

Annual Security Report 2026

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Purpose

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 inform the campus Incident Commander. This applies to crimes on campus, and locations at which other official college activities are taking place. Please do not investigate the crime or attempt to determine whether a crime, in fact, took place.

Texas County Technical College's designated Incident Commander is responsible for maintaining reports of all crimes. Once a crime is reported, the Incident Commander 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. Texas County Technical College encourages accurate and prompt reporting of all crimes to the appropriate police agencies, when the victim of a crime elects to, or is unable to, make such a report.

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 Incident Commander
Chelsye Scantlin
6915 South 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 detailing police activity by category for on-campus locations, non-campus locations, and adjacent public property. The annual disclosure of crime statistics is prepared by Texas County Technical College Office of Regulatory Affairs based on information gathered from designated Incident Commander(s), Building Security (if relevant), Student Affairs, 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 or 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. Such reports shall be provided to students and employees in a manner that is timely, that

withholds the names of victims as confidential, and that will aid in the prevention of similar occurrences.

Issuing a Timely Warning

Timely warnings must be issued in a manner that gets the word out quickly and effectively communitywide. The Incident Commander will notify the Regroup Alert administrator of the necessary message to campus constituents. The Incident Commander will also make a determination on the delivery method (text, and/or email) for the timely warning. The Regroup Alert administrator will then issue the message through the Regroup Alert system. Crimes exclusively reported to a pastoral or professional counselor are exempt from timely warnings.

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 & 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. Regroup Alert System
2. Email
3. SMS
4. Runners
5. Signs
6. The Web
7. Media

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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 to 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.

Anti-Hazing Policy

Policy Statement
In accordance with the federal Stop Campus Hazing Act (SCHA) (Pub. L. 118-173), an amendment, enacted in 2024, to the Higher Education Act of 1965 (Pub. L. 89-329), hazing is strictly prohibited at Texas County Technical College.

Definitions
"Hazing." Any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons)

- against another person or persons, regardless of the willingness of such other person or persons to participate,
- that is:
    - committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and
    - causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization, of physical or psychological injury

"Student Organization." An organization at an institution of higher education (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government) in which two or more of the members are students enrolled at the institution of higher education, whether or not the organization is established or recognized by the institution."

Scope
This policy applies to all community members, including students, student organizations (whether or not recognized as a student organization by Texas County Technical College), faculty, staff, volunteers, and alumni with regard to incidents meeting the definition of hazing within this Policy.

1. Reporting Hazing

- Hazing incidents should be reported promptly to the designated Incident Commanders for the relevant campus.
- Reports can be made verbally or in writing
- If someone believes a person is in immediate danger, they should call emergency services first.
- The report may be made anonymously, though anonymity may limit the ability to investigate.

2. Investigation Process
All reports of hazing will be investigated promptly, fairly, and thoroughly in accordance with applicable College procedures and disciplinary processes.

Investigations will be conducted by impartial and trained personnel from the Student Affairs department.

Investigations will include:

- A review of available evidence and witness statements;
- An opportunity for both the reporting party and responding party to provide information;
- Consideration of whether interim measures (such as no-contact directives or suspension of organizational activities) are necessary to protect health and safety;
- Consideration of any external law enforcement action related to the alleged activities or incidents

A written determination of findings and any sanctions or corrective actions imposed. The College will notify involved parties of the outcome and appeal rights, consistent with institutional policy.

3. Sanctions

Individuals and organizations found responsible for hazing violations may face sanctions ranging from warnings to temporary or permanent revocation of student organization status, as well as disciplinary action up to suspension or expulsion for students, or termination for staff and faculty.

4. Prevention & Awareness

Texas County Technical College will implement research-informed, campus-wide hazing prevention and awareness programs that educate the community on:

- Policies relating to hazing
- How to report hazing
- The institution's investigation process
- Applicable local, state, and tribal laws regarding hazing

State	State Laws
Missouri	Missouri Anti-Hazing Law | StopHazing | Hazing Prevention Resource

(Note: TCTC is not located on or near federally recognized tribal land.)

In addition, the College will prioritize primary prevention strategies to stop hazing before it occurs. These may include, as applicable:

- Providing information about ethical leadership and responsible decision-making for student leaders and organizations;
- Skill-building opportunities for bystander intervention to empower students and staff to safely disrupt hazing behavior;
- Promoting strategies for building group cohesion, trust, and identity without hazing practices.

Visit Resources | StopHazing | Hazing Prevention Resource to learn more about the issue of hazing and how to work to prevent it.

5. Transparency Reporting

Texas County Technical College will maintain a Campus Hazing Transparency Report, published prominently on the external-facing College website, which will summarize findings concerning any established or recognized student organizations found to be in violation of Texas County Technical College's standards of conduct relating to hazing as defined in this policy. This report will be updated at least two (2) times each year. Report data must be kept up to date on the College's

website for five (5) years. This report can be accessed at Consumer Information | Texas County Technical College - Houston, MO.

Each entry will include:

- The organization's name
- A description of the violation (without personally identifiable information)
- Whether the violation involved abuse or illegal use of alcohol or drugs
- Date the incident was alleged to have occurred
- Dates investigation was initiated and concluded
- Any sanctions imposed
- Date the organization was given notice of the findings.

6. Annual Security Report (ASR)
Beginning with the 2026 Annual Security Report (covering 2025 data), Texas County Technical College will include hazing statistics related to incidents reported to Texas County Technical College or local law enforcement as required by the SCHA.

7. Records Retention
The College will retain all documents related to hazing reports, investigations, determinations, sanctions, and appeals for a minimum of seven (7) years. Data compiled for the Annual Security Report and the Campus Hazing Transparency Report will also be maintained for seven years to ensure compliance with federal requirements and to support institutional accountability.

The Student Affairs Department will be responsible for maintenance and retention of relevant documents under this Policy.

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 Maddie Caballo, Senior Vice President of Student Affairs, at 2510 W. Dunlap Ave., Suite 300, Phoenix, AZ 85021 602-759-2230 | mcaballo@arizonacollege.edu or the 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

I. Policy Statement

Texas County Technical College (collectively "TCTC" or "the 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. Consistent with Title IX and other applicable laws, prohibited sex discrimination includes discrimination based on sex stereotypes, pregnancy, childbirth, false pregnancy, termination of pregnancy, recovery from pregnancy-related conditions, and sex-based distinctions related to parental, family, or marital status. TCTC considers sex discrimination in all its forms to be a serious offense.

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.

II. 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-education.

III. Scope and Application[1]

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.

IV. 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.

[1] *See Definitions section for a list of relevant definitions that apply to this policy.*

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 that instances of alleged sex discrimination will be addressed in accordance with Title IX of the Education Amendments of 1972 and its implementing regulations as in effect at the time of the alleged conduct. As of the date of this policy's last update, Texas County Technical College applies the Title IX regulations in effect on August 14, 2020 (the "2020 Title IX Regulations"), as modified by applicable federal court orders. Texas County Technical College continuously monitors federal regulatory and judicial developments to ensure policy compliance and will update this policy as necessary to reflect changes in controlling law.

