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(d) Security Audits. The ISO conducts periodic reviews and revisions of security controls, policies, and procedures. Additionally, the ISO periodically assesses Information technology systems and processes to ensure that evolving risks are appropriately addressed.

(e) Privacy Officer. The General Counsel is the College's Privacy Officer. The Privacy Officer issues guidelines regarding use of social security numbers, educational records, health care information, customer information, and other confidential information, in accordance with all applicable laws. Each college and administrative unit is responsible for adhering to these guidelines. The Privacy Officer will revise guidelines whenever necessary to conform to changes in applicable law or regulations.

(d) Training. The College shall ensure that employees are properly trained as regards Information security.

VIII.A.1.9. Policy Variance or Exception

OTS has a process for variances and exceptions.

VIII.A.1.10. Procedures

The College's Chief Information Security Officer may effectuate this Policy via Chancellor Procedures.

LSCS Policy Manual Section adopted by the Board of Trustees on November 1, 2018

SECTION IX – SEXUAL MISCONDUCT

IX.A. Sexual Misconduct

IX.A.1.1. Policy

This policy specifically covers sexual misconduct including sexual harassment, violence, discrimination, and retaliation as prohibited by applicable laws and the College. The College also prohibits unlawful discrimination based on other protected categories and discusses such prohibitions in the human resources and student policy sections. The College does not tolerate retaliation against anyone who complains about sexual misconduct or cooperates in a sexual misconduct investigation. Nothing in this policy prohibits anyone from filing a report or complaint with any other agency, including law enforcement.

The College shall review and update this policy as required by law.

IX.A.1.2. Definitions

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- (a) **Consent:** Sexual activity requires consent. Consent is defined as a voluntary and positive agreement between the participants to engage in sexual activity. Consent to sexual activity may be communicated in a variety of ways, but one should presume that consent has not been given in the absence of a clear, positive agreement between the participants. While verbal consent is not an absolute requirement for consensual sexual activity, verbal communication prior to engaging in sexual activity helps to clarify consent and avoid any misunderstandings.

Consent must be clear and unambiguous for each participant at every stage of a sexual encounter. A prior relationship does not indicate consent to future activity. A person who is asleep or mentally or physically incapacitated, either through the effect of drugs, alcohol, or for any other reason, is not capable of giving valid consent. The use of alcohol or drugs may seriously interfere with the participants' judgment about whether consent has been sought and given.

- (b) **Dating Violence:** Dating violence is committed by a person who is or was in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the relationship length, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence also includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Finally, dating violence does not include acts covered by the definition of domestic violence.
- (c) **Domestic Violence:** Domestic violence is a felony or misdemeanor crime of violence committed by: a current or former spouse or intimate partner of the victim; a person with whom the victim shares a child in common; a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; a person similarly situated to a victim's spouse under Texas domestic or family violence laws; or any other person against an adult or youth victim who is protected from the person's acts under Texas domestic or family violence laws.
- (d) **Sexual Assault:** Sexual assault is an offense that meets the definition of rape, fondling, incest, or statutory rape as stated in the Federal Bureau of Investigation's Uniform Crime Reporting Program.
- (e) **Sexual Discrimination:** Sexual discrimination, including sexual harassment, is illegal under both federal and Texas state law and is strictly prohibited by the College. Unwelcome sexual advances, requests for sexual favors, and other physical or verbal conduct of a sexual nature, including sexual violence, constitute sexual discrimination when:
1. Requests, conduct, or submission to unwelcome advances is—explicitly or implicitly—a term or condition of an individual's employment, academic

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advancement, participation in College programs or activities, or is used as a basis for employment or academic decisions affecting the individual;

2. Rejection of unwelcome advances, requests, or conduct affects a term or condition of an individual's employment, academic advancement, participation in College programs or activities, or is used as a basis for employment or academic decisions affecting the individual; or
3. Such conduct has the purpose or effect of creating an intimidating hostile work or academic environment that unreasonably interferes with an individual's work, academic performance, education, or participation in College programs or activities.

(f) Sexual Harassment (a form of sex discrimination) includes two categories: (1) hostile work environment sexual harassment, and (2) quid pro quo sexual harassment.

Hostile work environment sexual harassment means verbal, physical, or visual forms of harassment that are sexual in nature, unwelcome, and severe, persistent, or pervasive. A hostile environment is often created by a series of incidents. However, a single severe incident, such as sexual assault, could create a hostile environment.

