



Texas County Technical College

Annual Security Report 2023

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Institutions of higher education, which receive federal financial assistance, are required to provide current and prospective students and employees with an annual report that identifies policies and procedures related to campus security. This document is prepared to increase awareness of current policies, procedures, and practices related to campus security. Campus crime, arrest, and referral statistics include those that were reported to local law enforcement and campus faculty and staff. An annual copy of the report is posted on the Texas County Technical College website at <https://texascountytech.edu/consumer-information/>.

Reporting Crimes and Emergencies

Texas County Technical College students, employees and others are encouraged to report all criminal activity and emergencies to the college. In emergency situations, 911 should be called first, followed by an immediate notification to the Campus. Every Texas County Technical College student has the option to notify proper law enforcement authorities, including local police, and the option to be assisted by campus authorities in notifying these authorities, if the student chooses to do so. The school does not currently have procedures that allow victims or witnesses to report crimes on a voluntary, confidential basis for inclusion in the annual security report. Texas County Technical College does not have campus police or counselors.

If an employee or student observes any crime or if any person reveals to an employee or student that he/she learned of, or were the victim of, perpetrator of, or witness to any crime they are to immediately complete a Crime Incident Report Form obtained from the campus Incident Commander and submit to the Campus. This applies to crimes on campus, and locations at which other official college activities are taking place. Please ensure that you complete all information on the form based on the information you possess. Please do not investigate the crime or attempt to determine whether a crime, in fact, took place.

Texas County Technical College designated security officers are responsible for maintaining the Campus's Security Log and reports of all crimes. Once a crime is reported the Security Officer will offer to contact local authorities. In addition, they will evaluate the crime and determine if it constitutes an ongoing security risk to students and employees on campus. If so, the incident commander will be notified, and timely warning or emergency may be issued. Please see the relevant section related to the issuing of emergency notification and timely warning listed in the Annual Security Report.

Texas County Technical College
Security Officer
Chelsye Scantlin
6915 Hwy 63, Houston, MO 65483
cscantlin@texascountytech.edu
417-967-5466

To provide for the safety and security of students and employees, Texas County Technical College maintains a cooperative relationship with all local public safety agencies including the Local Police and Fire Departments. Periodically, the local Police

Department provides Texas County Technical College with reports that provide information on police actions, by category, for the off-campus neighborhood. The annual disclosure of crime statistics is prepared by Texas County Technical College Office of Regulatory Affairs based on information gathered from designated Security Officers, Building Security (if relevant), and Police Department reports of police actions. Texas County Technical College does not maintain an MOU with local authorities.

EMERGENCY NOTIFICATION & TIMELY WARNING

Timely Warning Policy & Procedures

Texas County Technical College will issue a timely warning regarding Clery crimes that represent a serious and continuing threat to its students and employees as soon as pertinent information is available. The warning will contain information about the type of criminal incident that has occurred.

Crimes Subject to a Timely Warning

The College will issue a timely warning for all Clery Act crimes that occur on its Clery Act geography that are reported to campus security authorities or local police agencies and considered by the institution to represent a serious or continuing threat to its students and employees.

Making the Decision to Issue a Timely Warning

The Incident Commander will decide whether and how to warn on a case-by-case basis in light of all the facts surrounding a crime, including factors such as the nature of the crime and whether there is continuing danger to the campus community. This means that after a Clery Act crime is reported, the Incident Commander considers whether students and employees are at risk of becoming victims of a similar crime. The Incident Commander evaluates other factors such as whether the apprehended perpetrator had accomplices or had already set other attacks in motion, and whether a criminal incident appears to be a one-time occurrence or falls into a pattern of reported crimes. The Incident Commander should consider the potential impact on various law enforcement operations as he/she issues these warnings.

The College will consult with local and state law enforcement authorities to discuss the timely warning requirement and request that local law enforcement keep the College informed on an immediate basis of crimes that may require timely warnings. This request will be made as part of its annual letter to law enforcement requesting crime statistics.

Determining the Content of a Timely Warning

The timely warning will include all information that promotes safety and aids in the prevention of similar crimes, especially pertinent information about the crime that triggered the warning. In addition, timely warnings will include information about what action is being taken by campus or local police authorities. It will also direct students and staff as to what action they need to take.

Issuing a Timely Warning

Timely warnings must be issued in a manner that gets the word out quickly and effectively communitywide. The Commander will notify the AMG Alert administrator of the necessary message to campus constituents. The Incident commander will also make a determination on the delivery method (Voice message, text, and/or email) for the timely warning. The AMG Alert administrator will then issue the message through the AMG Alert system.

The Family Educational Rights and Privacy Act (FERPA) and the Timely Warning Requirement

The College may, in appropriate circumstances, include personally identifiable information in a timely warning due to health or safety emergencies.

EMERGENCY RESPONSE AND EVACUATION

Emergency Response policy and procedures address non-timely warning incidents (noted above). However, the evacuation procedures described here may apply to either timely warning or emergency response situations.

The Emergency Preparedness Plan is located on the college's website. The plan is available for viewing emergency guidelines and evacuation procedures. If there is an emergency in the building, contact administration or an instructor immediately. In the event of an evacuation, all students should evacuate the building through the closest fire exit and report to their instructor for roll call.

Texas County Technical College will immediately create and issue an Emergency Notification to the college community upon the confirmation of any significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. The College will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless initiating a notification could, in the professional judgment of responsible authorities compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The method of notification may be made via various methods to be determined at the time of the emergency. The methods of communication that may be used are:

1. AMG Alert System
2. Email
3. Telephone
4. Runners
5. Signs
6. The Web
7. Media

Incident Commander

Texas County Technical College
Chelsye Scantlin
6915 Hwy 63, Houston, MO 65483_
cscantlin@texascountytech.edu
417-967-5466

Responsible for carrying out the following procedures:

Process to confirm a significant emergency or dangerous situation Texas County Technical College Incident Commanders may become aware of a critical incident or another emergency that potentially affects the health and/or safety of the campus community. Generally, Incident

Commanders become aware of these situations when they are reported directly to a college employee and the employee informs the Commander.

Once first responders or other circumstances confirm there is, in fact, an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the campus community, Incident Commanders will issue an emergency notification.

The Incident Commander will, without delay, and considering the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgement of the Incident Commander, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Incident Commanders may also determine if a message should be sent to benefit the health, safety, and well-being of the campus community for situations that do not pose a significant emergency or dangerous situation.

Process to determine the appropriate segment or segments of the campus community to receive a notification

The Incident Commander has the flexibility to alert only the segment of the population it determines to be at risk. For example, in the case of a gas leak, it may choose to notify only individuals in the building that has the leak, whereas, for a meningitis outbreak, the Incident Commander may choose to notify the entire campus community.

The Incident Commander will make the decision to notify or not notify specific segments of the campus community. For example, the Incident Commander may determine campus community will be notified when there is at least the potential that a very large segment of the community will be affected by a situation, or when a situation threatens the operation of the campus. Incident Commanders will provide a continuing assessment of the situation and additional segments of the campus community may be notified if a situation warrants such action.

Determining the contents of the emergency notification

Texas County Technical College Incident Commander will determine how much information is appropriate to disseminate at different points in time. Depending on what segments of the community the College's notification targets, the content will differ. In the case of an approaching tornado, you may want to tell students in daytime classes to take shelter in the basement, but you may want to tell evening students not yet on campus to stay away from the campus.

Texas County Technical College has developed templates for the most common incidents that allows for the input of details. In the event no template is created, Incident Commanders will write a custom notification.

Procedures for initiating the emergency notification system

Once the Incident Commanders have made the determination an emergency exists, local authorities are notified. After local authorities have been notified, the Incident Commander will take the necessary steps to notify the appropriate campus segments.

The institution's procedures for disseminating emergency information to the larger community

Texas County Technical College may disseminate emergency information to individuals and/or organizations outside of the campus community. The College may use different methods to target different segments of the community. For example, it may send cell phone alerts to students and use radio and/or TV alerts for the neighboring community. Incident Commanders are responsible for developing the information to be disclosed and are responsible for disseminating the information to the larger community.

The institution's procedures to test, evaluate, and publicize the emergency response and evacuation procedures.

Texas County Technical College will test emergency response and evacuation procedures, document each test, including the date, time, and whether it was announced or unannounced and publicize emergency response and evacuation procedures in conjunction with at least one test per calendar year. The Campus Security & Safety committee will review the outcomes of each test and if necessary, make recommendations to improve the process. The Emergency Response and Evacuation procedures are included in the Emergency Preparedness Plan located on the College's website.

SECURITY AND ACCESS TO CAMPUS FACILITIES

On-campus facilities are secured and require a key or key card for entrance outside of business hours. Access to the Campus is limited to regular business hours.

All students are required to display their Student ID while on campus, and guests of the college must register at the front desk and display a guest badge while on campus. Individuals who are not students or registered guests are not allowed on campus.

Facilities are maintained to ensure safety and security. Students and employees are encouraged to report any security or maintenance needs to a campus authority, who will ensure that all security requests are resolved. Incident Commanders are responsible for regularly reviewing the security and maintenance facilities on each campus.

Texas County Technical College does not maintain residence buildings and does not have security personnel with law enforcement authority on Campus, written memoranda of understanding with law enforcement agencies, or student organizations with off-campus housing facilities.

REDUCING SECURITY RISKS

Texas County Technical College offers regular training to students/staff regarding Sexual Misconduct, Campus Security Procedures, and Practice. Staff training is also provided specifically to incident commanders and Title IX Investigators. Student training is offered specifically for sexual misconduct and Campus Security.

Texas County Technical College students and staff are encouraged to be responsible for their own security. The following tips may help you protect yourself from security risks. This information was obtained from an additional safety information may be located at rainn.org.

“The following tips may reduce your risk for many different types of crimes, including sexual violence.