V. Roles and Responsibilities of the 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:

Maddie Caballo
Senior Vice President of Student Affairs
mcaballo@arizonacollege.edu
602-759-2230

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.

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

VI. 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, which includes conduct meeting the definition of sex-based harassment within this document, 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, Texas County Technical College will take reasonable and appropriate steps, as warranted by the information available and the circumstances presented, to address potential Sex Discrimination within its education program or activity and to help prevent its recurrence

VII. Deputy Title IX Coordinator

The Deputy Title IX Coordinator(s) are responsible for managing the day-to-day tasks associated with the operations of this policy at their respective locations. The Deputy Title IX Coordinators participate in collaborative and coordinated efforts with the Title IX Coordinator in monitoring, grievance processes, training, outreach, and information reporting. Deputy Title IX Coordinators may also serve as investigators and/or facilitators, as described elsewhere in this policy, and will fulfill those duties at the direction and under the guidance of the College-wide designated Title IX Coordinator. The Title IX Coordinator has designated the Deputy Title IX Coordinators listed in Appendix A to receive inquiries regarding Title IX, including reports or complaints of alleged sex discrimination.

VIII. Others' Responsibilities Under This Policy

If an employee of Texas County Technical College receives an oral or written report, witnesses, or otherwise learns of conduct that reasonably may constitute Sex Discrimination, the employee should ensure that the individual is aware of the Title IX Coordinator's contact information and available reporting options.

In addition, employees designated by Texas County Technical College as mandatory reporters must promptly notify the Title IX Coordinator of information regarding conduct that reasonably may constitute Sex Discrimination. Mandatory reporters include employees in TCTC or campus leadership positions, faculty members, staff who serve as student advisors, and any other employee designated by TCTC to report such information.

Providing the Title IX Coordinator's contact information does not satisfy a mandatory reporter's obligation to report information to the Title IX Coordinator.

It is the responsibility of those employees who formally supervise faculty, staff or employees to:

1. Inform employees under their direction or supervision of this policy;
2. Implement any corrective actions that are imposed as a result of findings of a violation of this policy.

It is the responsibility of all employees to review this policy and comply with it.

It is the responsibility of all students to review this policy and comply with it.

When Texas County Technical College becomes aware of information indicating that a member of the Texas County Technical College community may have been subjected to or affected by conduct that reasonably may constitute Sex Discrimination, Texas County Technical College will promptly assess the information and determine the appropriate response under this Policy. Depending on the circumstances, Texas County Technical College may provide Supportive Measures, conduct further review, initiate the applicable grievance process, or take other reasonable and appropriate action designed to address potential Sex Discrimination, restore or preserve equal access to Texas County Technical College 's education program or activity, and prevent the recurrence of conduct prohibited by this Policy.

IX. 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. These materials are available on the College’s public website.
- For each response required under Texas County Technical College’s specific grievance procedures for allegations of sexual harassment, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment.

X. Training

Texas County Technical College will ensure that relevant 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. Texas County Technical College may make such training available to other employees. Title IX Coordinator (and any deputy or designee), as well as other employees and/or individuals who also serve as investigators, decisionmakers, and have direct responsibility for implementing the Texas County Technical College Grievance Policy or who can modify or terminate supportive measures, must receive training:

- On the definition of sex discrimination and sexual harassment (as outlined within this policy) within the scope of Texas County Technical College's education program or activity;
- How to conduct an investigation;
- Texas County Technical College's grievance process, including hearings, appeals, and informal resolution processes, as applicable,
- How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias;
- On any technology to be used at a live hearing;
- On issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant.
- On issues of relevance to create an investigative report that fairly summarizes relevant evidence.

Any materials used to train Title IX Coordinators, investigators, decisionmakers, and any person who facilitates an informal resolution process, must not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment. Training materials may be found on Texas County Technical College's public website.

XI. 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, taking disciplinary action against an individual for making a materially false statement in bad faith during an investigation does not constitute retaliation. However, on its own, a determination that sex discrimination did not occur is insufficient to conclude that any party made a materially false statement in bad faith. Concerns about retaliation should be addressed by contacting the Title IX Coordinator.

XII. Emergency Removal and Administrative Leave

Nothing in this policy and procedure precludes Texas County Technical College from removing a respondent from the College's education program or activity on an emergency basis, once it undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and respondent is given notice and an opportunity to challenge the decision immediately following the removal. Also, nothing in this policy and procedure precludes Texas County Technical College from placing a non-student employee respondent on administrative leave during the pendency of the grievance process.

XIII. 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. 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 an exception, described specifically within this policy or the relevant and applicable laws and regulations, 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-contact directives and enforcing mutual restrictions on 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 (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.

Texas County Technical College must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of Texas County Technical College to provide the supportive measures. Texas County Technical College's Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

For each response required under Texas County Technical College's specific grievance procedures for allegations of sex-based harassment, Texas County Technical College must create and maintain for seven (7) years records of any actions, including any supportive measures, taken in response to a report or formal complaint of sex-based harassment. In these instances, Texas County Technical College must document the basis for its conclusion that its response was not deliberately indifferent, and it has taken measures designed to restore or preserve equal access to Texas County Technical College's education program or activity. In the event that Texas County Technical College decides not to provide a complainant with supporting measures, then the College must document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

XIV. Confidentiality Under Title IX

Texas County Technical College will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the FERPA statute, 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as

required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding arising under it.

XV. Confidentiality Under Clery

(Applies to allegations of sexual assault, dating violence, domestic violence and stalking, and is relevant to this policy to the extent there is a Clery crime that comes under the scope of Title IX.)

The College will protect a Clery crime victim's confidentiality, even if the victim does not specifically request confidentiality, where possible and in the following ways:

The victim's personally identifying information will not be included in any publicly available record, including Clery Act reporting and disclosures such as the annual security report. Personally identifying information is defined in Section 40002(a) of the Violence Against Women Act of 1994 as individually identifying information for or about an individual, including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault or stalking, regardless of whether the information is encoded, encrypted, hashed or otherwise protected, including a first and last name; a home or other physical address; contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number); a social security number, driver's license number, passport number or student identification number; and any other information, including date of birth, racial or ethnic background, or religious affiliation that would serve to identify any individual.

In some cases, the College may need to disclose some information about a victim to a third party to provide necessary accommodations or protective/supportive measures. The College will inform victims before sharing personally identifying information that the institution believes is necessary to provide an accommodation or protective/supportive measure and will tell the victim what information will be shared, with whom it will be shared and why. The College's Title IX Coordinator will determine what information about a victim should be disclosed, to whom this information will be disclosed, and will use only official College systems to transmit the information necessary to provide the accommodation or protective/supportive measure.

XVI. 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;
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 Texas County Technical College's education program or activity at the time of the alleged sex discrimination; or
3. An individual who is alleged to be the victim of conduct that could constitute sexual harassment.

"Education program or activity" includes locations, events, or circumstances over which Texas County Technical College exercised substantial control over both the respondent and the context in

which the sexual harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by a postsecondary institution.

