource materials concerning the topics discussed in this policy, shall be distributed annually to College District employees and students in compliance with 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 College District publications. Information regarding the policy, procedures, and related materials shall also be prominently published on the College District's website, taking into account applicable legal requirements. Copies of the policy and procedures shall be readily available at the College District's administrative offices and shall be distributed to a student who makes a report.



A student applying to live in College District housing shall permit the College District to obtain his or her criminal history record. An applicant with a pending charge or a conviction for a felony and/or Class A, B, or C misdemeanor may have his or her application denied. The College District shall determine what offenses may disqualify an applicant for College District housing. This information shall be transferred to the College District housing administration.

This policy covers major residence hall rules, obligations, and responsibilities. Infractions of any of the following could result in probation or in suspension from the residence hall.

**Residence Hall Rules**

The following residence hall rules shall apply:

1. Possession, consumption, or use of intoxicants, narcotics, or drug paraphernalia in the residence halls or parking lots is prohibited, as is the collection or storage of empty beer cans or empty beer, wine, or liquor bottles in the residence hall.\*
2. Smoking, chewing, or any other use of tobacco/electronic smoking devices is prohibited in the residence halls.
3. Weapons of any kind are prohibited in the hall and on the College District campus.\*
4. Fireworks, candles, and incense may neither be kept nor lit in the residence halls or the immediate vicinity.\*\*
5. Cooking is not allowed in the hall rooms nor is the use of glassware. Paper and plastic products are permitted.
6. Loud music or loud noise shall not be tolerated.
7. Children under the age of 17, unless accompanied by a parent/guardian or unless prior permission has been obtained from the residence hall supervisor, are not allowed in the residence hall.
8. Pets are not allowed in the residence hall or in the vicinity of the residence hall.
9. To qualify for residence, a student shall enroll in a minimum of 12 semester hours during the fall and/or spring semesters or six hours during each summer term, if applicable. Exceptions to the semester hour rule shall be made for bona fide program majors who lack only clinical or practicum courses to complete degree requirements.
10. Students who drop below 12 hours may be allowed to remain in the hall provided a full load or more (12 hours, fall or spring;

six hours, summer) is maintained until the last week of the period of time when automatic withdrawal is allowed or approval from the housing office is obtained. At no time shall a student be allowed to withdraw from all courses and remain in the residence hall.

**Residence Hall  
Procedures**

The following residence hall procedures shall apply:

1. Scheduled fire drills shall be conducted each semester.
2. Fire alarms may only be sounded, and fire exit doors may only be used, in case of emergency.\*\*
3. The residence hall supervisor shall check all rooms for damages and cleanliness prior to and during occupancy and upon check-out.
4. Routine room inspections shall be conducted on a regular basis for cleanliness, safety, sanitation, and maintenance purposes, as well as to ensure the proper use of College District property. Closets, lockers, and refrigerators may be opened during these inspections.
5. Unannounced room searches may be conducted if there is reasonable suspicion to believe that the resident has violated or is violating College District policy and/or municipal/state/federal law as it pertains to prohibited items, whether they are in "plain view" or hidden. Closets, lockers, and refrigerators may be opened during these inspections.\*
6. Should a student move out of the residence hall after a specified period of time, the unused portion of the rent shall not be refunded.
7. Should a resident be suspended from the residence hall at any time, for any reason, there shall be no refund on rent/meals.
8. The College District assumes no financial or other liability for the loss, destruction, or damage of personal property. Residence hall residents are encouraged to obtain renter's insurance to cover their possessions.

\* Infraction may result in permanent suspension from the residence hall.

\*\* Infraction may result in suspension from the residence hall for a specified period of time. Repeat or multiple infractions may result in permanent suspension from the residence hall.

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**Note:** All other infractions may result in being placed on probation status in the residence hall. Violation of probation or subsequent violation of rules or multiple infractions may result in suspension from the residence hall.

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SOLICITATIONS

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(LOCAL)

**Student Solicitation**

“Student solicitation” shall mean the sale or offer for sale of any property or service, whether for immediate or future delivery, and the receipt of or request for any gift or contribution by a student or registered student organization.