- *Know your resources. Who should you contact if you or a friend needs help? Where should you go? Locate resources such as the campus health center, campus police station, and a local sexual assault service provider. Notice where emergency phones are located on campus, and program the campus security number into your cell phone for easy access.*
- *Stay alert. When you’re moving around on campus or in the surrounding neighborhood, be aware of your surroundings. Consider inviting a friend to join you or asking campus security for an escort. If you’re alone, only use headphones in one ear to stay aware of your surroundings.*
- *Be careful about posting your location. Many social media sites, like Facebook and Foursquare, use geolocation to publicly share your location. Consider disabling this function and reviewing other social media settings.*
- *Make others earn your trust. A college environment can foster a false sense of security. They may feel like fast friends but give people time earn your trust before relying on them.*

- *Think about Plan B. Spend some time thinking about backup plans for potentially sticky situations. If your phone dies, do you have a few numbers memorized to get help? Do you have emergency cash in case you can't use a credit card? Do you have the address to your dorm or college memorized? If you drive, is there a spare key hidden, gas in your car, and a set of jumper cables?*
- *Be secure. Lock your door and windows when you're asleep and when you leave the room. If people constantly prop open the main door to the dorm or apartment, tell security or a trusted authority figure."*

In keeping with the requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, the College makes available to all current students and employees the campus security report in its entirety. The most recently reported Crime Statistics for Campuses to follow.

NONDISCRIMINATION NOTICE

Texas County Technical College does not discriminate on the basis of race, color, creed, national or ethnic origin, religion, sex, pregnancy, childbirth and related medical conditions, marital status, medical condition, service in the uniformed services, age, disability, sexual orientation, gender identity, veteran status, or any other consideration made unlawful by federal, state, or local laws. If there are any questions or concerns, please contact Matthew Egan, Vice President of Regulatory Affairs, at 2510 W. Dunlap Ave., Suite 290 Phoenix, AZ 85021 602.759.2279 | megan@arizonacollege.edu or the Office of Civil Rights at Office of Civil Rights (OCR), United States Department of Education, Washington DC 20201, and/or file a criminal complaint with local law enforcement.

Reporting/Filing a Complaint about Discrimination Other Than Sex Based

To report discrimination, misconduct, harassment, violence or retaliation based on race, color, creed, national or ethnic origin, religion, pregnancy, childbirth and related medical conditions, marital status, gender identity, medical condition, service in the uniformed services, political activities and affiliations, age, disability, veteran status, or any other consideration made unlawful by federal, state, or local laws, follow the relevant procedure outlined in the Dispute Resolution Procedure for Student Complaints.

Title IX

TEXAS COUNTY TECHNICAL COLLEGE

TITLE IX NON-DISCRIMINATION & ANTI-HARASSMENT POLICY

Policy Statement

Texas County Technical College is committed to providing a supportive learning and working environment that promotes personal integrity, civility, and mutual respect in an environment free of discrimination on the basis of sex, sex stereotypes, sex characteristics gender, pregnancy status, or related conditions. Texas County Technical College considers sex and gender discrimination in all its forms to be a serious offense. Sex discrimination constitutes a violation of this policy, is unacceptable, and will not be tolerated.

Sex-based harassment, whether verbal, physical, or visual, which is based on sex is a form of prohibited sex discrimination. Sex-based harassment means harassment and other harassment on the basis of sex, and includes sexual assault, dating violence, domestic violence, and stalking. The specific definition of sex-based harassment, including examples of such conduct, are set forth below.

Title IX Statement

Title IX provides that "no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits

of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance." Further information about Title IX can be found at <https://www.justice.gov/crt/title-ix>.

Scope and Application

This policy is implemented to ensure compliance with local, state, and federal laws in alignment with existing Texas County Technical College student and employee policies. The scope of this policy extends to all prohibited behaviors conducted by students, volunteers, external community members, employees, third-party contractors, guests, or any other third parties occurring under or in connection with Texas County Technical College's education program or activity in the United States, whether on or off campus, including but not limited to campus events, travel associated with an education program or activity, or any other Texas County Technical College - sponsored education program or activity. Texas County Technical College will also address complaints of sex-based hostile environment under its education program or activity, even when some conduct alleged to be contributing to the hostile environment occurred outside the Texas County Technical College's education program or activity or outside the United States.

Notice of Non-Discrimination

Texas County Technical College does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX, including in admission and employment.

To report information about conduct that may constitute sex discrimination or make a complaint of sex discrimination under Title IX, please report to Texas County Technical College's Title IX Coordinator and follow the procedures outlined in the Grievance Policy.

Inquiries about Title IX may be referred to Texas County Technical College's Title IX Coordinator, the U.S. Department of Education's Office for Civil Rights, or both.

It is the policy of Texas County Technical College for instances of alleged sex discrimination occurring on or after August 1, 2024, to comply with the regulations effective August 1, 2024, implementing Title IX of the Education Amendments of 1972, which prohibit discrimination based on sex in Texas County Technical College's educational programs and activities. For alleged issues occurring prior to August 1, 2024, regardless of when reported, Texas County Technical College will address those alleged issues under the Title IX policy in effect prior to August 1, 2024. Title IX and its implementing regulations also prohibit retaliation for asserting claims of sex discrimination.

Roles and Responsibilities of Title IX Coordinator

Texas County Technical College has designated the following Title IX Coordinator to coordinate its compliance with Title IX and to receive inquiries regarding Title IX, including complaints of sex discrimination:

Matthew Egan
Vice President of Regulatory Affairs
megan@arizonacollege.edu
480-580-3281

Anyone wishing to make a report relating to sex discrimination or sex-based harassment may do so by reporting the concern to the school's Title IX Coordinator or Campus Deputy Title IX Coordinator.

Individuals experiencing harassment or discrimination also have the right to file a formal grievance with the United States Department of Education:

U.S. Department of Education
Office for Civil Rights ("OCR")
Lyndon Baines Johnson Department of Education Bldg.
400 Maryland Avenue, SW
Washington, DC 20202-1100
Telephone – 800-421-3481
Fax – 202-453-6012; TDD: 800-877-8339
Email: OCR@ed.gov

Web: <https://ocrcas.ed.gov/contact-ocr>

Title IX Coordinator

The Title IX Coordinator oversees compliance with all aspects of this policy. Specifically, the Title IX Coordinator is responsible for coordinating the dissemination of information and education and training programs to: (1) assist members of the Texas County Technical College community in understanding that sex discrimination is prohibited by this policy; (2) ensure that investigators are trained to respond to and investigate complaints of sex discrimination; (3) ensure that faculty, staff, and students are aware of the procedures for reporting and addressing complaints of sex discrimination; and (4) coordinating responses to all complaints involving sex discrimination.

The Title IX Coordinator oversees implementation and enforcement of the Grievance Policy, which includes primary responsibility for coordinating Texas County Technical College's efforts related to the intake, investigation, resolution, and implementation of complaints and the provision of supportive measures to stop, remediate, and prevent discrimination, harassment, and retaliation prohibited under this policy. When notified of conduct that reasonably may constitute sex discrimination under the Grievance Policy, the Title IX Coordinator must take the following actions:

1. Treat the complainant and respondent equitably;
2. Offer and coordinate supportive measures;
3. Offer an informal resolution process if available and appropriate;
4. Initiate the Formal Grievance Process in response to a complaint;
5. Make a fact-based determination on whether to initiate a complaint of sex discrimination in situations where no complaint is filed or the complaint is withdrawn when there may be a risk of ongoing safety concerns if not addressed by Texas County Technical College ; and,
6. Regardless of whether a complaint is initiated, take other appropriate, prompt, and effective steps to ensure that sex discrimination does not continue or recur within the Texas County Technical College's education program or activity.
7. Deputy Title IX Coordinator

The Deputy Title IX Coordinator is responsible for managing the day-to-day tasks associated with the operations of this policy at their respective locations. The Deputy Title IX Coordinator participates in collaborative and coordinated efforts with the Title IX Coordinator in monitoring, grievance processes, training, outreach, and information reporting. The Title IX Coordinator has designated the following Deputy Title IX Coordinators to receive inquiries regarding Title IX, including reports or complaints of alleged sex discrimination.

Others' Responsibilities Under This Policy

- Supervisors
 - It is the responsibility of those employees who formally supervise faculty, staff or employees to:
 - Inform employees under their direction or supervision of this policy;
 - Ensure new and existing employees promptly receive required Title IX training;
 - Implement any corrective actions that are imposed as a result of findings of a violation of this policy.
- Employees
 - If an employee of Texas County Technical College receives any oral or written reports, witnesses, or otherwise learns of conduct that reasonably may constitute sex discrimination, the employee must (i) promptly notify the Title IX Coordinator [or appropriate deputy Title IX Coordinator], or (ii) provide the person experiencing the conduct or providing such information the contact information of the Title IX Coordinator.
 - Certain Texas County Technical College employees have an obligation to report to the Title IX Coordinator when they have information about conduct that reasonably may constitute sex discrimination. These employees include employees in Texas County Technical College or campus leadership positions, faculty members and staff who serve as student advisors.
 - It is the responsibility of all employees to review this policy and comply with it.
- Students
 - It is the responsibility of all students to review this policy and comply with it.

- Texas County Technical College
 - When Texas County Technical College is aware that a member of the Texas County Technical College community may have been subjected to or affected by conduct that reasonably may violate this policy, Texas County Technical College will take prompt action, including a review of the matter and, if necessary, an investigation and appropriate steps to stop and remedy the suspected sex discrimination. In doing so, Texas County Technical College will act in accordance with its Grievance Policy.

Record Keeping

Texas County Technical College shall create, and maintain for seven (7) years, records of any actions (including any supportive measures) taken in response to a report or complaint of sex discrimination. Texas County Technical College records shall include:

- For each report the Title IX Coordinator receives of information about conduct that reasonably may constitute sex discrimination under Title IX, records documenting the actions the Texas County Technical College took to meet its obligations under Title IX and this policy;
- For each complaint of sex discrimination records including any determination regarding responsibility and any audio or audiovisual recording or transcript, any disciplinary sanctions imposed on the respondent, and any supportive measures provided to the complainant;
- Any appeal and the result therefrom;
- Any informal resolution; and
- All materials used to train Title IX Coordinators, investigators, decisionmakers, and any person who facilitates an informal resolution process.

Training

Texas County Technical College will ensure that its personnel receive training related to their duties under Title IX promptly upon hiring or change of position that alters their duties under Title IX and this policy.

All employees shall be trained on the definition:

- The scope of conduct constituting sex discrimination;
- The definition of sex-based harassment;
- Texas County Technical College’s obligation to address sex discrimination in its education program or activity; and,
- Notification obligations.
 - In addition, employees and other individuals who also serve as investigators, decisionmakers, and responsibility for implementing the Texas County Technical College Grievance Policy or who can modify or terminate supportive measures, must receive the following training:
 - The Texas County Technical College Grievance Policy and obligations thereunder, including hearings, appeals, and informal resolution process, as applicable;
 - The meaning and application of the term “relevant” in relation to questions and evidence, and the types of evidence that are impermissible regardless of relevance; and,
 - How to serve impartially, including avoiding prejudgment of the facts at issue, conflicts of interest, bias, and sex stereotypes.