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

1. Discrimination based on:
    a. Pregnancy, childbirth, false pregnancy, termination of pregnancy, recovery from pregnancy-related conditions, or other related conditions
    b. Sex stereotypes; or
    c. Sex in connection with parental, family, or marital status

“Sexual harassment**”** (or sex-based harassment) means conduct on the basis of sex that satisfies one or more of the following:

1. *An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;*
2. *Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or*
3. “Sexual assault” as defined in 20 U.S.C. 1092(f)(6)(A)(v) [*Sexual assault* or *criminal sexual conduct* meaning an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation], “dating violence” as defined in 34 U.S.C. 12291(a)(10), “domestic violence” as defined in 34 U.S.C. 12291(a)(8), or “stalking” as defined in 34 U.S.C. 12291(a)(30).

“Student” means a person who has gained admission to Texas County Technical College and is aligned with the definition under FERPA (20 U.S.C. § 1232g).

"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.

TEXAS COUNTY TECHNICAL COLLEGE
TITLE IX GRIEVANCE POLICY

I. Scope and Application

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 (which include complaints of alleged sexual or sex-based harassment).

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, provided such conduct occurs in connection with Texas County Technical College's education program or activity in the United States.

This Grievance Procedure governs complaints alleging Sex Discrimination other than Sex-Based Harassment. Allegations of Sex-Based Harassment shall be resolved under the Sex-Based Harassment Grievance Procedure. If Texas County Technical College determines at any stage of the process that allegations are more appropriately addressed under a different grievance procedure established by this Policy, TCTC may reassign the matter and will notify the parties accordingly.

Texas County Technical College will respond promptly and effectively if it acquires knowledge – either through a report or complaint received – of conduct that reasonably may constitute sex discrimination in its education program or activity and shall not act in a way that is deliberately indifferent.

II. Definitions

"Sex Discrimination" includes, but is not limited to:

1. Discrimination based on:
    a. Pregnancy, childbirth, false pregnancy, termination of pregnancy, recovery from pregnancy-related conditions, or other related conditions
    b. Sex stereotypes; or
    c. Sex in connection with parental, family, or marital status

2. Conduct that, on the basis of sex, excludes a person from participation in, denies a person the benefits of, treats a person differently, or otherwise adversely affects a person's access to, participation in, or benefits under any an education program or activity, and subjects them to more than de minimis harm.

    For the purposes of this policy, "Sex discrimination" includes "sexual harassment" and, except where specifically noted or called out as only applying to allegations of sexual harassment, usage of "sex discrimination," and provisions thereby pertaining, includes and applies to sexual harassment as well.

"Sexual harassment" (or sex-based harassment) means conduct on the basis of sex that satisfies one or more of the following:

1. *An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;*
2. *Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or*
3. "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v) [*Sexual assault* or *criminal sexual conduct* meaning an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation], "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

For all other relevant definitions, please refer to the Definitions section within the College's Title IX Non-Discrimination and Anti-Harassment Policy.

III. Reports and Complaints

A. Receiving or Initiating a Report or Complaint. Any person, regardless of whether the reporting person is the alleged victim of the conduct, can make a report to Texas County Technical College regarding conduct that reasonably may constitute sex discrimination in its education program or activity.

These reports can be made directly to the Title IX Coordinator via phone call, in person communication, by mail, or by email, using the contact information below:

Maddie Caballo
Senior Vice President of Student Affairs

mcaballo@arizonacollege.edu
602-759-2230

Reports can also be made to or designee(s)/Deputy Title IX Coordinator(s), or to certain Texas County Technical College employees (including individuals in College or campus leadership positions, faculty members, and staff who serve as student advisors) who have an obligation to report to the Title IX Coordinator when they have information about conduct that reasonably may constitute sex discrimination. If reports are made to a Title IX Coordinator designee or other employee with reporting obligations, those reports will be forwarded to the Title IX Coordinator who will review and follow-up as appropriate.

Reports of Sex Discrimination may be made orally or in writing to the Title IX Coordinator. Upon receipt of an oral or written report, the Title IX Coordinator will assess the information provided and determine the appropriate response under this Policy, which may include the provision of Supportive Measures, informal resolution, or initiation of the applicable grievance process.

Initiation of the Formal Grievance Process requires a written Complaint. A written Complaint may be submitted by the Complainant or, where appropriate, documented by the Title IX Coordinator based on information provided through an oral report. Before initiating the Formal Grievance Process, the Title IX Coordinator will provide the Complainant an opportunity to review the written Complaint and identify any corrections or clarifications.

Submission of a written Complaint does not require Texas County Technical College to pursue a particular resolution or outcome. Upon receipt of a Complaint, Texas County Technical College will determine the appropriate next steps consistent with this Policy, the information available, and the circumstances presented.

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, notwithstanding other Texas County Technical College policies related to formal complaints related to allegations of sexual harassment.

B. Anonymity. If a complainant or other reporter makes a complaint or 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.

C. Limitations on Reporting Obligations. 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.

D. **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.

E. **Documenting the Complaint; Initial Outreach and Review.** If the Title IX Coordinator receives information about conduct that reasonably may constitute sex discrimination (either through a directly-filed complaint or other report) the Title IX Coordinator must open an initial documentation/file on the report. The Title IX Coordinator must then perform an initial review to determine whether the report merits further investigation, and must document that determination with supporting analysis.

The Title IX Coordinator will conduct an initial outreach to the complainant to offer supportive measures and the ability to schedule a meeting to discuss their report and explore options and related processes.

If a complainant fails to respond to outreach from the Title IX Coordinator within fourteen (14) calendar days or informs the Title IX Coordinator that they are not interested in pursuing further action, the case will be marked as administratively closed and the complainant will be notified of their right to reopen the case at any point in the future. If the complainant later wishes to pursue additional action, complainant needs only to reach out to the Title IX Coordinator and the Coordinator will reassess the matter based on the information then available and determine the appropriate next steps under this Policy.

However, If a report or complaint 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 declines to respond or only wishes to have their concerns documented. The Title IX Coordinator, in consultation with legal counsel, may refer the concern to be reviewed under a separate process under the Student Code of Conduct or internal HR policies.

If the complainant is responsive and wishes to continue with a review of the report, the following steps will be taken:

1. Initial Conversation with Complainant. 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.

2. Applicability Assessment**.** After receiving additional information, the Title IX Coordinator, in consultation with Texas County Technical College legal counsel, will review the complainant's allegations and description of the conduct in question to determine whether it meets the definition of either sex discrimination, as provided in this Policy, or sexual harassment, as provided in this Policy and 34 CFR 106.30.

a. If the Title IX Coordinator and legal counsel determine that the alleged conduct, on the face of the complaint, if proven, would not constitute sex discrimination under this policy, the complaint will be dismissed. More information on the dismissal process can be found in section VII below. Such determination will be documented in the file.

b. If the Title IX Coordinator and legal counsel determine that the alleged conduct, on the face of the complaint, if proven, could constitute sex harassment under this policy, the Title IX Coordinator must determine whether there is a basis for filing a Formal Complaint on his or her own accord, or whether the complainant wishes to make a formal complaint. If either is true, **any further review or action should proceed under the College's Grievance Policy Related to Complaints of Sex-Based Harassment**. Such determination will be documented in the file.

c. If the Title IX Coordinator and legal counsel determine that the alleged conduct, on the face of the complaint, if proven, **could constitute sex discrimination under this policy, the Title IX Coordinator will move to step 3 or 4, as applicable**. Such determination will be documented in the file.