**Permitted Solicitation**

Student solicitation shall be permitted in or on premises owned or controlled by the College District only if the solicitation does not violate a sole-source vendor contract clause and the solicitation is:

1. The sale or offer for sale of any newspaper, magazine, or other publication in an area designated in advance by the dean of student affairs for the conduct of such activity;
2. The sale or offer for sale of any merchandise, food, or nonalcoholic beverages in an area designated in advance by the dean of student affairs for the conduct of such activity;
3. The collection of membership fees or dues by registered student organizations at the organizations’ meetings scheduled in accordance with College District policy and procedures on use of facilities; [See FLA]
4. The collection of admission fees for the exhibition of movies, performances, or other programs that are sponsored by a student or registered student organization and scheduled in accordance with College District policy and procedures on the use of facilities; [See FLA]
5. The sale of raffle tickets by a registered student organization that can present to the dean of student affairs written evidence from the Internal Revenue Service that the organization has been granted an exemption from taxation under 26 U.S.C. 501(c)(3);
6. The collection of donations by a registered student organization;
7. The sale of personal items by students; or
8. The sale of items by a registered student organization to its members.

Any solicitations by a registered student organization must be on behalf of or for the benefit of a registered student organization or an organization granted an exemption from taxation under 26 U.S.C. 501(c)(3).

Student solicitation must comply with law and College District policies and procedures. No solicitation shall be conducted on the

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grounds, sidewalks, or streets of any property either owned or controlled by the College District, except as approved by the dean of student affairs.

**Time Limit**

No student or registered student organization shall solicit under this policy for more than the time limit established by administrative regulations for each fiscal year.

Exception

If approved by the dean of student affairs, solicitation intended to raise funds to respond to a declared disaster or emergency is not subject to the established time limit.

**Use of College District Name**

Only authorized students or registered student organizations shall be allowed to sponsor and engage in solicitation and/or fund-raising activities under the name of the College District. All such activities shall be compatible with the mission and objectives of the College District and shall be approved by the dean of student affairs in accordance with procedures developed for that purpose.

**Conduct During Solicitation**

Solicitation made pursuant to the terms of this policy must be conducted according to the following:

1. The solicitation shall not disrupt or disturb the regular academic or institutional programs being conducted in buildings or on property owned or controlled by the College District.
2. The solicitation shall not interfere with the free or unimpeded flow of pedestrian and vehicular traffic on sidewalks and streets and at places of ingress and egress to and from buildings owned or controlled by the College District.
3. The solicitation shall not harass, threaten, or intimidate the person or persons being solicited.

**Sanctions**

If a student or registered student organization is alleged to have violated this policy, the student or organization shall be subject to a reasonable investigation conducted by the dean of student affairs.

If the dean of student affairs determines that a solicitation is being conducted in a manner violating this policy, the dean of student affairs may prohibit the offending student or registered student organization from soliciting on the campus for such period or periods of time determined to be appropriate.

A student determined to be in violation of this policy shall be subject to disciplinary measures as described in policies FM and FMA. In the case of a registered student organization, the dean of student affairs may revoke the registered status of the organization in accordance with policy FKC.



STUDENT RECORDS

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**Comprehensive System**

The College President shall develop and maintain a comprehensive system of student records and reports dealing with all facets of the College District program operation and shall ensure through reasonable procedures that records are accessed by authorized persons only, as allowed by this policy. These data and records shall be stored in a safe and secure manner and shall be conveniently retrievable for utilization by authorized school officials.

**Custodians of Records**

The registrar is custodian of all records for currently enrolled students and for all official academic records. The academic dean is custodian of academic status records. The appropriate executive administrator is custodian of all other records. The addresses for the custodians of records shall be included in the Annual Notice of Student Rights under 20 U.S.C. 1232g.