Anti-Retaliation Policy

Texas County Technical College prohibits retaliation, including peer retaliation, in its education program or activity. Retaliation under this policy includes intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured by Title IX or its applicable regulations, or because the individual made a report or complaint, testified, assisted, or participated in or refused to participate in any manner in an investigation, proceeding, or hearing afforded by any process outlined in this policy. Any retaliation complaints should be reported to the Title IX Coordinator or the Campus Deputy Title IX Coordinator.

Examples of retaliation may include:

1. Threats of reprisals;
2. Actions/behavior directed at the person outside of the norm occurring after a report is filed;
3. Changes in job duties, job location, or work schedules;
4. Unreasonable changes in academic expectations;

5. Withholding scholarships, salary, or other sources of income;
6. Altering grades or scoring rubrics after a report is filed;
7. Denial of a tool or training that will assist in the ability to perform a job or achieve academic success;
8. Unwarranted verbal or written reprimands.

Exercising rights protected under the First Amendment does not constitute retaliation. Likewise, charging an individual for making a materially false statement in bad faith during an investigation does not constitute retaliation.

Concerns about retaliation should be addressed by contacting the Title IX Coordinator.

Supportive Measures

Texas County Technical College will offer and coordinate reasonable supportive measures as appropriate and without fee or charge for the complainant and/or respondent to restore or preserve that person's access to Texas County Technical College's education program or activity, or to provide support during Texas County Technical College's formal or informal resolution process to minimize disruption to that party's participation in an education program or activity. Supportive measures are available to a complainant regardless of whether they wish to pursue any formal or informal resolution process outlined in this policy. Additionally, supportive measures outlined in this policy are available to all Texas County Technical College community members, regardless of whether the discrimination or harassment they have experienced occurred during or prior to their joining our community. Supportive measures implemented by Texas County Technical College will not impose an unreasonable burden on either party, and they will not be imposed for punitive or disciplinary reasons. Texas County Technical College will engage in a fact-specific inquiry to determine whether supportive measures constitute an unreasonable burden on a party.

Texas County Technical College will not disclose information about any supportive measures to persons other than the person to whom they apply, including informing one party of supportive measures provided to another party, unless necessary to provide the supportive measure, restore or preserve a party's access to the education program or activity, or one of the exceptions to the disclosure of personally identifiable information in Section IV of the Grievance Policy applies. The Title IX Coordinator may consult with the Texas County Technical College employee charged with ADA compliance responsibilities if complainant or respondent has a disability.

Supportive measures may include:

1. Counseling;
2. Reasonable academic accommodations (e.g., extending deadlines or other course-related adjustments);
3. Campus escort services;
4. Increased security and monitoring of certain areas of the campus;
5. Ordering the complainant and respondent to have no further contact with each other and/or other third parties;
6. Leaves of absence;
7. Modifying class schedules, extracurricular activities, or working arrangements;
8. Providing training and education programs related to sex-based harassment.
9. Any other measure which can be tailored to the involved individuals to achieve the purposes and goals of this policy.

Texas County Technical College may modify or terminate previously approved supportive measures based on the changed circumstances of the parties and/or the procedures invoked by this policy. Such modifications or terminations may be requested by the party they apply to or made at the recommendation of the Title IX Coordinator.

A complainant or respondent may appeal any decision to provide, deny, modify, or terminate supportive measures applicable to them within five (5) business days of the decision being made. Appeals must be submitted in writing to Texas County Technical College's Title IX Coordinator and must include a statement as to why the implementation, denial, modification, or termination of the supportive measures fails to restore the requesting party's access to Texas County Technical College's education program or activity. A complainant or respondent's appeal will be reviewed by a neutral employee of Texas County Technical College designated by the Title IX Coordinator who has authority to modify or reverse decisions regarding supportive measures.

I. Scope and Application

Texas County Technical College has implemented this policy to ensure compliance with applicable local, state, and federal non-discrimination laws in alignment with Texas County Technical College's existing student and employee policies.

The scope of this policy extends to all prohibited behaviors conducted by students, volunteers, external community members, employees, third-party contractors, guests, or anyone doing business with Texas County Technical College on or off campus, including but not limited to campus events, travel, or any other Texas County Technical College-sponsored event. Texas County Technical College is committed to providing a work environment, education programs, and activities free of unlawful harassment and discrimination, and will provide a prompt, fair, and impartial process to address complaints of alleged sex discrimination.

II. Definitions

Please refer to Appendix A for definitions applicable to this Grievance Policy and the Title IX Policy.

III. Prohibition on Knowingly Making False Statements

Texas County Technical College is committed to creating a safe environment where reporting of conduct that reasonably may constitute sex discrimination is encouraged. Texas County Technical College :

- A. Expects individuals to provide truthful information in any report, interview, meeting or proceeding under this policy.
- B. Requires an individual to act in good faith when reporting acts that reasonably may violate this policy or when serving as a witness in a Formal Grievance Process. Providing or submitting false or misleading information in bad faith is prohibited and such conduct may be disciplined under the relevant Texas County Technical College policies and procedures. Reports made or information provided in good faith, even if the facts are later unsubstantiated, will not be subject to disciplinary consequences.

IV. Privacy of the Grievance Process

The Formal Grievance Process will remain private to the extent permissible by law. Texas County Technical College cannot guarantee privacy in all situations and will balance privacy and other competing interests on a case-by-case basis. Formal Grievance Process records may be produced subject to a lawful subpoena.

Parties and witnesses shall not disseminate or otherwise disclose information or evidence obtained solely through their participation in a Formal Grievance Process. Texas County Technical College will address any violations under its code of conduct.

Texas County Technical College will not disclose personally identifiable information it has obtained in its enforcement of this policy except where (i) Texas County Technical College has obtained prior written consent from an individual with a legal right to consent to disclosure; (ii) the information is disclosed to a parent, guardian, or other authorized legal representative with the legal right to receive disclosures on behalf of the person whose personally identifiable information is at issue; (iii) necessary to carry out the purposes of this policy, including action taken to address conduct that reasonably may constitute sex discrimination in Texas County Technical College's education program or activity; (iv) as required by federal law or regulation; or, (v) to the extent such disclosures are not otherwise in conflict with Title IX, when required by state or local law or when permitted under FERPA.

V. Reports and Complaints

A. Initiating a Report or Complaint

Any (i) student, (ii) employee, (iii) other person participating or attempting to participate in Texas County Technical College's education program or activity at the time of the alleged sex discrimination, or (iv) the Title IX Coordinator, may submit a formal complaint to initiate grievance procedures for the prompt and equitable resolution of alleged sex discrimination.

1. As used in this policy, a "complaint" is a written document submitted and signed by the complainant or signed by the Title IX Coordinator alleging sex discrimination that requests Texas County Technical College investigate the allegation(s) under this policy. The complaint must be signed (physical or digital) by the complainant or the Title IX Coordinator. The complainant must be participating in or attempting to participate in the education program or activity of Texas County Technical College to file a complaint.
2. Texas County Technical College will respond promptly and effectively if it acquires knowledge of conduct that

reasonably may constitute sex discrimination in its education program or activity. Under this policy, the Title IX Coordinator will address any oral or written statement that the Title IX Coordinator objectively understands to request that Texas County Technical College investigate and respond to alleged sex discrimination.

3. Texas County Technical College may acquire knowledge of conduct that reasonably may constitute sex discrimination in its education program or activity through a complaint filed with the Title IX coordinator in person, by mail, or by electronic mail at any time (including during non-business hours), using the contact information below:

Matthew Egan
Vice President of Regulatory Affairs
megan@arizonacollege.edu
480-580-3281

4. Texas County Technical College may also acquire knowledge of conduct that reasonably may constitute sex discrimination in its education program or activity through reports made by:
 - a. Any person irrespective of whether the reporting person is the alleged victim of such conduct; or
 - b. Certain Texas County Technical College employees that have an obligation to report to the Title IX Coordinator when they have information about conduct that reasonably may constitute sex discrimination. These employees include employees of Texas County Technical College or individuals in campus leadership positions, faculty members, and staff who serve as student advisors.
5. If a complainant makes a report anonymously, it will be investigated by Texas County Technical College to the extent possible, both to assess the underlying allegation(s) and to determine if supportive measures can be provided. Anonymous reports typically limit Texas County Technical College's ability to investigate and respond, depending on what information is shared. In some situations, the Title IX Coordinator may proceed with the issuance of a complaint even when the complainant's report has been made anonymously.
6. If the Title IX Coordinator is informed of information that reasonably may constitute sex-based harassment or that is shared by an individual during a public event to raise awareness about sex-based harassment on a Texas County Technical College campus or through an online platform sponsored by Texas County Technical College, such a situation does not require the Title IX Coordinator to take action unless there is indicia of an imminent and serious threat to the health and safety of a complainant, students, employees, or other persons.
7. Employees are not obligated to report incidents of discrimination or harassment that they have personally been the target of, and student-employees are only obligated to report information they learn within the context of their employment. If an employee has a question about whether to report conduct, they should consult the Title IX Coordinator.
8. The Title IX Coordinator has no obligation to act where the Title IX Coordinator reasonably determines that the conduct as alleged does not constitute sex discrimination.

B. Documenting the Complaint

If the Title IX Coordinator receives information about conduct that reasonably may constitute sex discrimination, and the Title IX Coordinator determines that the report merits further review, the Title IX Coordinator will conduct an initial outreach to the complainant to offer supportive measures and the ability to schedule a meeting to explore potential resolution options.