3. Informal Process/Documentation of Concerns. If the complainant wishes to resolve the complaint/report through informal means and documentation of concerns only, the process can continue as described in **section VI below covering the Informal Resolution Process.**

If the 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.

4. Formal Complaint Initiated. If the complainant wishes to file a formal complaint, or the Title IX Coordinator decides to initiate on their own, **the Formal Grievance Process described in section VIII** below will commence (unless the Title IX Coordinator has otherwise made the decision to dismiss the complaint, pursuant to section VII below). 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.

IV. Informal Resolution

A. Discretion and Limitations. 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.

Texas County Technical College cannot require parties to participate in an informal resolution process, or require a party waive the right to an investigation and determination of a complaint as a condition of enrollment or employment.

Texas County Technical College does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

B. Informal Resolution Process. At any time, Texas County Technical College may offer to complainant and respondent, as appropriate, an informal resolution process.

The process may include the following steps:

1. Consult with the Complainant. The Title IX Coordinator will discuss the complainant's concerns, desired outcome, and available options for addressing the reported conduct.
2. Consider Supportive Measures. In some circumstances, supportive measures, as described elsewhere in this Policy, may adequately address the complainant's concerns and serve as an appropriate resolution without further action.
3. Identify Other Appropriate Resolution Measures. Where additional action may be appropriate, the Title IX Coordinator will consider available informal measures based on the circumstances, the interests of the parties, and the College's responsibility to maintain an educational environment free from sex discrimination.
4. Notify the Respondent and Campus Leadership, as Appropriate**.** If a proposed resolution would affect the respondent's participation in an Texas County Technical College education program or activity, the Title IX Coordinator will notify the respondent. If appropriate, the Title IX Coordinator will consult with respondent, and, as necessary, relevant campus or College leadership to understand the impact of proposed resolution.
5. Document the Resolution**.** The Title IX Coordinator will document the resolution and any measures to be implemented and will communicate the outcome to the parties to the extent appropriate.

Regardless of whether a complaint is initiated or resolved through an informal process, the Title IX Coordinator may implement reasonable and appropriate measures, consistent with the information available and the circumstances presented, to address concerns regarding Sex Discrimination and to help prevent the recurrence of conduct prohibited by this Policy.

V. Dismissal of Complaints.

A. Basis for Dismissal. 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. If specific circumstances prevent Texas County Technical College from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.
3. Depending on the facts of the situation, either the complainant or the respondent is not participating in Texas County Technical College's education program or activity and is not employed by Texas County Technical College;

4. 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
5. 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.

B. Follow-Up Actions. The Title IX Coordinator will offer complainant supportive measures as appropriate. Respondent may be offered supportive measures, if 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 notify both complainant and respondent, simultaneously and in writing.
Texas County Technical College will notify complainant and respondent (if applicable) that complainant may appeal the dismissal of the complaint.

VI. Formal Grievance Process

A. Timeframe. The Formal Grievance Process outlined in this policy will conclude within ninety (90) calendar 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 of the delay, reason for the delay, and the revised timeline. The Title IX Coordinator will also allow a 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 and the anticipated duration of the extension.

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 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. Gather evidence and decide what is relevant or impermissible;
6. Objectively analyze and evaluate only relevant evidence;
7. Not make credibility determinations based on a person's status as a complainant, respondent, or witness;

8. Follow this Formal Grievance Process before the imposition of any disciplinary sanctions;
9. Provide remedies (other than supportive measures) to a complainant only if this Formal Grievance Process results in a determination that the respondent is responsible for sex discrimination;
10. Make reasoned decisions based on the preponderance of the evidence; and
11. Promptly offer and coordinate reasonably available Supportive Measures designed to restore or preserve equal access to TCTC's education program or activity without unreasonably burdening another party.

C. Notice of Allegations. Upon receiving a written and signed complaint, which has been determined to be able to move forward, the Title IX Coordinator will provide written notice of the allegations to complainant and respondent. The written notice will include:

a. Description of this Grievance Process, including the informal resolution process;
b. 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;
c. 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,
d. 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.

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.

Consolidation decisions will be made by the Title IX Coordinator based on considerations of efficiency, fairness to the parties, and the relatedness of the allegations. The Title IX Coordinator will notify all parties in writing when complaints are consolidated.

E. Investigation of Complaints. The Title IX Coordinator will assign a trained investigator/decisionmaker to investigate the complaint. The Title IX Coordinator or Deputy Title IX Coordinator may be assigned as the investigator in the formal resolution process.

Under this process, Texas County Technical College will ensure an 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 for interview and/or review by the investigator any fact witnesses and other inculpatory and exculpatory evidence that is 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 review the evidence (or an accurate description of this evidence) and provide each party with a reasonable opportunity to respond to such evidence;
5. 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 investigator/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. Credibility assessments must be individualized and may not rely on generalizations, stereotypes, or assumptions about how persons of a particular sex, gender identity, sexual orientation, race, ethnicity, or other characteristic would or should act.

G. Determination of Whether Sex Discrimination Occurred. Following an investigation and evaluation of all relevant and not otherwise impermissible evidence, the investigator/decisionmaker, in consultation with and under the guidance of legal counsel, will use the preponderance of the evidence standard of proof to determine whether sex discrimination occurred. "Preponderance of the evidence" means that the evidence indicates that there is a greater than 50% - more likely than not – that sex discrimination occurred.

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.

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.

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 of the procedures and permissible bases for appeal, if applicable.

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 by the decisionmaker of either the respondent's responsibility and/or the dismissal of a formal complaint or any allegations therein.

1. Scope. Appeals are not a re-hearing of the facts of the case and must be limited in scope on the following basis:
    a. 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.
    b. Allegations that the decisionmaker deviated from the policy or procedure in a way that changed the outcome of the case.
    c. 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.

2. Initial Process. 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.

    If an appeal is filed, Texas County Technical College will notify the parties of the appeal and provide each with a copy of the appeal.

    The non-appealing party may choose to respond and, if he or she does so, must 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 decisionmaker who was not previously involved in the Formal Grievance Procedure to hear the appeal.

3. Review. 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.

4. Decision. 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. Notice will describe the result of the appeal and the rationale for the result. No further appeal process is available.

VII. 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 expects individuals to provide truthful information in any report, interview, meeting or proceeding under this policy.

Texas County Technical College 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. A determination that sex discrimination did not occur is not, by itself, evidence that any party submitted false or misleading information in bad faith.

VIII. 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.

GRIEVANCE POLICY RELATED TO COMPLAINTS OF SEXUAL OR SEX-BASED HARASSMENT

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.

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 (which include complaints of alleged sex-based harassment).