**Types of Education Records**

Each record custodian shall be responsible for the education records of the College District. These records may include:

1. Admissions data and personal and family data.
2. Standardized test data, including intelligence, aptitude, interest, personality, and social adjustment ratings.
3. All achievement records, as determined by tests, recorded grades, and teacher evaluations.
4. Attendance record.
5. Records of faculty, counselors, or administrative conferences with the student or pertaining to the student.
6. Disciplinary records, including scholastic disciplinary actions.
7. Copies of correspondence with parents and others concerned with the student.
8. Records transferred from secondary schools and other post-secondary institutions in which the student has been enrolled.
9. Records pertaining to participation in student activities including academic awards or recognition by the College District.
10. Information relating to student participation in special programs.
11. Records of tuition and fees paid and outstanding.
12. Financial aid records.
13. Job placement records.
14. Scholarships or other financial awards.

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15. Records pertaining to student complaints.
16. Other records that may contribute to understanding of the student.

**Request Procedures**

The College District shall make a student's records available to the student. The records custodian or designee shall use reasonable procedures to verify the requestor's identity before disclosing student records containing personally identifiable information.

Records may be reviewed in person during regular business hours without charge upon written request to the records custodian. For in-person viewing, the records custodian or designee shall be available to explain the record and to answer questions. The confidential nature of the student's records shall be maintained at all times. Records to be viewed shall be restricted to use only in the College President's office or other restricted area designated by the records custodian. The original copy of the record or any document contained in the comprehensive record shall not be removed from the school.

Copies of records must be requested in writing and shall be available at a per copy cost, payable in advance. Financial hardship cases shall be dealt with on an individual basis. A student may be denied copies of records if he or she fails to follow proper procedures or pay the copying charge.

**Directory Information**

Directory information shall be released to a qualified individual or organization that files a written request with the College President or designee.

The College District shall give public notice of the categories of information designated as directory information; whether the disclosure of directory information will be limited to specific parties, for specific purposes, or both; and the period of time after such notice for a student to inform the College District that any or all of the directory information should not be released without prior consent.

**Access by School Officials**

A school official shall be allowed access to student records if he or she has a legitimate educational interest in the records.

For the purposes of this policy, "school officials" shall include:

1. An employee, Board member, or agent of the College District, including an attorney, a consultant, a contractor, a volunteer and any outside service provider used by the College District to perform institutional services.

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2. A person serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

All contractors provided with student records shall follow the same rules as employees concerning privacy of the records and shall return the records upon completion of the assignment.

A school official has a "legitimate educational interest" in a student's records when he or she is:

1. Working with the student;
2. Considering disciplinary or academic actions, the student's case, or services for a student with disabilities;
3. Compiling statistical data;
4. Reviewing an education record to fulfill the official's professional responsibility; or
5. Investigating or evaluating programs.

**Access by Parents**

The College District may disclose educational records to a student's parent without the student's consent under circumstances specified in law. [See FJ(LEGAL)] A qualified parent shall be subject to the provisions of the REQUEST PROCEDURES, above.

**Transcripts and  
Transfers of Records**

The College District may request transcripts from previously attended schools for students transferring into the College District; however, the ultimate responsibility for obtaining transcripts from sending schools rests with the student.

For purposes of a student's enrollment or transfer, the College District shall promptly forward education records upon request to officials of other schools or school systems in which the student intends to enroll or enrolls. The College District may return an education record to the school identified as the source of the record.

**Procedure to Amend  
Records**

Within 15 College District business days of the record custodian's receipt of a request to amend records, the College District shall notify the student in writing of its decision on the request and, if the request is denied, of his or her right to a hearing. If a hearing is requested, it shall be held within ten College District business days after the request is received.

Students shall be notified in advance of the date, time, and place of the hearing. An administrator who is not responsible for the contested records and who does not have a direct interest in the outcome of the hearing shall conduct the hearing. The student shall be

given a full and fair opportunity to present evidence, and at his or her own expense, may be assisted or represented at the hearing.

The student shall be notified of the decision in writing within ten College District business days of the hearing. The decision shall be based solely on the evidence presented at the hearing and shall include a summary of the evidence and reasons for the decision. If the decision is to deny the request, the student shall be informed that he or she has 30 College District business days within which to exercise his or her right to place in the record a statement commenting on the contested information and/or stating any reason for disagreeing with the College District's decision.