Quid pro quo sexual harassment means "this for that." An example of this form of sexual harassment occurs if a faculty member (or staff member) stipulates that a student's grade or performance rating (or participation on a team, in a play, etc.) will be based on whether that student submits to sexual conduct.

(g) Sexual Violence: Sexual violence means a physical sexual act perpetrated without the complainant's consent. This includes situations where a person is incapable of giving consent because of drug or alcohol impairment or a mental or physical disability. A number of different acts fall into the category of sexual violence, including, but not limited to, rape, sexual assault, sexual battery, sexual coercion, and any VAWA offenses. All such acts of sexual violence are forms of sexual harassment prohibited by Title IX and this policy.

(h) Stalking: Stalking is defined as engaging in a course of conduct (two or more acts), including, but not limited to, a pattern of repeated and unwanted attention, harassment, or conduct, directed at a specific person that would cause a reasonable person to fear for his or her safety, the safety of others, or suffer substantial emotional distress. Substantial emotional distress is significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

(i) Title IX Harassment: Acts of Title IX harassment may take many different forms. Title IX harassment includes sexual harassment, gender-based harassment, and sexual violence. The conduct must be sufficiently severe or pervasive as to unlawfully limit an individual's

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ability to participate in or benefit from the College's activities. Further, such conduct is evaluated from the perspective of a reasonable person in the complainant's position, taking into account the totality of the circumstances involved in a particular matter. The following types of actions serve as non-exhaustive examples of Title IX harassment prohibited by this policy if sufficiently severe or pervasive:

1. Physical sexual acts perpetrated against a person's will or when a person is incapable of giving consent because of drug or alcohol impairment or mental or physical disability;
2. Direct or implied sexual statements or threats, demands for sexual favors, or sexual advances, accompanied by implied or actual promises of preferential treatment for submission to such demands; or implied or actual threats that failure to submit to such demands may result in adverse treatment concerning the person's admission, enrollment, employment, work status, promotion, grades, or recommendation;
3. Any of the following if persistent and unwelcome: flirtation, requests for dates, staring, advances, or sexual propositions;
4. Gratuitous displays of sexually suggestive objects or pictures, including images displayed, transferred, forwarded, or shared via the Internet, text messaging, or other electronic means;
5. A pattern of conduct unrelated to an academic course or the requirements of the workplace intended to cause discomfort or humiliation or including one or more of the following: (i) comments of a sexual nature; (ii) sexually explicit statements, questions, jokes, anecdotes, or gestures; (iii) a pattern of conduct that would cause discomfort or humiliation, or both, to a reasonable person to whom the conduct is directed and that includes one or more of the following: (1) unnecessary touching, such as patting, pinching, hugging, or repeated brushing against a person's body; (2) remarks of a sexual nature about a person's clothing or body; or (3) remarks about sexual activity or speculations about previous sexual experience;
6. Treating individuals adversely because they do not conform to stereotypical norms of feminine or masculine gender behavior.

IX.A.1.3. Sexual Misconduct Procedures

Sexual misconduct investigations are governed by the policies outlined below. Chancellor's Procedures and forms shall supplement and comply with this policy.

Parties needing reasonable accommodations due to disability during proceedings under this policy are asked to please inform the Title IX coordinator. Disability verification may be required if the information is not currently on file with the College.

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- (a) Reporting Sexual Misconduct.** Any person who believes sexual misconduct occurred may promptly report the incident to one of the College's Responsible Employees or a Campus Security Authority (CSA) if reporting sexual violence including sexual assault, domestic violence, dating violence, or stalking. The Responsible Employees and CSAs include, but are not limited to: (i) the College's Police Department, (ii) Title IX Coordinator, or (iii) Chief Student Services Officer.

All individuals listed in the prior paragraph shall promptly inform the Title IX Coordinator of any such report. The Responsible Employee or CSA must inform the reporting person that the responsible employee or CSA has a duty to relay the complaint to the Title IX Coordinator and, if applicable, to the Clery Compliance Officer. The Responsible Employee or CSA must also inform the reporting person about his or her confidentiality options, available confidential advocacy, support services, the right to file a Title IX complaint with the College, and the right to report a crime to the campus or external law enforcement. Reports made through the College's EthicsPoint Hotline (see Internal Resources) will be forwarded to the Title IX Coordinator and, if applicable, the Clery Compliance Officer.

The Title IX Coordinator or designee will then perform an intake assessment within a reasonable period of receiving any sexual misconduct report. The intake assessment may include preliminary interviews and interim step recommendations. The Title IX Coordinator or designee will conduct an investigation following the intake assessment if the complaint alleges sexual misconduct.