The provisions of this Grievance Policy and this section shall apply to complaints of sex-based harassment involving prohibited conduct by students, employees, volunteers, third-party contractors, guests, external community members, and others doing business with Texas County Technical College, whether the conduct occurs on or off campus, provided it occurs in connection with Texas County Technical College's education program or activity in the United States. This includes, but is not limited to, conduct occurring at campus events, during College-related travel, or at other Texas County Technical College-sponsored activities.

Although Sex-Based Harassment is a form of Sex Discrimination, complaints alleging Sex-Based Harassment shall be resolved using the Sex-Based Harassment Grievance Procedure. Complaints alleging Sex Discrimination that do not involve Sex-Based Harassment shall be resolved under the applicable Sex Discrimination grievance procedures. If a matter is reclassified during review or investigation, Texas County Technical College will notify the parties and apply the appropriate procedure.

This policy includes a presumption that the respondent is not responsible for the alleged sex discrimination until a determination is made at the conclusion of the applicable grievance procedure.

II. Definitions

"Sexual harassment" (or sex-based harassment) means conduct on the basis of sex that satisfies one or more of the following:

1. *An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;*
2. *Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or*
3. "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v) [*Sexual assault* or *criminal sexual conduct* meaning an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation], "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

For all other relevant definitions, please refer to the Definitions section within the College's Title IX Non-Discrimination and Anti-Harassment Policy.

III. Presumptions and Equitable Treatment

This policy includes a presumption that the respondent is not responsible for the alleged sex discrimination until a determination is made at the conclusion of the applicable grievance procedure.

Texas County Technical College's administration of this Policy must treat complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility has been made against the respondent, and by following a grievance process against a respondent that complies with Title IX and its effectuating regulations.

Remedies instituted under this Policy shall be designed to restore or preserve the complainant's equal access to Texas County Technical College's education program or activity following a determination of responsibility.

IV. Reports and Complaints

A. **Receiving or Initiating a Report or Complaint.** Any person, regardless of whether the reporting person is the alleged victim of the conduct, can make a report to Texas County Technical College regarding conduct that reasonably may constitute sexual or sex-based harassment in its education program or activity.

   These reports can be made directly to the Title IX Coordinator via phone call, in person communication, by mail, or by email, using the contact information below:

   Maddie Caballo
   Senior Vice President of Student Affairs
   mcaballo@arizonacollege.edu
   602-759-2230

   Reports of Sex Discrimination may be made orally or in writing to the Title IX Coordinator. Upon receipt of an oral or written report, the Title IX Coordinator will assess the information provided and determine the appropriate response under this Policy, which may include the provision of Supportive Measures, informal resolution, or initiation of the applicable grievance process.

   Initiation of the Formal Grievance Process requires a written Complaint. A written Complaint may be submitted by the Complainant or, where appropriate, documented by the Title IX Coordinator based on information provided through an oral report. Before initiating the Formal Grievance Process, the Title IX Coordinator will provide the Complainant an opportunity to review the written Complaint and identify any corrections or clarifications.

Submission of a written Complaint does not require Texas County Technical College to pursue a particular resolution or outcome. Upon receipt of a Complaint, Texas County Technical College will determine the appropriate next steps consistent with this Policy, the information available, and the circumstances presented.

The Title IX Coordinator has no obligation to act where the Title IX Coordinator reasonably determines that the conduct as alleged does not constitute sexual harassment, notwithstanding the requirement to respond promptly in a manner that is not deliberately indifferent.

B. Anonymity. If a complainant or other reporter makes a complaint or 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.

C. Limitations on Reporting Obligations. 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.

D. 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.

F. Documenting the Complaint; Initial Outreach and Review. If the Title IX Coordinator receives information about conduct that reasonably may constitute sex-based harassment the Title IX Coordinator must open an initial documentation/file on the report. The Title IX Coordinator must then perform an initial review to determine whether the report merits further investigation, and must document that determination with supporting analysis.

The Title IX Coordinator will conduct an initial outreach to the complainant to offer supportive measures and the ability to schedule a meeting to discuss their report and explore options and related processes.

If a complainant fails to respond to outreach from the Title IX Coordinator within fourteen (14) calendar days or informs the Title IX Coordinator that they are not interested in pursuing further action, the case will be marked as administratively closed and the complainant will be notified of their right to reopen the case at any point in the future. If the complainant later wishes to pursue additional action, complainant needs only to reach out to the Title IX Coordinator and the Coordinator will reassess the matter based on the information then available and determine the appropriate next steps under this Policy.

However, If a report or complaint 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.

If the complainant is responsive, the following steps will be taken:

1. Initial Conversation with Complainant. 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.

2. Applicability Assessment**.** After receiving additional information, the Title IX Coordinator, in consultation with Texas County Technical College legal counsel, will review the complainant's allegations and description of the conduct in question to determine whether it meets the definition of sexual harassment, as provided in this policy and 34 CFR 106.30.

    a. If the Title IX Coordinator and legal counsel determine that the alleged conduct, on the face of the complaint, if proven, would not constitute sex-based harassment under this policy, the Title IX Coordinator will dismiss the complaint. More information on the dismissal process can be found in section VII below. Such determination will be documented in the file.

    b. If the Title IX Coordinator and legal counsel determine that the alleged conduct, on the face of the complaint, if proven, could constitute sex harassment under this policy, the Title IX Coordinator must determine whether there is a basis for filing a Formal Complaint on his or her own accord, or whether the complainant wishes to make a formal complaint. If either is true, **the Title IX Coordinator will move to step 3 or 4, as applicable**. Such determination will be documented in the file.

3. Acknowledgement of Concerns. If the complainant wishes to resolve the complaint/report through discussion of concerns and supportive measures only, the process can conclude with those pieces in place. 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.

    If the 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.

4. Formal Complaint Initiated. If the complainant wishes to file a formal complaint, or the Title IX Coordinator decides to initiate on their own, **the Formal Grievance Process described in section VII** below will commence (unless the Title IX Coordinator has otherwise made the decision to dismiss the complaint, pursuant to section VI below). 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.

5. Initiation of Informal Process Subsequent to Formal Complaint. If at any point after a complainant files a formal complaint and before a determination has been made as to whether the complained-of conduct constitutes sexual harassment, the complainant expresses their wish to attempt to resolve through an informal resolution process, they may request to do so and the process will continue as described in section V below.

V. Informal Resolution

A. Overview. At any time after a Formal Complaint has been filed and before a determination regarding responsibility is made, Texas County Technical College may offer the parties an Informal Resolution Process as an alternative to the Formal Grievance Process, when appropriate. The Informal Resolution Process is a voluntary, structured process intended to resolve allegations through constructive agreements that address the reported conduct, remediate harm, prevent future misconduct, and support the educational environment.

The Informal Resolution Process is not intended to determine guilt or innocence. Rather, it focuses on addressing concerns, understanding the impact of the reported conduct, and identifying mutually agreeable outcomes. Informal Resolution may be conducted through written communications, separate meetings with the parties, shuttle mediation, or other appropriate methods. The parties will not be required to confront one another or be present in the same room as part of the process.