1. If a complainant fails to respond to outreach from the Title IX Coordinator within fourteen (14) days or informs the Title IX Coordinator that they are not interested in pursuing further action, the case will be marked as resolved and the complainant notified of their right to reopen the case at any point in the future.
2. If the complainant meets with the Title IX Coordinator, the initial conversation will be documented by the Title IX Coordinator and will be maintained within the official records of the Title IX Office. If a complaint/report is resolved on that documentation only, the complainant may at a future date choose to request modifications to any supportive measures received or to move forward with either a formal or informal resolution process.
3. If a report contains information suggesting there may be an ongoing safety or health concerns if not addressed by Texas County Technical College, or the alleged conduct prevents Texas County Technical College from ensuring equal access on the basis of sex to its education program or activity, the Title IX Coordinator will undertake a fact-based assessment to determine whether to initiate a formal resolution process even if a complainant only wishes to have their concerns documented. The Title IX coordinator must consider the following factors:
 - a. The complainant's request not to file a formal complaint;

- b. The complainant's reasonable safety concerns regarding the filing of a formal complaint;
- c. The risk of future incidents of discrimination or harassment if a formal complaint is not filed;
- d. The severity of the alleged behavior in the report;
- e. The relationship between the parties, including whether the respondent is an employee of Texas County Technical College ;
- f. The scope of the allegations or the existence of prior reports demonstrating concerns of on-going or a pattern of discrimination or harassment;
- g. The ability of Texas County Technical College to gather evidence to substantiate the allegations, including whether the complainant or other witnesses are willing to participate in a formal or informal resolution process; and
- h. Whether there are alternative methods of ending the discrimination or harassment and preventing its recurrence available to Texas County Technical College .

If the Title IX Coordinator decides to initiate a complaint, the Title IX Coordinator will notify the complainant prior to doing so and will address the complainant's reasonable concerns about the complainant's safety or the safety of others.

C. Timeframe

Texas County Technical College strongly encourages individuals to report incidents that may be violations of this policy as soon as possible to maximize Texas County Technical College's ability to respond promptly and equitably. Although there is no time limitation, the timing of when an alleged incident is reported may affect Texas County Technical College's ability to investigate and respond to the report.

The Formal Grievance Process outlined in this policy will conclude within ninety (90) days from the filing of a complaint in most instances. Texas County Technical College breaks, holidays, a party's need for disability-related accommodations, concurrent law enforcement activities, and/or unforeseen circumstances may impact this timeline. If the process must be delayed or extended, the Title IX Coordinator will provide the complainant and respondent with written notice. The Title IX Coordinator will also allow a reasonably extend timeframes on a case-by-case basis for good cause with notice to the parties that includes the reason for the delay.

D. Emergency Removal

Texas County Technical College reserves the right to remove a respondent from its education program or activities on an emergency basis if Texas County Technical College determines after conducting an individualized safety and risk analysis that respondent poses an imminent and serious threat to the health or safety of a complainant or any students, employees, or other persons arising from the allegations of sex discrimination, and those allegations justify removal.

If an emergency removal is imposed, respondent will be given written notice of the removal and an opportunity to challenge the decision immediately following the removal. Emergency removal decisions are not subject to further appeal.

VII. Formal Grievance Process

A. Notice of Allegations

Upon receiving a written and signed complaint, the Title IX Coordinator will provide written notice of the allegations to complainant and respondent. The written notice will include:

1. This Grievance Process, including the informal resolution process;
2. Sufficient information, including the identities of the parties involved in the incident(s), the conduct alleged to constitute sex discrimination under this policy, and the date(s) and location(s) of the alleged incident(s), to the extent that information is available and can be disclosed;
3. A statement that the parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or an accurate description of this evidence; and,
4. That retaliation is prohibited.

If the investigation uncovers new issues outside of the scope of the written notice, Texas County Technical College will provide a supplemental written notice describing the additional allegations under investigation.

B. Treatment of Parties Participating in the Formal Grievance Process

Texas County Technical College will:

1. Promptly investigate and respond to complaints of sex discrimination, including establishing reasonably prompt timeframes for the major stages of this Formal Grievance Process and allowing for the reasonable extension of timeframes on a case-by-case basis for good cause with notice to the parties that includes the reason for the delay;
2. Ensure that any person designated Title IX Coordinator, investigator, or decisionmaker is impartial and free of conflict of interest or bias;
3. Not consider an individual's status as a respondent as a negative factor. The respondent shall be afforded the presumption that the respondent is not responsible for the alleged sex discrimination until so found through this Formal Grievance Process;
4. Take reasonable steps to protect the privacy of the parties and witnesses during this Formal Grievance Process;
5. Provide parties the ability to: obtain and present evidence, including by speaking to witnesses; consult with their family members, confidential resources, or advisors; or otherwise prepare for or participate in this Formal Grievance Process;
6. Gather evidence and decide what is relevant or impermissible;
7. Objectively analyze only relevant evidence;
8. Not consider impermissible evidence and questioning on impermissible subjects;
9. Not make credibility determinations based on a person's status as a complainant, respondent, or witness;
10. Follow this Formal Grievance Process before the imposition of any disciplinary sanctions;
11. Provide remedies to a complainant only if this Formal Grievance Process results in a determination that the respondent is responsible for sex discrimination;
12. Make reasoned decisions based on the preponderance of the evidence; and
13. Offer Supportive Measures.

Under this Formal Grievance Process, the decisionmaker may be the same person as the Title IX Coordinator or investigator.

As used in this Formal Grievance Process, evidence is "relevant" when it may aid a decisionmaker in determining whether the alleged sex discrimination occurred, and questions are "relevant" when they seek evidence that may aid in showing whether the alleged sex discrimination occurred.

As used in this Formal Grievance Process, "impermissible evidence," regardless of relevance, includes: (i) information that is privileged under federal or state law unless the party has waived their privilege over such information; (ii) records maintained by a physician, psychologist, or other recognized professional providing treatment to the party or witness unless the party or witness has consented to the use of such records in the Formal Grievance Process; and, (iii) information about the complainant's sexual interests or prior sexual conduct, unless evidence about the complainant's prior sexual conduct is offered to prove that someone other than the respondent committed the alleged conduct or is evidence about specific incidents of the complainant's prior sexual conduct with the respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the complainant and respondent does not by itself demonstrate or imply the complainant's consent to the alleged sex-based harassment or preclude determination that sex-based harassment occurred.

C. Dismissal of Complaints

Texas County Technical College may dismiss a complaint of sex discrimination where:

1. It is unable to identify the respondent after taking reasonable steps to do so;
2. The respondent is not participating in Texas County Technical College's education program or activity and is not employed by Texas County Technical College;
3. Complainant voluntarily withdraws any or all of the allegations in the complaint and the conduct that remains alleged in the complaint, if any, would not constitute sex discrimination under Title IX or this policy even if proven; or
4. Texas County Technical College determines after reasonable efforts to clarify the allegations with the complainant that the conduct alleged in the complaint, even if proven, would not constitute sex discrimination under this policy.

The Title IX Coordinator will offer complainant supportive measures as appropriate. And if the respondent has been notified of the allegations and Texas County Technical College dismisses the complaint under (3) or (4) above, the Title IX Coordinator will offer respondent supportive measures as appropriate.

Upon dismissal, Texas County Technical College will promptly notify the complainant of the basis for the dismissal. If the dismissal occurs after the respondent has been notified of the allegations, Texas County Technical College will also notify the respondent of the dismissal and the basis for the dismissal promptly following notification to the complainant, or simultaneously if notification is in writing.

Texas County Technical College will notify complainant and respondent that complainant may appeal the dismissal of the complaint. If the dismissal is appealed, Texas County Technical College will:

1. Notify the parties of the appeal and the allegations;
2. Implement appeal procedures equally for the parties, including providing the parties a reasonable and equal opportunity to make a statement in support of, or challenging the dismissal;
3. Ensure that the appeal decisionmaker is properly trained, and did not take part in an investigation of the allegations or dismissal of the complaint; and,
4. Notify the parties of the result of the appeal and the rationale for the result.

D. Consolidation of Complaints

Texas County Technical College may consolidate complaints of sex discrimination when the allegations of sex discrimination arise out of the same facts or circumstances.

E. Investigation of Complaints

The Title IX Coordinator will assign a trained investigator to investigate the complaint. Under this process, Texas County Technical College will provide for adequate, reliable, and impartial investigation of complaints. Texas County Technical College will:

1. Conduct an investigation that gathers sufficient evidence to determine whether sex discrimination occurred;
2. Provide an equal opportunity for the parties to present fact witnesses and other inculpatory and exculpatory evidence that are relevant and not otherwise impermissible;
3. Review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance;
4. Provide each party with an equal opportunity to access the evidence that is relevant to the allegations of sex discrimination and not otherwise impermissible, or an accurate description of this evidence;
5. Provide each party with a reasonable opportunity to respond to the evidence or to the accurate description of the evidence; and,
6. Take reasonable steps to prevent and address the parties' unauthorized disclosure of information and evidence obtained solely through this Formal Grievance Process.

F. Assessing Credibility

The decisionmaker will question parties and witnesses to adequately assess a party's or witness's credibility to the extent credibility is both in dispute and relevant to evaluating one or more allegations of sex discrimination. If the decisionmaker is not persuaded by a preponderance of the evidence that sex discrimination occurred, whatever the quantity of the evidence is, the decisionmaker must conclude that no sex discrimination occurred.

G. Determination of Whether Sex Discrimination Occurred

Following an investigation and evaluation of all relevant and not otherwise impermissible evidence, Texas County Technical College will use the preponderance of the evidence standard of proof to determine whether sex discrimination occurred.

The decisionmaker will provide the parties with a written determination that includes the rationale for the decisionmaker's

determination. In the written determination, the decisionmaker will inform the parties the procedures and permissible bases for appeal, if applicable.

Upon a determination that sex discrimination occurred, the Title IX Coordinator will (i) coordinate the provision and implementation of remedies to a complainant and other persons whose equal access to Texas County Technical College 's education program or activity was limited or denied by sex discrimination; (ii) at the conclusion of this Formal Grievance Process coordinate the imposition of any disciplinary sanctions on a respondent, including notification to the complainant of any such disciplinary sanctions; and (iii) take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within Texas County Technical College 's education program or activity.

Texas County Technical College will not discipline a party, witness, or others participating this Formal Grievance Process for making a false statement or for engaging in consensual sexual conduct based solely on the determination whether sex discrimination occurred.

H. Appeal

Either party has the right to file an appeal of determination of the decisionmaker. Appeals are not a re-hearing of the facts of the case and must be limited in scope on the following bases:

1. The party has discovered new and relevant evidence that was not reasonably available at the time the determination was made that could alter the outcome.
2. Allegations that the decisionmaker deviated from the policy or procedure in a way that changed the outcome of the case.
3. Evidence that the Title IX Coordinator, investigator or decisionmaker was biased or had a conflict of interest, and such bias or conflict of interest changed the outcome of the case.