STUDENT ACTIVITIES  
REGISTERED STUDENT ORGANIZATIONS

FKC  
(LOCAL)

An organization in which membership is limited to students, staff, and faculty may become a registered student organization by complying with the registration procedures established by the dean of student affairs.

Registered student organizations shall abide by College District policies and procedures and applicable law. Registered status shall not imply that the College District endorses a student organization's opinions and activities.

**Registration  
Required**

An eligible group of students shall be entitled to register as a student organization. Approval for registration of an organization on any one campus or center shall be effective College District-wide.

**Eligibility**

A group shall be eligible for registration if:

1. Its membership consists of seven or more students.
2. It does not deny membership to anyone on the basis of sex, disability, age, color, race, nationality, or religion.
3. It has an adviser who is a member of the faculty or the staff.
4. It is not under a disciplinary penalty prohibiting registration.
5. It conducts its affairs in accordance with College District policies, procedures, rules, and regulations; as well as with local, state, and federal laws.
6. Its membership is limited only to students, staff, and faculty of the College District.

Regardless of the above criteria, the College District shall not deny an application for registration based on a political, religious, philosophical, ideological, or academic viewpoint expressed by the organization or any expressive activities of the organization.

**Rejection of  
Application**

If the dean of student affairs does not approve the application for registration, he or she shall provide the applicant with a copy of a written statement of the reasons for refusal, and the applicant may appeal to the College President.

The College President may take one of the following actions:

1. Affirm the dean of student affairs's decision.
2. Reverse the dean of student affairs's decision.
3. Appoint a committee to conduct a hearing and report its findings to the applicant and the College President, who shall then take final action.

The College President's decision may be appealed to the Board.

STUDENT ACTIVITIES  
REGISTERED STUDENT ORGANIZATIONS

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(LOCAL)

**Rights and Duties**

Each registered student organization shall adopt a written charter, constitution, or other governing document. A copy shall be filed with the College District.

A registered student organization may conduct meetings, events, performances, and similar activities in accordance with College District facilities use policies and procedures. [See FLA] The organization shall not advertise, promote, or represent that an event or activity is associated with the College District unless prior approval is obtained in accordance with applicable procedures. [See FK]

A registered student organization may distribute written or printed materials or other visual or auditory materials in accordance with College District literature distribution policies and procedures. [See FLA] The organization may not represent that visual or auditory materials are sponsored by the College District unless prior approval is obtained in accordance with applicable procedures. [See FKA]

In accordance with state law, officers of a registered student organization shall attend a risk management program provided by the College District.

**Required Submissions**

Each registered student organization shall submit the following:

1. At the beginning of each semester, a complete list of officers or other representatives of the organization who are authorized to receive official notices, directives, or information from the College District on behalf of the organization. The list shall be kept current and accurate by the organization.
2. At the beginning of each semester, an affidavit stating that the organization or group does not, and will not, accept any member who is not a student or a member of the faculty or staff of the College District.
3. A financial statement form supplied by the business office to be filed on the first workday of July and January.

**Loss of Registration**

Upon written notice, a student organization's registered status may be revoked by the dean of student affairs if it:

1. No longer meets the eligibility requirements; or
2. Violates College District policies and procedures or local, state, or federal law.

A student organization whose registered status has been revoked may appeal to the College President, who may take appropriate action regarding the issue. If the organization is not satisfied with the decision, it may appeal that decision to the Board.

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A student organization whose registered status has been revoked shall be prohibited from reapplying for registered status for a period described in the revocation notice. The prohibition shall be for a period of not less than four months following the date of the notice and may be permanent. The revocation shall be effective College District-wide.

**Disciplinary  
Violations**

In addition to the revocation of registered status, violations of College District policies and procedures or local, state, or federal law shall subject the student organization and its individual members to disciplinary action in accordance with policies FM and FMA.