B. Discretion and Limitations. 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.

Texas County Technical College cannot require parties to participate in an informal resolution process, or require a party waive the right to an investigation and determination of a complaint as a condition of enrollment or employment.

Texas County Technical College does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

C. Facilitation of the Process. The Title IX Coordinator may offer Informal Resolution to the parties, or either party may submit a written request to the Title IX Coordinator seeking Informal Resolution.

Informal Resolution Process will be administered by the Title IX Coordinator or a trained designee ("Facilitator"). The Facilitator will oversee the process, communicate with the parties regarding proposed resolution terms, and assist in exploring mutually acceptable outcomes. The Facilitator does not serve as a decision-maker and does not determine responsibility for the allegation.

D. Notice and Consent. Texas County Technical College will notify the parties in writing of the availability of the informal resolution process. In order to engage in the informal resolution process, both parties must agree in writing.

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 any time 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 on the parties and Texas County Technical College, to the extent the institution agreed to undertake specific actions; 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 requisite notices described above and the documented, mutually agreed-upon informal resolution must be maintained within the appropriate Title IX files.

E. Informal Resolution Procedures. The Informal Resolution Process is intended to be flexible and may take a variety of forms depending on the nature of the allegations and the needs of the parties. In most cases, the process will be conducted through separate communications with each party rather than through direct interaction between the parties. Informal Resolution may include:

1. Shuttle mediation, in which the Facilitator meets or communicates separately with each party and conveys information, concerns, proposals, and responses between them;
2. Written exchanges facilitated by the Facilitator, including the exchange of proposed terms, concerns, and resolution options;
3. Separate meetings with one or both parties to discuss the allegations, identify appropriate remedies, and explore possible resolutions; and
4. Any other structured, voluntary process approved by the Title IX Coordinator that is designed to resolve the allegations without a formal hearing.

The parties will not be required to meet face-to-face, confront one another, or be present in the same room at any point during the Informal Resolution Process. All communication regarding the process may be conducted through the Facilitator**.**

F. Advisors. Each party may consult with an advisor of their choice and may have their advisor present during any Informal Resolution meeting.

G. **Withdrawal from the Process.** Either party may withdraw from the Informal Resolution Process at any time before a written resolution agreement is signed by both parties. If either party withdraws, the Formal Grievance Process will resume without prejudice.

H. **Good Faith Participation.** The Facilitator may terminate the Informal Resolution Process if the Facilitator determines that one or both parties are not participating in good faith or that the process is otherwise no longer productive. In such cases, the Formal Grievance Process will resume.

I. **Resolution Terms.** The parties and Facilitator may propose terms for inclusion in an Informal Resolution Agreement. Resolution terms will be tailored to the circumstances of the matter and may include, but are not limited to:
    1. Educational interventions, training, workshops, or assignments;
    2. Behavioral agreements, including restrictions on contact or communication;
    3. Restorative measures designed to repair harm and rebuild trust;
    4. Modifications to work assignments, schedules, educational programs, or activities;
    5. Monitoring requirements, including periodic check-ins or progress reporting;
    6. Counseling or other supportive resources;
    7. Restrictions on a respondent's participation in one or more College programs, activities, events, or opportunities; and/or
    8. Other reasonable terms that the College could have imposed as remedies or disciplinary sanctions following a determination under the Formal Grievance Process, where appropriate and agreed upon by the parties.

J. **Agreement and Approval.** Any Informal Resolution Agreement must be acceptable to both parties and approved by the Title IX Coordinator before it becomes effective. If either party declines to sign the proposed agreement, the Informal Resolution Process will be deemed unsuccessful and the Formal Grievance Process will resume.

K. **Binding Effect.** A fully executed Informal Resolution Agreement is binding on the parties and the College, to the extent the College agreed to undertake specific actions. Upon successful completion of the agreement, the matter will be considered resolved and closed with respect to the allegations addressed by the agreement.

L. **Documentation and Confidentiality.** The College will document all Informal Resolution Agreements in writing. Documentation will be maintained in accordance with applicable law, institutional policy, and recordkeeping requirements, while protecting the privacy of the parties to the greatest extent possible.

M. **Supportive Measures.** Supportive measures remain available throughout the Informal Resolution Process. Choosing to participate in Informal Resolution does not limit either party's access to counseling, academic accommodations, safety measures, or other supportive resources, and such measures may be modified as circumstances warrant.

N. **Retaliation Prohibited.** Texas County Technical College prohibits retaliation against any individual for participating in, declining to participate in, or otherwise exercising rights under the Informal Resolution Process. Allegations of retaliation may result in separate disciplinary action.

O. **Future Conduct.** Any alleged misconduct occurring after the execution of an Informal Resolution Agreement will be addressed independently under applicable College policies and procedures. Future violations are not excused or limited by a prior Informal Resolution Agreement.

P. As required, the Title IX Coordinator must also to take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within the recipient's education program or activity. Even though an informal resolution process is

provided for, nothing about the informal resolution process precludes the Title IX Coordinator from taking appropriate, prompt, and effective steps, within the parameters of this Policy, to ensure that complained of conduct does not continue or recur within Texas County Technical College's education program or activity.

VI. Dismissal of Complaints.

A. Required Dismissal. Texas County Technical College must dismiss a complaint where the conduct alleged in the formal complaint would not constitute sexual harassment, even if proved, did not occur in the recipient's education program or activity, or did not occur against a person in the United States. Such dismissal does not preclude action under the College's Code of Conduct.

B. Permissive Dismissal. Texas County Technical College may dismiss a complaint of sex discrimination where:

1. If specific circumstances prevent Texas County Technical College from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.
2. The respondent is no longer enrolled at Texas County Technical College or is no longer employed by Texas County Technical College;
3. Complainant voluntarily withdraws, via written notice to the Title IX Coordinator, any or all of the allegations in the complaint and/or the conduct that remains alleged in the complaint, if any, would not constitute sex discrimination under Title IX or this policy even if proven.

If the dismissal occurs after the respondent has been notified of the allegations, Texas County Technical College will notify both complainant and respondent of the dismissal and the basis, and will do so simultaneously and in writing.

Texas County Technical College will notify complainant and respondent (if applicable) that complainant may appeal the dismissal of the complaint. Any appeal will follow the process outlined below.

VII. Formal Grievance Process

A. Timeframe. The Formal Grievance Process outlined in this policy will conclude within ninety (90) calendar 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 of the delay, reason for the delay, and the revised timeline. The Title IX Coordinator will also allow a 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 and the anticipated duration of the extension.