An appeal request must be made in writing to the Title IX Coordinator within ten (10) calendar days of the delivery of the written determination. The appeal request must include the basis for the appeal and all evidence in support of the request. The non-appealing party will receive a copy of the appeal and may respond within ten (10) calendar days.

Any discipline imposed will be suspended pending the outcome of the appeal. Sanctions will take effect upon the expiration of the deadline for an appeal or the conclusion of the appeal.

The Title IX Coordinator will assign a trained and impartial decision maker who was not previously involved in the Formal Grievance Procedure to hear the appeal.

The appellate decisionmaker may, after reviewing the appeal, deny the appeal without further process if the appeal is groundless—i.e., the appeal is not based on the grounds specified above. In this case, both parties will be notified of the decision, and the party who did not submit the appeal will be provided a copy of the appeal, but they will not need to provide any response.

The appellate decisionmaker will review the appeal materials submitted by both parties. The appellate decisionmaker may also choose to interview the investigator(s) and/or any other person that participated in the investigation and decision-making process but is not obligated to do so.

The appellate decisionmaker will make a final decision on the appeal within thirty (30) days of the filing of the appeal. The original decision may be upheld, reversed, or modified (which includes the possibility that different or additional sanctions may be imposed). Modification of sanctions can only place a greater burden on the respondent if the appeal was filed by the complainant. The appellate decisionmaker may also refer the matter to the same or different investigator(s) for additional investigation and a new decision-making process.

The Title IX Coordinator will send a written notice to both parties of the decision on appeal. No further appeal process is available.

I. Complaints of Sex-Based Harassment Involving a Student Complainant or Student Respondent

The provisions of this Grievance Policy and this section shall apply to complaints of sex-based harassment involving a student complainant or student respondent. Texas County Technical College will make a fact-based determination of whether this provision of the Grievance Policy applies to a complainant or respondent that is both a student and

an employee, including consideration of whether the party's primary relationship with Texas County Technical College is to receive an education and whether the alleged sex-based harassment occurred while the party was performing employment-related work.

1. Written Notice of Allegations. The written notice of the allegations must contain the information required in Section VI.A., along with the following additional information:
 - a. That respondent is presumed not responsible for the alleged sex-based harassment until a determination under this Formal Grievance Process. Prior to the determination, the parties will have an opportunity to present relevant and not otherwise impermissible evidence to a trained, impartial decisionmaker;
 - b. They may have an advisor of their choice who may be, but who is not required to be, an attorney;
 - c. They are entitled to an equal opportunity to access (i) the relevant and not otherwise impermissible evidence; or (ii) an investigative report that accurately summarizes this evidence and, upon request of a party, equal access to the relevant and not otherwise impermissible evidence; and,
 - d. Advisement, if applicable, that the Texas County Technical College code of conduct prohibits a party from making false statements or knowingly submitting false information.

If the investigation discloses new issues outside of the scope of the written notice of allegations, Texas County Technical College will provide a supplemental written notice describing the additional allegations under investigation.

Texas County Technical College may reasonably delay providing the written notice of allegations if, after conducting an individualized safety and risk analysis and not based on mere speculation or stereotypes, Texas County Technical College has reasonable concerns for the safety of any person because of providing this notice.

2. Dismissal of a Complaint. Texas County Technical College simultaneously will provide the parties a written notice of dismissal disclosing the bases of dismissal under Section VI.C(1)-(4) of this Formal Grievance Policy. If the dismissal occurs before the respondent has been notified of the allegations, only the complainant will receive such written notice. If the complainant voluntarily withdraws the complaint or allegations, the Title IX Coordinator will obtain the complainant's withdrawal in writing.
3. Investigation. When investigating a complaint alleging sex-based harassment under this section, Texas County Technical College will:
 - a. Provide a party or person whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all meetings or proceedings with sufficient time for the party to prepare to participate;
 - b. Provide the parties with the same opportunities to be accompanied to any meeting or proceeding by the advisor of their choice;
 - c. Provide the parties with the same opportunities to have persons other than the advisor of the parties' choice present during any meeting or proceeding;
 - d. Exercise discretion in allowing the parties to present expert witnesses and that any such determination will apply equally to the parties;
 - e. Allow for the reasonable extension of timeframes on a case-by-case basis for good cause with written notice to the parties that includes the reason for the delay; and,
 - f. Allow each party and the party's advisor with an equal opportunity to access (i) the relevant and not otherwise impermissible evidence; or (ii) an investigative report that accurately summarizes this evidence and, upon request of a party, equal access to the relevant and not otherwise impermissible evidence.

Texas County Technical College will determine in its discretion and on a case-by-case basis the extent to which an advisor may participate in proceedings under this section. Any restrictions imposed will apply equally to the parties.

The parties will have a reasonable opportunity to review and respond to the evidence or the investigative report prior to the determination whether sex-based harassment occurred.

Texas County Technical College will take reasonable steps to prevent and address the parties' unauthorized disclosure of information and evidence obtained solely through proceedings under this section.

4. Live Hearing. Texas County Technical College on its own motion or at the request of a party, and in its sole discretion, may decide to conduct a live hearing on a complaint of sex-based harassment under this section. The decision to conduct a live hearing is not subject to appeal. The procedures of Section VI.I. (1)-(6) above shall apply, and the decisionmaker:
 - a. Will provide the parties the opportunity to review the evidence in advance of the live hearing;
 - b. May in the decisionmaker's discretion determine when a party will have the opportunity to respond to the evidence prior to the live hearing, during the live hearing, or both prior to and during the live hearing;
 - c. Will advise the parties of the process for proposing and asking relevant and not otherwise impermissible questions and follow-up questions of parties and witnesses including questions challenging credibility;
 - d. Will question the parties and witness and will either in the decisionmaker's discretion (i) allow each party to propose questions that the party wants asked of any party or witness and have those questions asked by the decisionmaker; or (ii) allow each party's advisor to ask any party or witness questions. The decisionmaker will not allow advisor questioning if one party does not have an advisor. All questioning must be relevant and allowable under Section VI.I(5) above;
 - e. Will decide whether to conduct the live hearing with the parties physically present in the same geographic location or conduct the live hearing with the parties physically present in separate locations, with technology enabling the decisionmaker and parties to simultaneously see and hear the party or the witness while that person is speaking. The decisionmaker shall approve a request of either party for a live hearing with the parties physically present in separate locations; and,
 - f. Will make arrangements to create an audio or audiovisual recording or transcript, of any live hearing and make it available to the parties for inspection and review.
5. Process for Questioning Parties and Witnesses. If Texas County Technical College chooses not to conduct a live hearing, the decisionmaker will question parties and witnesses to adequately assess a party's or witness's credibility to the extent credibility is both in dispute and relevant to evaluating one or more allegations of sex-based harassment. Questioning of the parties and witnesses must take place as follows before the decisionmaker determines whether sex-based harassment occurred:
 - a. Allow the investigator or decisionmaker to ask such questions during individual meetings with a party or witness;
 - b. Allow each party to propose questions that the party wants asked of any party or witness and have those questions asked by the investigator or decisionmaker during any individual meetings with a party or witness; and,
 - c. Provide each party with an audio or audiovisual recording or transcript with enough time for the party to have a reasonable opportunity to propose follow-up questions.
6. Procedures for the Decisionmaker to Evaluate the Questions and Limitations on Questions. The decisionmaker must determine whether a proposed question is relevant and not otherwise impermissible, applying the criteria in Section VI.B, prior to the question being posed. The decisionmaker must explain any decision to exclude a question as not relevant or otherwise impermissible.

The decisionmaker will not allow unclear or harassing questions. The decisionmaker will allow such questioning if the party sufficiently clarifies or revises the unclear or harassing question.

The decisionmaker may choose to place less or no weight on a party or witness who refuses to respond to questions deemed relevant and not impermissible. But the decisionmaker will not draw an inference about whether sex-based harassment occurred based solely on a party's or witness's refusal to respond to such questions.

7. Written Determination. Following an investigation and evaluation of all relevant and not otherwise impermissible evidence, Texas County Technical College will use the preponderance of the evidence standard of proof to determine whether sex-based harassment occurred and issue a written determination.

The written determination will include: (i) a description of the alleged sex-based harassment; (ii) information about the policies and procedures that Texas County Technical College used to evaluate the allegations; (iii) the decisionmaker's evaluation of the relevant and not otherwise impermissible evidence and determination whether sex-based harassment occurred; (iv) any disciplinary sanctions imposed on the respondent, and whether remedies other than the imposition of disciplinary sanctions will be provided to the complainant, and, to the extent appropriate, other students identified as experiencing the effects of the sex-based harassment; and (v) procedures for the complainant and respondent to appeal under Section VI.H. of this Formal Grievance Policy.

J. The Informal Resolution Process

Texas County Technical College may offer the parties to a complaint relating to sex discrimination or sex-based harassment under this Formal Grievance Process the opportunity to engage in informal resolution procedures, which may be pursued at any time prior to the resolution of a formal resolution process. If appropriate, Texas County Technical College will notify the parties in writing of the availability of the informal resolution process and will require that both parties agree in writing to participate in an informal resolution process. Texas County Technical College cannot require parties to participate in an informal resolution process, or require a party waive of the right to an investigation and determination of a complaint as a condition of enrollment or employment.

Texas County Technical College has sole discretion to offer an informal resolution process to the parties and will consider each complaint on a case-by-case basis. The informal resolution process may not be appropriate when, among other reasons, Texas County Technical College determines that the alleged conduct would present a future risk of harm to others.

Before initiation of an informal resolution process, Texas County Technical College will provide to the parties notice that explains:

1. The allegations in the complaint;
2. The requirements of the informal resolution process;
3. That at anytime prior to resolution, a party can withdraw from the informal resolution process and initiate or resume the Formal Grievance Process; and,
4. That if the parties agree to a resolution at the conclusion of the informal resolution process they cannot initiate or resume the Formal Grievance Process on the same allegations;
5. The potential terms that may be requested or offered in an informal resolution agreement;
6. That an informal resolution agreement is binding only on the parties; and,
7. The information that Texas County Technical College will maintain and whether and how it could disclose such information for use in the Formal Grievance Process if proceedings on the complaint are initiated or resumed.

The Title IX Coordinator will assign a trained facilitator to lead the informal resolution process. The facilitator will have no conflict of interest or bias toward any party. The facilitator will not be the same person as the investigator or the decision maker.