STUDENT RIGHTS AND RESPONSIBILITIES  
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	<p><b>Note:</b> For expression and use of College District facilities and grounds by employees and employee organizations, see DGC. For expression and use of College District facilities and grounds by the community, including by nonstudents and organizations that are not registered student organizations, see GD.</p>
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<b>Distribution of Literature</b>	<p>Written or printed materials, handbills, photographs, pictures, films, tapes, or other visual or auditory materials not sponsored by the College District shall not be sold, circulated, distributed, or posted on any College District premises by any College District student or registered student organization [see FKC], except in accordance with this policy.</p> <p>The College District shall not be responsible for, nor shall the College District endorse, the contents of any materials distributed by students or registered student organizations that is not sponsored by the College District.</p> <p>Materials distributed under the supervision of instructional personnel as a part of instruction or other authorized classroom activities shall not be governed by this policy.</p>
<b>Limitations on Content</b>	<p>Materials shall not be distributed by students or registered student organizations on College District property if:</p> <ol style="list-style-type: none"><li>1. The materials are obscene.</li><li>2. The materials contain defamatory statements about public figures or others.</li><li>3. The materials advocate imminent lawless or disruptive action and are likely to incite or produce such action.</li><li>4. The materials are considered prohibited harassment. [See DIAA, DIAB, FFDA, and FFDB]</li><li>5. The materials constitute nonpermissible solicitation. [See FI]</li><li>6. The materials infringe upon intellectual property rights of the College District. [See CT]</li></ol>
<b>Time, Place, and Manner Restrictions</b>	<p>Distribution of the materials shall be conducted in a manner that:</p> <ol style="list-style-type: none"><li>1. Is not disruptive; [See FLB]</li><li>2. Does not impede reasonable access to College District facilities;</li><li>3. Does not result in damage to College District property;</li></ol>

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4. Does not coerce, badger, or intimidate a person;
5. Does not interfere with the rights of others; and
6. Does not violate local, state, or federal laws or College District policies and procedures.

The distributor shall clean the area around which the literature was distributed of any materials that were discarded or leftover.

The dean of student affairs shall designate times, locations, and means by which materials that are appropriate for distribution, as provided in this policy, may be made available or distributed by students or registered student organizations to students or others in College District facilities and in areas that are not considered common outdoor areas.

Posting of Signs

For the purposes of this policy, "sign" shall be defined as a billboard, decal, notice, placard, poster, banner, or any kind of hand-held sign; and "posting" shall be defined as any means used for displaying a sign.

Except for signs that violate the restrictions in this policy and administrative procedures, a student or registered student organization may publicly post a sign on College District property in common outdoor areas and in areas or locations designated by the dean of student affairs. No object other than a sign may be posted on College District property.

Restrictions

A sign shall not be larger than 22 inches by 28 inches, unless authorized by the dean of student affairs. A sign shall not be attached or posted:

1. To a shrub or plant;
2. To a tree, except by string to its trunk;
3. To a permanent sign installed for another purpose;
4. To a fence or chain or its supporting structure;
5. To a brick, concrete, or masonry structure;
6. To a statue, monument, or similar structure;
7. On or adjacent to a fire hydrant; or
8. In a College District building, except on a bulletin board designated for that purpose.

Removal

A student or registered student organization shall remove each sign not later than 14 days after posting or, if it relates to an event,

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not longer than 24 hours after the event to which it relates has ended.

A sign posted in accordance with this section shall not be removed without permission from the dean of student affairs, the student, or the registered student organization.

**Disclaimer**

Materials distributed by a registered student organization must include a disclaimer indicating that the materials are not sponsored by the College District and do not represent the views of the College District or College District officials, faculty, or staff.

**Use of Facilities and Grounds**

The facilities and grounds of the College District shall be made available to students or registered student organizations [see FKC] when such use does not conflict with use by, or any of the policies and procedures of, the College District. The requesting students or student organization shall pay all expenses incurred by their use of facilities in accordance with a fee schedule developed by the Board.

**Requests**

To request permission to meet or host a speaker in College District facilities, interested students or registered student organizations shall file a written request with the executive administrator in accordance with administrative procedures.

The students or the registered student organization making the request shall indicate that they have read and understand the policies and rules governing use of College District facilities and that they will abide by those rules.