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 the parties a reasonable opportunity to obtain and present relevant evidence, including through discussions with witnesses; consult with family members, confidential resources, advisors, or legal counsel; and otherwise prepare for or participate in the Formal Grievance Process.
6. Gather evidence and decide what is relevant or impermissible;
7. Objectively analyze and evaluate only relevant evidence, which may include both inculpatory and exculpatory evidence;
8. Not consider impermissible evidence and questioning on impermissible subjects;
9. Not require, allow, rely upon, or otherwise use questions or evidence that seek disclosure of information protected by a legally recognized privilege, unless the person holding the privilege has voluntarily waived the privilege;
10. Not access, consider, disclose, or otherwise use records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in that capacity and which were created and maintained in connection with the provision of treatment to a party, unless Texas County Technical College obtains that party's voluntary written consent to do so for purposes of this Formal Grievance Process;
11. Not make credibility determinations based on a person's status as a complainant, respondent, or witness;
12. Follow this Formal Grievance Process before the imposition of any disciplinary sanctions;
13. Provide remedies to a complainant only if this Formal Grievance Process results in a determination that the respondent is responsible for sex discrimination;
14. Make reasoned decisions based on the preponderance of the evidence; and
15. Offer Supportive Measures. Promptly offer and coordinate reasonably available Supportive Measures designed to restore or preserve equal access to Texas County Technical College's education program or activity without unreasonably burdening another party.

C. Written Notice of Allegations. The written notice of the allegations must contain the following information:

1. Description of 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 evidence; and,
4. That retaliation is prohibited.
5. Description of the allegations potentially constituting sexual harassment which include sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known; the conduct allegedly constituting sexual harassment; and the date and location of the incident, if known.
6. That respondent is presumed not responsible for the alleged sex-based harassment until a determination under this Formal Grievance Process.
7. That they may have an advisor of their choice who may be, but who is not required to be, an attorney;
8. That 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,
9. 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.

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.

Consolidation decisions will be made by the Title IX Coordinator based on considerations of efficiency, fairness to the parties, and the relatedness of the allegations. The Title IX Coordinator will notify all parties in writing when complaints are consolidated.

E. Investigation. When investigating a complaint alleging sex-based harassment under this section, Texas County Technical College will:

1. Ensure that the burden of proof and of gathering evidence sufficient to reach a determination regarding responsibility rests on Texas County Technical College and not the parties;
2. Provide the parties an equal opportunity to present witnesses, including fact witnesses and, where permitted by the decisionmaker(s), expert witnesses, as well as other inculpatory and exculpatory evidence. The decisionmaker(s) shall have discretion to determine whether expert witness testimony will be permitted; however, any such determination shall be applied equally to both parties.
3. The investigation will not require, permit, rely upon, disclose, or otherwise use information protected by a legally recognized privilege unless the privilege has been voluntarily waived by the person holding the privilege. Texas County Technical College will not access, consider, disclose, or otherwise use a party's treatment

records that were created and maintained in connection with the provision of treatment by a physician, psychiatrist, psychologist, counselor, or other recognized professional or paraprofessional unless the party provides voluntary written consent for such use in this grievance process.

4. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence, provided that the parties comply with applicable restrictions regarding the disclosure of information or evidence obtained solely through the Formal Grievance Process.
5. 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;
6. Provide the parties with the same opportunities to be accompanied to any meeting or proceeding by the advisor of their choice;
7. Provide the parties with the same opportunities to have persons other than the advisor of the parties' choice present during any meeting or proceeding;
8. 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;
9. Provide both parties an equal opportunity to inspect and review any evidence, obtained as part of the investigation that is directly related to the allegations raised in a formal complaint. This opportunity to inspect includes the evidence upon which Texas County Technical College does not intend to rely in reaching a determination regarding responsibility, as well as inculpatory or exculpatory evidence (whether obtained from a party or other source), so that each party can meaningfully respond to the evidence prior to conclusion of the investigation;
10. Prior to completion of the investigative report, Texas County Technical College must send, or otherwise make available, to each party and the party's advisor, if any, the evidence subject to inspection and review. Texas County Technical College must make all such evidence available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination. The parties must have at least 10 days after being provided with access to evidence to submit a written response, which the investigator will consider prior to completion of the investigative report.
11. Following completion of the investigation, the Title IX Investigator shall prepare an investigative report that fairly summarizes all relevant evidence. The investigative report will be provided to each party and, if applicable, the party's advisor, in electronic or hard-copy format at least ten (10) days prior to the hearing, and each party will have the opportunity to submit a written response for consideration before the hearing.

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.

TCTC may take reasonable steps to protect the privacy of the parties and the integrity of the process by preventing or addressing the unauthorized disclosure of information or evidence obtained solely through the Formal Grievance Process. Nothing in this Policy shall be interpreted to restrict a party's ability to discuss the allegations, consult with advisors,

family members, confidential resources, witnesses, or legal counsel, or otherwise gather and present relevant evidence.

F. Live Hearing. Texas County Technical College will conduct a live hearing on formal written complaints of Sex-Based Harassment in accordance with 34 C.F.R. § 106.45(b)(6). Consistent with those requirements, each party's advisor will be permitted to conduct questioning as provided by applicable law and regulation. Texas County Technical College may provide an advisor for this limited purpose where required. The decisionmaker will determine the relevance of proposed questions before they are answered, and the hearing may be conducted with the parties located in separate rooms upon request. Texas County Technical College will create and maintain a record of the hearing and make it available to the parties as required by law.

G. 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.

1. The decisionmakers(s) – those issuing the written determination – cannot be the same person(s) as the Title IX Coordinator or the investigators,
2. The written determination will include:
    a. Identification of the allegations potentially constituting sexual harassment;
    b. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
    c. Findings of fact supporting the determination;
    d. Conclusions regarding the application of the Texas County Technical College's code of conduct to the facts;
    e. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the Texas County Technical College imposes on the respondent, and whether remedies designed to restore or preserve equal access to the Texas County Technical College's education program or activity will be provided by the Texas County Technical College to the complainant; and
    f. Texas County Technical College's procedures and permissible bases for the complainant and respondent to appeal.

Texas County Technical College must provide the written determination to the parties simultaneously. The determination regarding responsibility becomes final either on the date that Texas County Technical College provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

The Title IX Coordinator is responsible, with support from campus and College leadership and HR, as applicable, for effective implementation of any remedies.

H. Range of Disciplinary Sanctions. When a determination of responsibility for sexual harassment is made under this Formal Grievance Process, Texas County Technical College

may impose a range of disciplinary sanctions or remedies, depending on the severity of the conduct, its impact, and any relevant disciplinary history.

Possible sanctions include, but are not limited to: formal warning, required education or training, no-contact directives, probation, suspension, loss of privileges, reassignment of duties, demotion, or termination of employment for employees, and suspension or expulsion for students.

Texas County Technical College also reserves the right to implement other remedies designed to restore or preserve equal access to its education programs and activities, consistent with Title IX and applicable College policies.

I. **Appeal.** Either party has the right to file an appeal of determination by the decisionmaker of either the respondent's responsibility and/or the dismissal of a formal complaint or any allegations therein.

1. Scope. Appeals are not a re-hearing of the facts of the case and must be limited in scope on the following basis:
    a. The party has discovered new and relevant evidence that was not reasonably available at the time the determination or dismissal was made that could alter the outcome.
    b. Allegations that the decisionmaker deviated from the policy or procedure in a way that changed the outcome of the case.
    c. Allegations that a procedural irregularity by Texas County Technical College occurred elsewhere in the process (intake, investigation, etc.) and affected the outcome of the matter.
    d. 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.

