

Section VI.D.12. Student Civil Rights Complaints

These procedures supplement and clarify Section VI.D.12. of the Lone Star College System District Policy Manual (“Policy Manual”) last revised by the Board of Trustees on **March 3, 2016**—setting out the College’s policies regarding student civil rights.

The Policy Manual controls when a conflict arises between it and the procedures below. These procedures were last updated on **October 17, 2016**. The notice and comment period was open online to the public from **August 15, 2016** to **September 14, 2016**.

1. Scope of Procedures. These procedures cover student civil rights complaints based on race, color, sex, age, sexual orientation, religion, ethnic or national origin, disability, veteran status, or any other protected status. These procedures do not cover sexual harassment, sexual assault, sexual violence, or sexual discrimination complaints because those types of complaints are covered elsewhere. These procedures also do not cover academic appeals unless the student believes the final appeal decision violates the student’s civil rights. For purposes of these procedures, the student alleging a civil rights violation is the “complainant” and the individual named as the alleged responsible party is the “respondent.” These procedures are exclusive to student complaints. Separate procedures exist for employee complaints.

2. Effective Delivery. Unless otherwise specified, any document under these procedures may be delivered in person or by emailing the document to the recipient’s designated College email address. Working days means all days other than Saturdays, Sundays, and days designated as holidays or breaks on the College’s official calendar. Working days end at 5:00 p.m. central time. Any deadlines under these procedures may be extended with the recipient’s consent.

3. Procedure Overview for Filing a Student Civil Rights Complaint.

3(a) Presenting an Informal Concern. The College encourages students to discuss their civil rights concerns as soon as possible with their college’s Chief Student Services Officer (“CSSO”). This informal process is available to students who may not see the need to file a formal complaint but still have a concern. The CSSO should attempt to resolve any issues informally if possible. Students not satisfied with an informal process’s results may file a formal complaint. Students are not required to follow this informal process before filing a formal complaint.

3(b) Presenting a Formal Complaint. Students who believe they have been discriminated against because of their race, color, sex, age, sexual orientation, religion, ethnic or national origin, disability, veteran status, or any other protected status may file a complaint by completing Form VI.D.12.1. (“the Complaint”).

3(c) Where and with Whom. Students file Form VI.D.12.1. with the CSSO of the college where the alleged civil rights violation occurred. For example, if a student alleges that the civil rights violation occurred on LSC-University Park’s premises, the student files Form

VI.D.12.1. with LSC-University Park's CSSO. A student may also file Form VI.D.12.1. with that college's president. A list of current college presidents is found at:<http://www.lonestar.edu/administration-board.htm>. If the college president receives Form VI.D.12.1., the college president must forward Form VI.D.12.1. to their college's CSSO as soon as possible.

3(d) When. Students must file Form VI.D.12.1. within 60 calendar days after the event, latest occurrence, or conclusion of the informal resolution process, whichever is later.

4. Investigation. After receiving Form VI.D.12.1., the CSSO investigates whether a civil rights violation occurred. On a rare occasion, the college president may designate someone other than the CSSO to investigate the complaint. If the college president designates someone else, the college president must notify the parties of the investigator's identity. The person the college president so designates acts as the CSSO under these procedures.

4(a) Duties. The CSSO is tasked with determining whether a civil rights violation more likely than not occurred. The CSSO determines this by investigating the complaint's allegations. The CSSO's investigation includes, but is not limited to, some or all of the following:

- Timely notifying the respondent of the complaint
- Reviewing the complaint
- Interviewing any person with **first-hand knowledge of facts** related to the complaint including the complainant and respondent
- Reviewing and requesting any available evidence, including correspondence, documents, police reports, photographs, physical evidence, or any other relevant material
- Gathering facts relevant to the complaint

The CSSO's investigation must conclude within 15 working days of when the CSSO received Form VI.D.12.1. This timeframe may be extended by mutual written consent of the parties.

4(b) CSSO's Findings. The CSSO makes findings using Form VI.D.12.2. The CSSO provides Form VI.D.12.2. to their college's president within three working days of when the investigation concludes. The CSSO may also provide the college president with a non-binding recommendation regarding any appropriate disciplinary or corrective action against a respondent.

5. President's Decision. The college president decides whether to (1) accept or reject the CSSO's findings and (2) whether to impose any appropriate corrective or disciplinary action. The college president memorializes this decision by completing Form VI.D.12.3. and sending a copy to the parties within 10 working days of the date on which the college president received Form VI.D.12.2. The college president may not, however, impose corrective action on employees not under the college president's supervision. In that case, the college president forwards Form VI.D.12.2. to the cabinet-level officer ultimately responsible for that employee. The cabinet-level officer will complete Form VI.D.12.3. and decide whether to impose any appropriate corrective action within the same timeframe.

The college president's decision regarding whether to accept or reject the CSSO's findings is final. The affected party may appeal a disciplinary or corrective action under the appropriate College policy.

6. Mutual Resolution. The parties may agree at any time to a mutually agreeable resolution. Any such agreement must be in writing and signed by the affected parties.

7. Non-retaliation. The College's policies prohibit any College employee from retaliating against a student for filing a Student Civil Rights Complaint. The College's policies also forbid retaliating against anyone who helps investigate such a complaint. A complaint's actual or perceived truth does not excuse retaliatory conduct. Any person who observes retaliation should promptly notify the applicable CSSO or college president.

8. Department of Education. Nothing in these procedures prevents a student from filing a civil rights complaint directly with the Department of Education's Office of Civil Rights at: <http://www.ed.gov/about/offices/list/ocr/complaintintro.html>.

Effective Date: October 17, 2016.



Dr. Stephen C. Head, Chancellor
Lone Star College System



Form VI.D.12.1.: Student Civil Rights Complaint

This form must be sent to the applicable college's Chief Student Services Officer

Students who believe they have been discriminated because of their race, color, sex, age, sexual orientation, religion, ethnic or national origin, disability, veteran status, or any other protected status may file a complaint by completing and submitting this form. Students should provide the completed form to their college's Chief Student Services Officer (CSSO) as soon as possible.

Student (Complainant): _____ Date: _____
Print Name

Student ID: _____ Student Email: _____

College campus: _____

Respondent Information

Name (Respondent): _____

Respondent Status: LSC Student LSC Employee

Student Civil Rights Complaint

Please describe the circumstances of your student civil rights complaint. Please attach any additional pages, relevant documentation, or support.

Form VI.D.12.3.: Reported Student Civil Rights Decision



This form memorializes the reported student civil rights complaint decision.

Student (Complainant): _____

Respondent: _____

CSSO or designee: _____

Investigative Result Completed: _____

Date

Investigation Narrative

Summarize the complaint and investigation into the reported student civil rights complaint.

Decision

I find that a student civil rights violation ____ **did** or ____ **did not** occur. This decision represents my best judgment following the investigation and recommendation provided by the CSSO or designee.

Sanction(s) Recommended (if any):

President's Printed Name

President's Signature

Date