*Approval*

The executive administrator shall approve or reject the request in accordance with provisions and deadlines set out in this policy and administrative procedures, without regard to the religious, political, philosophical, ideological, academic viewpoint, or other content of the speech likely to be associated with the student's or registered student organization's use of the facility.

Approval shall not be granted when the official has reasonable grounds to believe that:

1. The College District facility requested is unavailable, inadequate, or inappropriate to accommodate the proposed use at the time requested;
2. The applicant is under a disciplinary penalty or sanction prohibiting the use of the facility;
3. The proposed use includes nonpermissible solicitation [see FI];

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4. The proposed use would constitute an immediate and actual danger to the peace or security of the College District that available law enforcement officials could not control with reasonable efforts;
5. The applicant owes a monetary debt to the College District and the debt is considered delinquent;
6. The proposed activity would disrupt or disturb the regular academic program;
7. The proposed use would result in damage to or defacement of property or the applicant has previously damaged College District property; or
8. The proposed activity would constitute an unauthorized joint sponsorship with an outside group.

The executive administrator shall provide the applicant a written statement of the grounds for rejection if a request is denied.

*Common  
Outdoor Area  
Exception*

Common outdoor areas are traditional public forums and are not subject to the approval procedures. Students and student organizations may engage in expressive activities in common outdoor areas, unless:

1. The person's conduct is unlawful;
2. The use would constitute an immediate and actual danger to the peace or security of the College District that available law enforcement officials could not control with reasonable efforts;
3. The use would materially or substantially disrupt or disturb the regular academic program; or
4. The use would result in damage to or defacement of property.

Announcements  
and Publicity

In accordance with administrative procedures, all students and registered student organizations shall be given access on the same basis for making announcements and publicizing their meetings and activities.

**Identification**

Students or registered student organizations distributing materials on campus or using College District facilities shall provide identification when requested to do so by a College District representative.

**Violations of Policy**

Failure to comply with this policy and associated procedures shall result in appropriate administrative action, including but not limited to, confiscation of nonconforming materials, suspension of a student's or registered student organization's use of College District facilities, and/or other disciplinary action in accordance with the

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	College District's discipline policies and procedures [see FM and FMA].
Interference with Expression	Faculty members, students, or student organizations that interfere with the expressive activities permitted by this policy shall be subject to disciplinary action in accordance with the College District's discipline policies and procedures [see DH, FM, and FMA].
<b>Appeals</b>	Decisions made by the administration in accordance with this policy may be appealed in accordance with DGBA(LOCAL) or FLD(LOCAL), as applicable.
<b>Publication</b>	This policy and associated procedures must be posted on the College District's website and distributed in the student and employee handbooks and other appropriate publications. They must also be distributed to students at orientation.



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**Reports of Alleged  
Misconduct**

College District faculty and staff shall submit an alleged violation or violations of College District policies and procedures, including the rules for student conduct [see FLB], committed by a student to the dean of student affairs within a reasonable time following an alleged incident, not to exceed ten College District business days. The allegations must be submitted in writing, through traditional or electronic means, and must describe the violation and any surrounding facts.

The dean of student affairs or designee shall investigate the matter as necessary. If an allegation is deemed to be unfounded, the dean of student affairs or designee shall dismiss the allegation and shall provide the student written notice that the allegation of misconduct was made against the student and that the allegation was dismissed.

*Exception*

Reports of sex discrimination or sexual harassment shall be submitted in accordance with DIAA or FFDA, as appropriate.

**Conference**

If, however, the dean of student affairs or designee determines that the allegation warrants further consideration, the dean of student affairs or designee shall summon the student for a conference to be held within a reasonable time, not to exceed ten College District business days, following the receipt of the allegation of misconduct.

At the conference, the dean of student affairs or designee shall notify the student of the allegation or allegations and provide the student an opportunity to respond.

*Unfounded  
Allegations*

After conferring with the student, if the dean of student affairs or designee determines that the student did not commit a violation, the allegation or allegations shall be dismissed as unfounded. The student shall be provided written notice of the dismissal.