- (b) Privacy.** The College strongly supports the parties' privacy interest in sexual misconduct cases. Except for disclosures required by local, state, or federal law, the College will disburse information regarding such cases only to the parties and to individuals responsible for preparing the College's response.

The College does not require mental-health counselors, pastoral counselors, social workers, psychologists, health center employees, or any other person with a professional license requiring confidentiality, or who is supervised by such a person, to report, without the individual's consent, incidents of sexual violence to the College in a way that identifies the individual.

The College provides an electronic reporting option via EthicsPoint. A link can be found under Internal Resources and at the bottom of the College's homepage (Report Sexual Misconduct). EthicsPoint enables anonymous reporting. Such anonymity requests, however, may limit the College's ability to respond.

- (c) Interim Steps.** The College may take interim steps to protect the complainant, respondent, and the College's community members pending the investigation or hearing of a sexual misconduct complaint depending on the nature of the complaint and the evidence.

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Violating interim steps may result in a non-academic misconduct charge against a student or disciplinary action up to and including employment termination for employees (independent of the initial sexual misconduct inquiry). Interim steps should be individualized for each complaint. Interim steps may include, but are not limited to: issuing a no-contact order prohibiting the parties from having contact with each other; directing the lateral transfer of an employee or moving a student to another classroom setting; administrative leave; or making arrangements for alternative academic and employment environments.

Interim steps that separate a student from his or her education must be approved by the applicable college president and the Chancellor.

- (d) Notice and Investigation.** The Title IX Coordinator or designee will provide written notice of the complaint to the respondent within a reasonable period of receiving it. The Title IX Coordinator or designee will impartially investigate the sexual misconduct allegations. Some cases may be resolved informally if all parties and the College agree.
- (e) Advisor.** Parties have the right to consult with an advisor of their choosing. The advisor may be any person, including an attorney, who is not otherwise a party or witness involved in the investigation. A party may be accompanied by his or her advisor to any meeting or proceeding related to a complaint under this policy. While the advisor may provide support and advice to the party at any meeting or proceeding, the advisor may not speak on the party's behalf or otherwise participate in, or in any manner delay, disrupt, or interfere with any meeting and or proceeding.
- (f) Investigation Report and Response.** The Title IX Coordinator or designee will complete an investigation report after concluding the investigation. The parties shall have the same meaningful access to the investigation report. The parties will then have a reasonable period to respond in writing to the investigation report.
- (g) Sexual Misconduct Result Proceedings.** Once the Title IX Coordinator or designee receives or should have received the parties' written response to the investigation report, he or she shall determine whether the investigation revealed allegations rising to the level of sexual violence as defined in this policy. If so, then the Title IX Coordinator shall arrange for a hearing conducted by a third party hearing officer. If the investigation did not contain allegations rising to the level of sexual violence, then the Title IX Coordinator, using the evidentiary standard, will determine whether the alleged sexual misconduct occurred.

 - 1. Evidentiary Standard.** A preponderance of the evidence standard must be used in any result proceeding under this section.
 - 2. Proceedings for Sexual Misconduct Excluding Sexual Violence.** The Title IX Coordinator will determine whether the sexual misconduct did or did not occur in

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cases that do not rise to the level of sexual violence. The Title IX Coordinator's result shall be delivered to the complainant, the respondent, and the Chancellor within a reasonable time of the Title IX Coordinator's receipt of the complaint. Either party may appeal the Title IX Coordinator's determination to the Chancellor. The Chancellor's decision is final.

- 3. Proceedings for Sexual Violence.** For allegations of sexual violence, the College will hold a hearing conducted by a third party hearing officer.

The hearing will take place within a reasonable period after the Title IX Coordinator receives (or should have received) the parties' responses to the investigation report. The Title IX Coordinator shall provide the parties with notice of the hearing. The hearing officer will be an independent arbiter or mediator selected by the College at its sole discretion. The Title IX Coordinator shall provide the hearing officer with the investigation report and the parties' responses at or before the hearing.

Both the complainant and the respondent will have an opportunity to present witnesses and evidence at this hearing. The complainant and the respondent may be accompanied by an advisor, including legal counsel. Personal attendance is not required from either party.

Neither the complainant nor the respondent will have an opportunity to question the other party, whether personally or through the advisor. Each party will be limited to presenting his or her case, except that either party may submit desired cross-examination questions to the hearing officer on the date of the hearing or to the Title IX Coordinator before the hearing. The hearing officer will determine whether to ask the questions submitted during his or her questioning of either party—that decision is not appealable.