Potential terms that may be included in an informal resolution agreement include but are not limited to:

1. Restrictions on contact; and
2. Restrictions on the respondent's participation in one or more of Texas County Technical College's programs or activities or attendance at specific events, including restrictions Texas County Technical College could have imposed as remedies or disciplinary sanctions had Texas County Technical College determined at the conclusion of the Formal Grievance Process.

Even though an informal resolution process is provided, the Title IX Coordinator may appropriate prompt and effective steps to ensure that complained of conduct does not continue or recur within Texas County Technical College's education program or activity.

DEFINITIONS

“Complainant” means:

1. A student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX or this part; or
2. A person other than a student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX or this part and who was participating or attempting to participate in the recipient's education program or activity at the time of the alleged sex discrimination.

“Complaint” means an oral or written request to Authorized Representative of Texas County Technical College that objectively can be understood as a request for Texas County Technical College to investigate and make a determination about alleged discrimination under Title IX or this policy. Actual knowledge that a violation has occurred is not required for a complaint to be made or for an investigation to be initiated.

“Party” means a complainant or respondent.

“Peer retaliation” means retaliation by a student against another student.

“Pregnancy or related conditions” means:

1. Pregnancy, childbirth, termination of pregnancy, or lactation;
2. Medical conditions related to pregnancy, childbirth, termination of pregnancy, or lactation; or
3. Recovery from pregnancy, childbirth, termination of pregnancy, lactation, or related medical conditions.

“Respondent” means a person who is alleged to have violated this policy.

“Retaliation” means intimidation, threats, coercion, or discrimination against any person by Texas County Technical College, a student, or an employee or other person authorized by Texas County Technical College to provide aid, benefit, or service under Texas County Technical College’s programs or activities, for the purpose of interfering with any right or privilege secured by Title IX or its regulations, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the Title IX regulations.

“Sex-based harassment” is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex, including on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity, that is:

1. Quid pro quo harassment. An employee, agent, or other person authorized by Texas County Technical College to provide an aid, benefit, or service under Texas County Technical College’s program or activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person’s participation in unwelcome sexual conduct;
2. Hostile environment harassment. Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person’s ability to participate in or benefit from Texas County Technical College’s education program or activity (i.e., creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:
 - a. The degree to which the conduct affected the complainant’s ability to access the recipient’s education program or activity;
 - b. The type, frequency, and duration of the conduct;
 - c. The parties’ ages, roles within the recipient’s education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;
 - d. The location of the conduct and the context in which the conduct occurred; and
 - e. Other sex-based harassment in the recipient’s education program or activity.
3. Specific offenses.
 - a. Sexual assault meaning an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation;
 - b. Dating violence meaning violence committed by a person:
 - i. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
 - ii. Where the existence of such a relationship shall be determined based on a consideration of the following

factors:

1. The length of the relationship;
 2. The type of relationship; and
 3. The frequency of interaction between the persons involved in the relationship;
- c. Domestic violence meaning felony or misdemeanor crimes committed by a person who:
- i. Is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction of the recipient, or a person similarly situated to a spouse of the victim;
 - ii. Is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;
 - iii. Shares a child in common with the victim; or
 - iv. Commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction; or
- d. Stalking meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
- i. Fear for the person’s safety or the safety of others; or
 - ii. Suffer substantial emotional distress.

“Sex Discrimination” includes, but is not limited to:

1. Discrimination based on:
 - a. Pregnancy or related conditions;
 - b. Sexual orientation;
 - c. Gender identity;
 - d. Sex stereotypes or characteristics; or
 - e. Sex in connection with parental, family, or marital status
2. Excluding from participation, denying benefits, or otherwise be subjecting to discrimination any person based on sex in a manner that subjects them to more than de minimis harm, except with respect to:
 - a. Housing; and
 - b. Athletic teams.

“Student” means a person who has gained admission.

“Student with a disability” means a student who is an individual with a disability as defined in the Rehabilitation Act of 1973, as amended, 29 U.S.C. 705(9)(B), (20)(B).

“Supportive measures” means individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a complainant or respondent, not for punitive or disciplinary reasons, and without fee or charge to the complainant or respondent to:

1. Restore or preserve that party’s access to Texas County Technical College’s education program or activity, including measures that are designed to protect the safety of the parties or Texas County Technical College’s educational environment; or
2. Provide support during Texas County Technical College’s grievance procedures or during an informal resolution process.

RESOURCES

Emergency and Counseling Hotline Telephone Numbers:

Emergency (police, fire, and rescue) Always dial 911 for life-threatening emergencies.

24 Hour National Suicide Prevention Lifeline/ Veterans Crisis Line

988

SAMHSA Substance Abuse and Mental Health Service Administration

1-877-SAMHSA-7 (1-877-726-4727)

National Child Abuse Hotline

(800) 4-A-CHILD (422-4453)

American Social Health Association

(800) 227-8922

National Hotline for Crime Victims

1-855-4-VICTIM (1-855-484-2846)

CDC National AIDS Hotline / National STD Hotline

(800) CDC-INFO (232-4636)

RAINN

National Sexual Assault Hotline

Go Chat

(800) 656-4673

Gay and Lesbian National Hotline

(888) THE-GLNH (843-4564)

The Substance Abuse and Mental Health Services Administration

Treatment Helpline

(800) 662-HELP / (800) 662-4357

TDD (800) 487-4889

National Resource Center on Domestic Violence

TTY Hotline 800-537-2238

800-553-2508

National Coalition of Anti-Violence Programs

National Advocacy for Local LGBT Communities

1-212-714-1141

National Domestic Violence Hotline

1-800-799-7233 or 1-800-787-3224 (TTY)

National Sexual Assault Hotline

1-800-656-4673

National Resources for Sexual Assault Survivors

and their Loved ones

1-800-656-4673

Local Authorities

Police Department	Fire Department	State Sexual Assault Coalition Resources MCADSV
Address: 601 S Grand Ave, Houston, MO 65483 Phone: (417) 967-3348	Address: 601 S Grand Ave, Houston, MO 65483 Phone (417) 967-3348	Local Phone: 417-934-1811 Phone Number: 1-800-656-4673 Website: https://www.mocadsv.org/

STATE

Applicable/Jurisdictional Definitions

Texas County Technical College reserves the right to determine the applicable definition based upon factors including but not limited to the location of the alleged offense, applicable laws or location of the College. Under College policy or Title IX or other federal law, conduct may constitute sex/gender discrimination, misconduct, or harassment even though that conduct does not meet a specific state or other definition of an offense.

As Defined by Missouri State Statutes

Sexual Assault

Rape:

566.30. 1. A person commits the offense of rape in the first degree if he or she has sexual intercourse with another person who is incapacitated, incapable of consent, or lacks the capacity to consent, or by the use of forcible compulsion. Forcible compulsion includes the use of a substance administered without a victim's knowledge or consent which renders the victim physically or mentally impaired so as to be incapable of making an informed consent to sexual intercourse.

566.31. 1. A person commits the offense of rape in the second degree if he or she has sexual intercourse with another person knowing that he or she does so without that person's consent.

566.60. 1. A person commits the offense of sodomy in the first degree if he or she has deviate sexual intercourse with another person who is incapacitated, incapable of consent, or lacks the capacity to consent, or by the use of forcible compulsion. Forcible compulsion includes the use of a substance administered without a victim's knowledge or consent which renders the victim physically or mentally impaired so as to be incapable of making an informed consent to sexual intercourse.

566.61. 1. A person commits the offense of sodomy in the second degree if he or she has deviate sexual intercourse with another person knowing that he or she does so without that person's consent.

566.62. 1. A person commits the offense of statutory sodomy in the first degree if he or she has deviate sexual intercourse with another person who is less than fourteen years of age.

566.064. 1. A person commits the offense of statutory sodomy in the second degree if being twenty-one years of age or older, he or she has deviate sexual intercourse with another person who is less than

seventeen years of age.

Fondling:

Missouri does not have a specific fondling statute. All incidents of this nature are defined by Missouri as sexual abuse, sexual misconduct or child molestation.

566.67. 1. A person commits the offense of child molestation in the first degree if he or she subjects another person who is less than fourteen years of age to sexual contact and the offense is an aggravated sexual offense.

566.68. 1. A person commits the offense of child molestation in the second degree if he or she:

(1) Subjects a child who is less than twelve years of age to sexual contact; or

(2) Being more than four years older than a child who is less than seventeen years of age, subjects the child to sexual contact and the offense is an aggravated sexual offense.

566.69. 1. A person commits the offense of child molestation in the third degree if he or she subjects a child who is less than fourteen years of age to sexual contact.

566.071. 1. A person commits the offense of child molestation in the fourth degree if, being more than four years older than a child who is less than seventeen years of age, subjects the child to sexual contact.

566.093. 1. A person commits the offense of sexual misconduct in the first degree if such person:

(1) Exposes his or her genitals under circumstances in which he or she knows that his or her conduct is likely to cause affront or alarm;

(2) Has sexual contact in the presence of a third person or persons under circumstances in which he or she knows that such conduct is likely to cause affront or alarm; or

(3) Has sexual intercourse or deviate sexual intercourse in a public place in the presence of a third person.

565.095. 1. A person commits the offense of sexual misconduct in the second degree if he or she solicits or requests another person to engage in sexual conduct under circumstances in which he or she knows that such request or solicitation is likely to cause affront or alarm.

566.100. 1. A person commits the offense of sexual abuse in the first degree if he or she subjects another person to sexual contact when that person is incapacitated, incapable of consent, or lacks the capacity to consent, or by the use of forcible compulsion.

566.101. 1. A person commits the offense of sexual abuse in the second degree if he or she purposely subjects another person to sexual contact without that person's consent.

Incest:

568.020. A person commits the offense of incest if he or she marries or purports to marry or engages in sexual intercourse or deviate sexual intercourse with a person he or she knows to be, without regard to legitimacy, his or her:

(1) Ancestor or descendant by blood or adoption; or

- (2) Stepchild, while the marriage creating that relationship exists; or
- (3) Brother or sister of the whole or half-blood; or
- (4) Uncle, aunt, nephew or niece of the whole blood.

Statutory Rape and Attempt to Commit:

566.032. 1. A person commits the offense of statutory rape in the first degree if he or she has sexual intercourse with another person who is less than fourteen years of age.

566.034. 1. A person commits the offense of statutory rape in the second degree if being twenty-one years of age or older, he or she has sexual intercourse with another person who is less than seventeen years of age.