*Misconduct  
Warranting a  
Penalty*

If the dean of student affairs or designee determines that the student committed misconduct that warrants a penalty other than suspension or expulsion, the dean of student affairs or designee shall provide the student written notice of the penalty and the student's right to appeal to the disciplinary appeals committee.

*Suspension*

If the dean of student affairs or designee determines that the student committed misconduct that warrants a suspension, the dean of student affairs or designee shall inform the student in writing of the determination, and a hearing shall be scheduled for consideration by the disciplinary appeals committee as described below.

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<i>Expulsion</i>	If the dean of student affairs or designee determines that the student committed misconduct that warrants expulsion, the official shall inform the student in writing of the determination. The dean of student affairs or designee shall forward the determination and all evidence collected during the investigation and conference to the College President in order to schedule an expulsion hearing before the Board [see Expulsion Hearing, below].
Interim Disciplinary Action	The dean of student affairs or designee may take immediate disciplinary action, including suspension pending a hearing, against a student for policy violations if the continuing presence of the student poses a danger to persons or property or an ongoing threat of disrupting the educational environment.
<b>Disciplinary Appeals Committee</b>	<p>The disciplinary appeals committee shall be convened:</p> <ol style="list-style-type: none"><li>1. On request of a student appealing a penalty other than suspension or expulsion. The request must be filed in writing, on a form provided by the College District, within ten College District business days of the date of the administration's written notice.</li><li>2. Automatically, if the dean of student affairs or designee determines that a student committed misconduct warranting suspension.</li></ol>
Composition	The disciplinary appeals committee shall be composed of at least three College District employees and a minimum of one current College District student. The members of the disciplinary appeals committee and the committee chairperson shall be designated according to procedures developed by the College President. All members of the disciplinary appeals committee shall be eligible to vote during the hearing.
Hearing Notice	The dean of student affairs or designee shall notify the student by letter of the date, time, and place for the hearing. Unless the student and the dean of student affairs or designee otherwise agree, the hearing shall take place within a reasonable time period, not to exceed ten College District business days after the date of the student's request for the hearing or the dean of student affairs or designee's determination that the student should be suspended.
<i>Contents of Notice</i>	<p>The notice shall:</p> <ol style="list-style-type: none"><li>1. Direct the student to appear on the date and at the time and place specified.</li><li>2. Advise the student of his or her rights:<ol style="list-style-type: none"><li>a. To have a private hearing.</li></ol></li></ol>



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- b. To be assisted by an adviser or legal counsel at the hearing.
  - c. To call witnesses, request copies of evidence in the College District's possession, and offer evidence and agreement on his or her own behalf.
  - d. To make an audio recording of the proceedings, after first notifying the dean of student affairs or designee in advance of the hearing, or, at the student's own expense, to have a stenographer present at the hearing to make a stenographic transcript of the hearing.
  - e. To ask questions of each witness who testifies against the student.
3. Contain the names of witnesses who will testify against the student and a description of documentary and other evidence that will be offered against the student.
  4. Contain a description of the allegations of misconduct in sufficient detail to enable the student to prepare his or her defense against the charges.
  5. State the proposed punishment or range of punishments that may be imposed.

Failure to Appear  
for Hearing

The disciplinary appeals committee may impose appropriate punishment upon a student who fails without good cause to appear for the hearing; for purposes of assessing punishment, the committee may proceed with the hearing in the student's absence.

Hearing Procedure

The hearing shall proceed as follows:

1. The chairperson shall read the description of the misconduct.
2. The chairperson shall inform the student of his or her rights.
3. The designated official or representative shall present the College District's case.
4. The student or representative shall present the student's defense.
5. The designated College District official or representative shall present rebuttal evidence.
6. The committee members may ask questions of witnesses testifying on behalf of the student or the College District.
7. The designated official or representative shall summarize and argue the College District's case.