2. Initial Process. 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 or notice of dismissal, as applicable. The appeal request must include the basis for the appeal and all evidence in support of the request.

    If an appeal is filed, Texas County Technical College will notify the parties of the appeal and provide each with a copy of the appeal.

    The non-appealing party may choose to respond and, if he or she does so, must 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 decisionmaker who was not previously involved in the Formal Grievance Procedure to hear the appeal.

3. Review. The appellate decisionmaker may, after reviewing the appeal and any written response submitted by the non-appealing party, 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, simultaneously, 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.

4. Decision. 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. Notice will describe the result of the appeal and the rationale for the result. No further appeal process is available.

VIII. 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 expects individuals to provide truthful information in any report, interview, meeting or proceeding under this policy.

Texas County Technical College 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. A determination that sex discrimination did not occur is not, by itself, evidence that any party submitted false or misleading information in bad faith.

IX. 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 are expected to maintain the privacy of information and evidence obtained solely through their participation in the Formal Grievance Process and may not disseminate such information for purposes unrelated to the investigation, resolution, or defense of the allegations. This provision does not prohibit parties from discussing the allegations; consulting with advisors, family members, confidential resources, legal counsel, experts, or witnesses; seeking support services; participating in legal proceedings; or otherwise gathering and presenting relevant evidence. 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.

Appendix A - Deputy Coordinator(s)

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

Corporate
Wendy Soliz
2510 West Dunlap Ave., Suite 300
Phoenix, Arizona 85021
wsoliz@arizonacollege.edu
(602) 759-2293

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 1-800-4-A-CHILD (1-800-422-4453)	**American Social Health Association** (919) 361-8400
National Hotline for Crime Victims 1-855-4-VICTIM (1-855-484-2846)	**CDC National AIDS Hotline / National STD Hotline** 1-800-CDC-INFO (232-4636) 1-800-227-8922 (STD Hotline)
RAINN National Sexual Assault Hotline 1-800-656-HOPE (4673)	**LGBT National Hotline** (888) 843-4564
The Substance Abuse and Mental Health Services Administration Treatment Helpline 1-800-662-HELP (4357) 1-800-487-4889 (TTY)	**National Resource Center on Domestic Violence** 1-800-553-2508 1-800-537-2238 (TTY)
National Coalition of Anti-Violence Programs National Advocacy for Local LGBT Communities 1-212-714-1141	**National Domestic Violence Hotline** 1-800-799-SAFE (7233) 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 Authority Contacts

Houston, Missouri

Police Department	Fire Department	Missouri Coalition Against Domestic and Sexual Violence
Address: 601 S Grand Ave, Houston, MO 65483 Phone: (417) 967-3348	Address: 601 S Grand Ave, Houston, MO 65483 Phone: (417) 967-3348	Phone: (573) 634-4161 Local Phone: (406) 443-7794 Website: 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.

Missouri

As Defined by Missouri State Statutes

Sexual Assault
Rape:
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.

566.031. 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.

566.060. 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.

566.061. 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.

566.062. 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.

566.067. 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.

566.068. 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.

566.069. 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.

566.095. 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
565.072. 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.

565.073. 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.

565.074. 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.

The institution will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

Campus Sex Crimes Prevention Act

In accordance with the “Campus Sex Crimes Prevention Act” of 2000 and the Sex Offender Registration and Notification Act (SORNA), enacted as part of the Adam Walsh Child Protection and Safety Act of 2006, 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 with the "Campus Sex Crimes Prevention Act" of 2000 and the Sex Offender Registration and Notification Act (SORNA), enacted as part of the Adam Walsh Child Protection and Safety Act of 2006, 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:

a. The type of test administered and the procedures followed;
b. The time of the collection of the blood or breath sample or urine analyzed;
c. The numerical results of the test indicating the alcohol content of the blood and breath and urine;
d. The type and status of any permit which was held by the person who performed the test;
e. 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:
    a. Is eighteen years of age or older;
    b. Is enrolled in an accredited college or university and is a student in a culinary course;
    c. 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
    d. 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

Controlled Substances:
579.015. Possession or control of a controlled substance — penalty:

1. A person commits the offense of possession of a controlled substance if he or she knowingly possesses a controlled substance, except as authorized by this chapter or chapter 195.
2. The offense of possession of any controlled substance except thirty-five grams or less of marijuana or any synthetic cannabinoid is a class D felony.
3. The offense of possession of more than ten grams but thirty-five grams or less of marijuana or any synthetic cannabinoid is a class A misdemeanor.

4. The offense of possession of not more than ten grams of marijuana or any synthetic cannabinoid is a class D misdemeanor. If the defendant has previously been found guilty of any offense of the laws related to controlled substances of this state, or of the United States, or any state, territory, or district, the offense is a class A misdemeanor. Prior findings of guilt shall be pleaded and proven in the same manner as required by section 558.021.
5. In any complaint, information, or indictment, and in any action or proceeding brought for the enforcement of any provision of this chapter or chapter 195, it shall not be necessary to include any exception, excuse, proviso, or exemption contained in this chapter or chapter 195, and the burden of proof of any such exception, excuse, proviso or exemption shall be upon the defendant.

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; tolerance develops severe withdrawal symptoms; physical & psychological dependence.

Other Stimulants (Excluding Cocaine), Amphetamines, Methamphetamines Increased heart & respiratory rates; elevated blood pressure; 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 to drug- and alcohol-related offenses. Under current federal law, students with drug convictions may remain eligible for federal financial aid,

provided they meet all other applicable eligibility requirements. However, certain individuals may be subject to restrictions on federal benefits, including federal student aid, if a court has imposed such restrictions under the Anti-Drug Abuse Act of 1988. Students are encouraged to consult with the Financial Aid Office regarding questions about their eligibility for federal financial assistance.

National Referral Resources

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

Texas County Technical College Campus

6915 South Highway 63, Houston, MO 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	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Negligent Manslaughter	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Fondling	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Incest	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Sexual Assault-Statutory Rape	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Robbery	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Aggravated Assault	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
Burglary	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Motor Vehicle Theft	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arson	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Arrests: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, etc.	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Disciplinary Referrals: Liquor Law Violations	2025	0	0	0
	2024	0	0	0
	2023	0	0	0

Offense Type	Year	On Campus Property	Non-Campus Property	Public Property
VAWA Offenses: Domestic Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
VAWA Offenses: Dating Violence	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
VAWA Offenses: Stalking	2025	0	0	0
	2024	0	0	0
	2023	0	0	0
Hazing	2025	0	0	0
	2024	*	*	*
	2023	*	*	*

**In accordance with the Stop Campus Hazing Act, institutions are required to report Hazing statistics beginning with the 2025 calendar year. Because the requirement to collect and disclose Hazing statistics took effect on January 1, 2025, "*" will be used in place of statistics for any prior years referenced in this report.*

Texas County Technical College had no hate crimes reported in 2023, 2024, and 2025 on any campus.
Texas County Technical College had no unfounded crimes reported in 2023, 2024, and 2025 on any campus.
Texas County Technical College does not maintain residential facilities.

Addendum

Revised 11.05.2026

P 12-46: Updated Title IX Policy