Domestic Violence:

565.72. 1. A person commits the offense of domestic assault in the first degree if he or she attempts to kill or knowingly causes or attempts to cause serious physical injury to a domestic victim, as the term "domestic victim" is defined under section 565.002.

565.73. 1. A person commits the offense of domestic assault in the second degree if the act involves a domestic victim, as the term "domestic victim" is defined under section 565.002, and he or she:

- (1) Knowingly causes physical injury to such domestic victim by any means, including but not limited to, use of a deadly weapon or dangerous instrument, or by choking or strangulation; or
- (2) Recklessly causes serious physical injury to such domestic victim; or
- (3) Recklessly causes physical injury to such domestic victim by means of any deadly weapon.

565.74. 1. A person commits the offense of domestic assault in the third degree if he or she attempts to cause physical injury or knowingly causes physical pain or illness to a domestic victim.

565.076. 1. A person commits the offense of domestic assault in the fourth degree if the act involves a domestic victim, as the term "domestic victim" is defined under section 565.002 and:

- (1) The person attempts to cause or recklessly causes physical injury, physical pain, or illness to such domestic victim;
- (2) With criminal negligence the person causes physical injury to such domestic victim by means of a deadly weapon or dangerous instrument;
- (3) The person purposely places such domestic victim in apprehension of immediate physical injury by any means;
- (4) The person recklessly engages in conduct which creates a substantial risk of death or serious physical injury to such domestic victim;
- (5) The person knowingly causes physical contact with such domestic victim knowing he or she will regard the contact as offensive; or
- (6) The person knowingly attempts to cause or causes the isolation of such domestic victim by unreasonably and substantially restricting or limiting his or her access to other persons,

telecommunication devices or transportation for the purpose of isolation.

565.002. (6) "Domestic victim", a household or family member as the term "family" or "household member" is defined in section 455.010, including any child who is a member of the household or family;

455.010. "Family" or "household member", spouses, former spouses, any person related by blood or marriage, persons who are presently residing together or have resided together in the past, any person who is or has been in a continuing social relationship of a romantic or intimate nature with the victim, and anyone who has a child in common regardless of whether they have been married or have resided together at any time.

Dating Violence:

Missouri does not have a specific dating violence statute or definition. Anyone in a dating relationship where violence occurs would be covered under the "domestic victim", "Family" or "household member" as defined in RSMO 565.002 and 455.010. All incidents involving a dating relationship where violence occurs will be counted for Clery reporting purposes as domestic violence.

Stalking:

The term "disturbs" shall mean to engage in a course of conduct directed at a specific person that serves no legitimate purpose and that would cause a reasonable person under the circumstances to be frightened, intimidated, or emotionally distressed.

The term "course of conduct" is a pattern of conduct composed of two or more acts, which may include communication by any means, over a period of time, however short, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of course of conduct. Such constitutionally protected activity includes picketing or other organized protests.

565.225. A person commits the offense of stalking in the first degree if he or she purposely, through his or her course of conduct, disturbs or follows with the intent of disturbing another person and:

- (1) Makes a threat communicated with the intent to cause the person who is the target of the threat to reasonably fear for his or her safety, the safety of his or her family or household member, or the safety of domestic animals or livestock as defined in section 276.606 kept at such person's residence or on such person's property. The threat shall be against the life of, or a threat to cause physical injury to, or the kidnapping of the person, the person's family or household members, or the person's domestic animals or livestock as defined in section 276.606 kept at such person's residence or on such person's property; or
- (2) At least one of the acts constituting the course of conduct is in violation of an order of protection and the person has received actual notice of such order; or
- (3) At least one of the actions constituting the course of conduct is in violation of a condition of probation, parole, pretrial release, or release on bond pending appeal; or
- (4) At any time during the course of conduct, the other person is seventeen years of age or younger and the person disturbing the other person is twenty-one years of age or older; or
- (5) He or she has previously been found guilty of domestic assault, violation of an order of protection, or any other crime where the other person was the victim; or

(6) At any time during the course of conduct, the other person is a participant of the address confidentiality program under sections 589.660 to 589.681, and the person disturbing the other person knowingly accesses or attempts to access the address of the other person.

565.227. 1. A person commits the offense of stalking in the second degree if he or she purposely, through his or her course of conduct, disturbs, or follows with the intent to disturb another person.

2. This section shall not apply to activities of federal, state, county, or municipal law enforcement officers conducting investigations of any violation of federal, state, county, or municipal law.

Consent – Defined by Missouri Revised Statutes Section

556.061 (14). "Consent": consent or lack of consent may be expressed or implied. Assent does not constitute consent if:

(a) It is given by a person who lacks the mental capacity to authorize the conduct charged to constitute the offense and such mental incapacity is manifest or known to the actor; or

(b) It is given by a person who by reason of youth, mental disease or defect, intoxication, a drug-induced state, or any other reason is manifestly unable or known by the actor to be unable to make a reasonable judgment as to the nature or harmfulness of the conduct charged to constitute the offense; or

(c) It is induced by force, duress or deception.

CAMPUS SEX CRIMES PREVENTION ACT

In accordance to the "Campus Sex Crimes Prevention Act" of 2000, which amends the Jacob Wetterling Crimes against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, Texas County Technical College is providing a link to the state Sex Offender Registry. This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a state to provide notice of each institution of higher education in that State at which the person is employed, carries a vocation, or is a student.

Registered Sex Offender Information

In accordance to the "Campus Sex Crimes Prevention Act" of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, institutions of higher education are required to issue a statement advising the campus community where law enforcement information provided by the State concerning registered sex offenders may be obtained. The Revised Statutes of Missouri, Chapter 589 Sections 400 to 425 and 43.650, RSMo, mandate that the Missouri State Highway Patrol shall maintain a sex offender database and a web site on the Internet that is accessible to the public. Additional information and verification may be obtained from the Sheriff's Department of the county where the sex offender resides. The web site is intended to supplement and complement the sex offender registries maintained by the various counties.

Registry information provided under this section shall be used for the purposes of the administration of criminal justice, screening of current or prospective employees, volunteers or otherwise for the protection of the public in general and children in particular. Unlawful use of the information for purposes of intimidating or harassing another is prohibited and willful violation shall be punishable as a Class 1 misdemeanor.

The Missouri State Highway Patrol is responsible for maintaining this registry. Follow the link below to access the Missouri State Highway Patrol website.

<http://www.mshp.dps.mo.gov/MSHPWeb/PatrolDivisions/CRID/SOR/SORPage.html>

[Toll free number for sex offender information: 1-888-SOR-MSHP (767-6747)]

DRUG FREE SCHOOLS & COMMUNITIES ACT

Texas County Technical College is committed to maintaining a drug and alcohol abuse-free environment including following the Drug Free Schools and Communities Act. Preparation for a career in Healthcare requires both students and staff to be free of drug and alcohol abuse.

The College prohibits the unlawful, and lawful but unauthorized, possession, use or distribution of drugs and alcohol on the institution's property or as part of its activities. Drug screenings may be required during the course of enrollment or employment at Texas County Technical College and may be required by clinical facilities. Texas County Technical College will impose sanctions on students and employees who consume or distribute illegal or unauthorized drugs or alcohol on the school premises, at clinical and externship sites, or as part of any of its activities, consistent with local, state and federal law. Disciplinary sanctions may include expulsion, termination of employment, and referral for prosecution.

LAWS REGARDING ALCOHOL AND DRUGS

MISSOURI

311.325. Purchase or possession by minor, penalty — container need not be opened and contents verified, when — consent to chemical testing deemed given, when — burden of proof on violator to prove not intoxicating liquor — section not applicable to certain students, requirements. — 1. Any person under the age of twenty-one years, who purchases or attempts to purchase, or has in his or her possession, any intoxicating liquor as defined in section 311.020 or who is visibly in an intoxicated condition as defined in section 577.001, or has a detectable blood alcohol content of more than two-hundredths of one percent or more by weight of alcohol in such person's blood is guilty of a misdemeanor. A first violation of this section shall be punishable as a class D misdemeanor. A second or subsequent violation of this section shall be punishable as a class A misdemeanor. Prior findings of guilt shall be pleaded and proven in the same manner as required by section 558.021. For purposes of prosecution under this section or any other provision of this chapter involving an alleged illegal sale or transfer of intoxicating liquor to a person under twenty-one years of age, a manufacturer-sealed container describing that there is intoxicating liquor therein need not be opened or the contents therein tested to verify that there is intoxicating liquor in such container. The alleged violator may allege that there was not intoxicating liquor in such container, but the burden of proof of such allegation is on such person, as it shall be presumed that such a sealed

container describing that there is intoxicating liquor therein contains intoxicating liquor.

2. For purposes of determining violations of any provision of this chapter, or of any rule or regulation of the supervisor of alcohol and tobacco control, a manufacturer-sealed container describing that there is intoxicating liquor therein need not be opened or the contents therein tested to verify that there is intoxicating liquor in such container. The alleged violator may allege that there was not intoxicating liquor in such container, but the burden of proof of such allegation is on such person, as it shall be presumed that such a sealed container describing that there is intoxicating liquor therein contains intoxicating liquor.

3. Any person under the age of twenty-one years who purchases or attempts to purchase, or has in his or her possession, any intoxicating liquor, or who is visibly in an intoxicated condition as defined in section 577.001, shall be deemed to have given consent to a chemical test or tests of the person's breath, blood, saliva, or urine for the purpose of determining the alcohol or drug content of the person's blood. The implied consent to submit to the chemical tests listed in this subsection shall be limited to not more than two such tests arising from the same arrest, incident, or charge. Chemical analysis of the person's breath, blood, saliva, or urine shall be performed according to methods approved by the state department of health and senior services by licensed medical personnel or by a person possessing a valid permit issued by the state department of health and senior services for this purpose. The state department of health and senior services shall approve satisfactory techniques, devices, equipment, or methods to be considered valid and shall establish standards to ascertain the qualifications and competence of individuals to conduct analyses and to issue permits which shall be subject to termination or revocation by the state department of health and senior services. The person tested may have a physician, or a qualified technician, chemist, registered nurse, or other qualified person at the choosing and expense of the person to be tested, administer a test in addition to any administered at the direction of a law enforcement officer. The failure or inability to obtain an additional test by a person shall not preclude the admission of evidence relating to the test taken at the direction of a law enforcement officer. Upon the request of the person who is tested, full information concerning the test shall be made available to such person. Full information is limited to the following:

- (1) The type of test administered and the procedures followed;
- (2) The time of the collection of the blood or breath sample or urine analyzed;
- (3) The numerical results of the test indicating the alcohol content of the blood and breath and urine;
- (4) The type and status of any permit which was held by the person who performed the test;
- (5) If the test was administered by means of a breath-testing instrument, the date of performance of the most recent required maintenance of such instrument.