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8. The student or representative shall summarize and argue his or her case.
9. The designated official or representative shall have an opportunity for rebuttal argument.
10. The committee members shall deliberate in closed session. The committee members shall vote on the issue of whether or not the student violated College District policies and procedures, including the rules for student conduct.
11. If the committee finds the student did commit misconduct, the committee shall determine whether the penalty assessed, or proposed in the case of suspension, by the dean of student affairs or designee is appropriate and, if necessary, shall assess a different or additional penalty.
12. The committee chairperson shall communicate the decision and any findings of facts in support of the committee's decision to the student in writing within ten College District business days of the hearing. The notice shall include procedures for appealing the committee's decision to the College President.

All hearings shall be recorded by the College District. A stenographic digest of the recording shall be made if needed for an appeal, and, on request, the student shall be given a copy of the digest. The student or the student's representative may listen to the tape recording and compare it with the digest.

**Evidence**

Evidence shall be handled in accordance with the following:

1. Legal rules of evidence do not apply; the committee chairperson may admit evidence or exclude evidence considered to be irrelevant, immaterial, and unduly repetitious.
2. At the hearing, the College District shall be required to prove by a preponderance of the evidence that the charges are true.
3. A student may not be compelled to testify.
4. The committee shall determine if a violation has occurred and assess an appropriate penalty based solely on the evidence presented at the hearing.

**Appeal to College  
District  
Administration**

A student may, within ten College District business days of receiving notice of the disciplinary appeal committee's decision, petition in writing the College President to review the decision. The student's petition shall state with particularity why the decision is believed to be incorrect. After receiving notice of the appeal, the disciplinary appeals committee chairperson shall forward all evidence

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considered during the hearing, the audio recording of the hearing, and the digest of the hearing, if applicable, to the College President.

The College President shall hold a conference within ten College District business days after the appeal notice is filed. At the conference, the student may provide information concerning any documents or information relied on by the committee. The College President may set reasonable time limits for the conference. The conference shall be audio recorded.

The College President shall provide the student a written response, stating the basis of the decision, within ten College District business days following the conference. In reaching a decision, the College President may consider the evidence included in the student's petition, provided during the conference, and forwarded by the committee chairperson. The College President may act to affirm, modify, remand, or reverse the decision of the disciplinary appeals committee.

**Appeal to Board**

If the College President affirmed or modified the decision of the disciplinary appeals committee or if the time for a response has expired, the student may appeal the decision to the Board. The appeal notice must be filed in writing, on a form provided by the College District, within ten College District business days after receipt of the written response from the College President, or, if no response was received, within ten College District business days of the response deadline.

The College President or designee shall inform the student of the date, time, and place of the Board meeting at which the appeal will be on the agenda for presentation to the Board.

The College President or designee shall provide the Board the evidence presented to the College President, as well as the audio recording of the College President's conference with the student and the written response provided by the College President to the student.

The College District shall determine whether the appeal will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. [See BD]

The presiding officer may set reasonable time limits and guidelines for the presentation, including an opportunity for the student and the administration to each make a presentation and provide rebuttal and an opportunity for questioning by the Board. The Board shall hear the appeal and may request that the administration provide an explanation for the decisions at the preceding levels.

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In addition to any other record of the Board meeting required by law, the Board shall prepare a separate record of the hearing. The hearing, including the presentation by the student or the student's representative, any presentation from the administration, and questions from the Board with responses, shall be recorded by audio recording, video/audio recording, or court reporter.

The Board shall then consider the evidence. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If for any reason the Board fails to reach a decision regarding the evidence by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the dean of student affairs's decision.

**Expulsion Hearing**

If the dean of student affairs or designee determines that the student's misconduct warrants expulsion [see Conference, above], the Board shall convene to conduct an expulsion hearing. The College President or designee shall inform the student of the date, time, and place of the Board meeting at which the appeal will be on the agenda for presentation to the Board. The notice shall contain the contents described at Disciplinary Appeals Committee—Contents of Notice, above.

The College President or designee shall provide the Board the documentation presented by the dean of student affairs.

The Board shall proceed according to the procedures set out at Disciplinary Appeals Committee—Failure to Appeal for Hearing, Hearing Procedure, and Evidence, above, with the Board substituted for references to the committee and the presiding officer of the Board substituted for the committee chairperson.