The hearing result, the result's rationale, and any recommended sanctions shall be delivered to the complainant, the respondent, and the Chancellor within a reasonable time period after the hearing. The Chancellor's decision regarding the sanctions will be final.

(h) Potential Sanctions.

- 1. Students:** If the investigation or hearing reveals that sexual misconduct was committed by a student, further action will be taken, including, but not limited to, any and all disciplinary actions set forth in Board Policy section Student Discipline for Non-Academic Misconduct. Moreover, the College will not subject students to disciplinary actions for Board Policy violations (*e.g.*, alcohol or drug consumption, academic misconduct, or non-academic misconduct) disclosed during the course of

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the proceedings. The absence of such disciplinary action encourages students to report sexual misconduct and participate in proceedings without fear of reprisal.

2. **Employees:** If the investigation or hearing reveals that sexual misconduct was committed by an employee, further action will be taken up to and including immediate employment termination or Notice of Forthcoming Termination for contract employees.
 3. **Third Parties:** If the investigation or hearing reveals that sexual misconduct was committed by a non-employee non-student, further action may be taken, including, but not limited to, immediate severance and termination of any contractual or business relationships.
- (i) **Retaliation Prohibited.** No College community member may retaliate against a person because of that person's sexual misconduct complaint, exercise of his or her right to file a formal or informal sexual misconduct complaint, use of any of the related processes the College provides, cooperation with an investigation, or testimony or other evidence offered by that person connected to a complaint. A complaint's actual or perceived truth does not excuse retaliatory conduct. Any person who observes retaliation should promptly notify the Title IX Coordinator. Individuals found to have committed retaliation may be subject to disciplinary actions.

IX.A.1.4. Available Resources

Any party may contact the following for assistance:

(a) **Internal Resources:**

1. College Police Department: (281) 290-5911
2. College Title IX Coordinators
 - a. Director of Governance and Compliance, (832) 813-6841
Student-Compliance@lonestar.edu
 - b. Chief Human Resources Officer, (832) 813-6520
HR-Compliance@lonestar.edu
3. College Office of Emergency Management: (281) 290-2891
4. Ethics Point:
<https://secure.ethicspoint.com/domain/media/en/gui/43698/index.html>

(b) **External Resources:**

1. Employee Assistance Program (EAP): (800) 346-3539
2. Family Time Crisis and Counseling Center (Humble): (281) 446-2615
3. Houston Area Women's Center Domestic Violence Hotline: (713) 528-2121 / (713) 528-3625 (TDD)

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4. Houston Area Women's Center Rape Hotline: (713) 528-7273 / (713) 528-3691 (TDD)
5. Montgomery County Women's Center: (936) 441-4044
6. Montgomery County Women's Center 24-Hour Hotline: (936) 441-7273
7. The Montrose Center: (713) 526-3211
8. Northwest Assistance Ministries: (281) 885-4673
9. Ben Taub Hospital: (713) 873-2000
10. MHMR Authority of Harris County
7011 Southwest Freeway
Houston, Texas 77074
Crisis Telephone: (866) 970-7770
Main Telephone: (713) 970-7000
Website: <http://www.mhmraharris.org/>
11. Houston Police Department (HPD) Mental Health Unit
1502 Ben Taub Loop
Houston, Texas 77030
12. Tri-County MHMR Services
1506 Old Montgomery Rd.
Conroe, Texas 77304
Crisis Phone: (800) 659-6994
Main Phone: (936) 756-8331
Website: <http://www.tcmhmrs.org/>
13. www.NotAlone.gov

Additional resources may be listed in the Chancellor's Procedures.

IX.B. Convicted Sex Offender Registration

IX.B.1.1. Policy

Texas Code of Criminal Procedure Article 62.153 mandates that each person required to register as a sex offender, and who intends to be employed, work with a contractor, or attend classes at the College, must register with the College's Police Department at least seven (7) days before reporting to any College location.

As part of this registration, the individual must submit information pertinent to his or her offenses, which will be forwarded to the College's Review Committee for a determination of eligibility for employment, vendor services, or enrollment. A person seeking to be enrolled as a student must first be approved before completing the registration process.

Failure to register and receive necessary approval under this section may result in immediate suspension, dismissal, or termination of employment.