Full information does not include manuals, schematics, or software of the instrument used to test the person or any other material that is not in the actual possession of the state. Additionally, full information does not include information in the possession of the manufacturer of the test instrument.

4. The provisions of this section shall not apply to a student who:

- (1) Is eighteen years of age or older;
- (2) Is enrolled in an accredited college or university and is a student in a culinary course;

(3) Is required to taste, but not consume or imbibe, any beer, ale, porter, wine, or other similar malt or fermented beverage as part of the required curriculum; and

(4) Tastes a beverage under subdivision (3) of this subsection only for instructional purposes during classes that are part of the curriculum of the accredited college or university. The beverage must at all times remain in the possession and control of an authorized instructor of the college or university, who must be twenty-one years of age or older. Nothing in this subsection may be construed to allow a student under the age of twenty-one to receive any beer, ale, porter, wine, or other similar malt or fermented beverage unless the beverage is delivered as part of the student's required curriculum and the beverage is used only for instructional purposes during classes conducted as part of the curriculum.

Drug and Alcohol State Laws

Possession of Marijuana:

The use of recreational marijuana is illegal, and possession for personal use of less than 10 grams for a first offense is a misdemeanor with a maximum fine of \$500 and no jail time. For a second offense, the maximum fine is \$2,000 and up to one year in jail. Possessing more than Category Summary (Missouri Revised Statutes) 35 grams is a felony with a maximum fine of \$10,000 and up to 7 years in jail. See MO. REV. STAT. § 579.015 (2019). Medical marijuana for certain conditions is allowed, and up to four ounces may be purchased every 30 days. Mo. Code Regs. Ann. tit. 19, § 30-95.030 (2020).

Controlled Substances:

Missouri statutes cover a wide range of offenses related to the possession and delivery of controlled substances. See MO. REV. STAT. §§ 579.015 – 579.040 (2019). Possession of a controlled substance, except thirty-five grams or less of marijuana, is a Class D felony, with a term of up to seven years and a fine up to \$10,000. See MO. REV. STAT. § 579.015 (2019). Delivery of a controlled substance other than 35 grams or less of marijuana is a Class C felony, resulting in a prison term of not less than 3 years and not more than 10 years, and a fine up to \$10,000. MO. REV. STAT. §§ 558.002, 558.011 (2019).

As an example, someone possessing methamphetamine faces a prison term of 7 years and a fine up to \$10,000.

Alcohol and Minors:

In Missouri, it is illegal for anyone under the age of 21 to possess, purchase, or attempt to purchase any intoxicating liquor, subject to a fine not to exceed \$500. See MO. REV. STAT. § 311.325 (2019). A subsequent violation is a Class A misdemeanor, subject to a term of up to one year in jail and a fine not to exceed \$2,000. *Id.* Anyone between 17– 21 who represents that she/he is 21 for the purpose of obtaining intoxicating liquor is guilty of a misdemeanor. MO. REV. STAT. § 311.320 (2019). The use of a fake identification is subject to a \$500 fine. *Id.* An attempt to purchase, or possession of alcohol, may also result in license suspension.

Driving Under the Influence (DUI): A person is guilty of a DUI if the person has a blood alcohol concentration of 0.08 percent. A first offense results in a suspended license for 30 days and then a

restricted license for 60 days, and may require a certified ignition interlock device. MO. REV. STAT. § 302.525 (2019). A second offense within five years results in a one-year restricted license and additional penalties.

FEDERAL

Federal law penalizes the unlawful manufacturing, distribution, use, sale, and possession of controlled substances. The penalties vary based on many factors, including the type and amount of the drug involved, and whether there is intent to distribute. Federal law sets penalties for first offenses ranging from less than one year to life imprisonment and/or fines up to \$10 million. Penalties may include forfeiture of property, including vehicles used to possess, transport, or conceal a controlled substance; the denial of professional licenses or Federal benefits, such as student loans, grants, and contracts; successful completion of a drug treatment program; community service; and ineligibility to receive or purchase a firearm. Federal law holds that any person who distributes, possesses with intent to distribute, or manufactures a controlled substance on or within one thousand feet of an educational facility is subject to a doubling of the applicable maximum punishments and fines. See the Federal Controlled Substances Act at 21 USC 800.

Students who seek assistance in dealing with a possible substance abuse problem are encouraged to obtain a listing of agencies providing substance abuse assistance from the College administration. Texas County Technical College has located resources which might assist students who find

they are having difficulty with controlled substances or alcohol. If a student should find they are having such difficulties, he/she should notify student services immediately. The resources will assist in referral and/or treatment.

Physical Risks:

Use of illicit drugs and abuse of prescription drugs pose a serious threat to mental and physical health. Alcohol is a drug. Its use in even the smallest amounts may be harmful to some people, and when used to excess, alcohol is harmful to everyone. For this reason, responsible drinking is essential and is expected of those who choose to drink.

Substance

Alcohol (at .08 Blood Alcohol Concentration & Above) Impaired motor abilities; reduced judgment; sleepiness; increased sexual desire but reduced ability to perform; nausea, vomiting; liver disorders-alcoholic hepatitis, alcoholic cirrhosis; cancer of the-tongue, mouth, throat, esophagus, liver, breast; fetal alcohol syndrome (most common symptom is mental retardation).

Cannabis Marijuana Hash/Hash Oil THC Diminished-short term memory, motivation & cognition, coordination & concentration, oral communication, reaction time; anxiety & panic reactions; carcinogenic elements in smoke; damaged lungs & respiratory system.

Cocaine (includes Crack Cocaine) Increased likelihood of risk taking; seizures; sleeplessness; paranoia; irregular heartbeat; can cause sudden death by stroke or heart failure, even in young users; cocaine psychosis (paranoia & hallucinations); ulceration of mucous membranes in the nose; sexual dysfunction; during pregnancy can cause severe physical & emotional problems in babies.

Depressants, Tranquilizers, Barbiturates, Methaqualone Dangerous effects when mixed with alcohol; calmness & relaxed muscles; slurred speech, staggering gait, loss of motor coordination; altered perceptions; respiratory depression which can result in coma or death; disruption of normal sleep cycle; during pregnancy-birth defects, brain tumors in children; tolerance develops severe withdrawal symptoms; physical & psychological dependence.

Other Stimulants (Excluding Cocaine), Amphetamines, Methamphetamines Increased heart & respiratory rates; elevated blood; decreased appetite; headaches; blurred vision; dizziness; sleeplessness; anxiety; amphetamine psychosis-violent behavior, hallucinations, delusions, paranoia; drug tolerance & dependency; mood swings; ulcers; mental confusion.

Psychedelics, LSD, Mescaline, Psilocybin, Phencyclidine (PCP), MDMA (Ecstasy), MDA Distorted sense of distance, space and time; blockage of pain sensations; nausea, vomiting & diarrhea; severe mood disorders, panic depression, anxiety; greater suggestibility & feelings of invulnerability; unpredictable reactions if drugs are "cut" with impurities; tolerance after (3-4 daily doses--higher doses are required to produce same effects).

Narcotics, Opium, Morphine, Codeine, Thebaine, Heroin, Methadone, Darvon, Demerol Feeling of euphoria followed by drowsiness; nausea & vomiting; respiratory depression; central nervous system depression; use of unsterile needles promotes-AIDS, hepatitis B, endocarditis (infection in the heart); women dependent on opiates have multiple pregnancy complications-spontaneous abortions, still births, anemia, diabetes.

In addition to the physical risks associated with drug and alcohol abuse, there are many federal and state laws that may apply. These include the possible loss of Financial Aid due to conviction of a drug offense while receiving Financial Aid. Texas County Technical College will provide a timely notice to each student who has lost eligibility due to drug convictions for any grant, loan, or work-study assistance as a result of penalties under 484(r)(1) of the HEA a separate clear, and conspicuous written notice that notifies the student of the loss of eligibility and advises the student of the ways in which to regain eligibility under section 484(r)(2) of the HEA.

NATIONAL REFERRAL RESOURCES

<p><u>Al-Anon for Families of Alcoholics</u> 1-888-425-2666</p>	<p>Alcoholics Anonymous http://www.aa.org/</p>
<p>Alcohol Treatment Referral Hotline 1-800-ALCOHOL (1-800-252-6465)</p>	<p>National Council on Alcoholism and Drug Dependence, Inc 1-800-622-2255</p>
<p>The Substance Abuse and Mental Health Services Administration's (SAMHSA) Behavioral Health Treatment Services Locator https://findtreatment.samhsa.gov/</p>	<p><u>Substance Abuse and Mental Health Service Administration (SAMHSA)</u> 1-800-662-4357</p>
<p>Narcotics Anonymous https://www.na.org/</p>	<p>National Institute on Alcohol Abuse and Alcoholism https://www.niaaa.nih.gov/</p>

HOUSTON CAMPUS
6915 S. HWY 63, Houston, Missouri 65483

Reported in accordance with Uniform Crime Reporting procedures and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
CRIMINAL HOMICIDE: MURDER & NON-NEGLIGENT MANSLAUGHTER	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
NEGLIGENT MANSLAUGHTER	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
SEXUAL ASSAULT-RAPE	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
SEXUAL ASSAULT-FONDLING	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
SEXUAL ASSAULT-INCEST	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
SEXUAL ASSAULT-STATUTORY RAPE	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
ROBBERY	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
AGGRAVATED ASSAULT	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
BURGLARY	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
MOTOR VEHICLE THEFT	2022	0	0	0
	2021	0	0	0
	2020	0	0	0

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
ARSON	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
ARRESTS: WEAPONS: CARRYING, POSSESSING, ETC.	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
VAWA OFFENSES; DOMESTIC VOILENCE	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
VAWA OFFENSES; DATING VOILENCE	2022	0	0	0
	2021	0	0	0
	2020	0	0	0
VAWA OFFENSES; STALKING	2022	0	0	0
	2021	0	0	0
	2020	0	0	0

*Texas County Technical College had no hate crimes reported in 2020, 2021 and 2022 on any campus.
Texas County Technical College does not maintain residential facilities.*