LSCS Policy Manual Section IX adopted by the Board of Trustees on April 5, 2018

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Section IX: Sexual Misconduct Procedures

These procedures supplement and clarify Section IX. of the Lone Star College System District Policy Manual (“Board Policy”) last revised by the Board of Trustees on **April 5, 2018**— setting out the College’s policies regarding sexual misconduct including sexual harassment, assault, violence, discrimination, and any related retaliation.

Board Policy controls when a conflict arises between it and the procedures below. These procedures were last updated on **October 22, 2018**. The notice and comment period was open online to the public from **August 27, 2018** to **September 26, 2018**.

1. Scope of Procedures. The procedures below are intended to cover complaints arising from sexual harassment, assault, violence, discrimination, and any related retaliation. Other types of harassment, assault, violence, and discrimination are covered under different procedures.¹ For purposes of these procedures, the individual reporting the complaint is the “complainant” and the individual named as the responsible party is the “respondent.” The complainant and respondent may be jointly referred to as the “parties.”

2. Application. These procedures apply when a sexual misconduct complaint is made or the College becomes aware of a sexual misconduct incident.

3. Accommodation. Parties needing reasonable accommodations due to disability during proceedings under this policy are asked to please inform the Title IX Coordinator.² Disability verification may be required if the information is not currently on file with the College.

4. Reporting Sexual Misconduct. Any person may report sexual misconduct to a College Responsible Employee, Campus Security Authority, or through the College’s electronic reporting system. Reports may be made using Form 1 (Sexual Misconduct Report) or through www.lonestar.edu/TitleIX.htm.

a Responsible Employee is a term originating from Title IX of the Education Amendments of 1972. The Title IX Coordinator, for example, is a Responsible Employee. A Responsible Employee can also be an employee who has the authority to take action to redress the sexual misconduct, has the duty to report sexual misconduct to appropriate College officials, or who a student could reasonably believe has this authority or responsibility. The College has designated the Office of Governance, Audit, and Compliance as the department responsible for investigating sexual misconduct complaints. The College’s Responsible Employee contact information can be found in Appendix A. A Responsible Employee other than the Title IX Coordinator will forward a sexual misconduct complaint to the Title IX Coordinator

¹ For example, pregnancy discrimination that does not include sexual misconduct will be investigated under Board Policy sections IV.E.1 or VI.D.12 as applicable.

² Title IX Coordinator, Karen Miner, 832-813-6614 or karen.l.miner@lonestar.edu

for investigation and to the Clery Compliance Officer if the complaint is of a Clery crime.

b *Campus Security Authority (“CSA”)* is a term originating from the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”). A CSA is responsible for reporting a Clery Act crime report to the Clery Compliance Officer. While there may be some overlap, College CSAs are not necessarily the same as those defined as Responsible Employees for Title IX. A CSA will forward a sexual misconduct report to the Title IX Coordinator for investigation and to the Clery Compliance Officer if the complaint is of a Clery crime.³ CSA contact information can be found in Appendix B.

c *LSC Reporting System.* Any person may make a sexual misconduct report through the College’s electronic reporting option. These reports will be forwarded to the Title IX Coordinator. Sexual misconduct reports may be made anonymously; however, anonymity requests may limit the College’s ability to respond. Please see www.lonestar.edu/TitleIX.htm.

d *CSA & Responsible Employee Duty.* The Responsible Employee or CSA who receives a sexual misconduct complaint will report it immediately to the Title IX Coordinator and notify the complainant about the employee’s duty to disclose the complaint to the Title IX Coordinator and to the Clery Compliance Officer if the complaint is of a Clery crime. The Responsible Employee or CSA receiving the complaint must inform the complainant about his or her privacy options, available confidential advocacy, available counseling or other support services, the right to file a Title IX complaint with the College, and the right to report a crime to the Lone Star College Police Department or external law enforcement.

5. Intake Assessment. The Title IX Coordinator or designee may perform an intake assessment within 10 working days of receiving a sexual misconduct complaint.

The Intake Assessment may include initial contact with the complainant to clarify: (1) the allegation if it is unclear whether it contains a sexual misconduct issue or (2) the alleged victim’s version of events and interest in the complaint if the report was submitted by another party. The intake process may include preliminary interviews with the parties and possibly applicable witnesses.

The Title IX Coordinator or designee may assess potential safety risks to the College Community during the Intake Assessment. The Title IX Coordinator may determine that the allegations are severe enough to pose a safety threat to the College’s community and

³ If a complainant requests anonymity, the CSA must still report the incident described to appropriate College officials, but the CSA should not report the complainant’s name. Anonymity may restrict the College’s ability to respond to a complaint.

continue with proceedings even if the complainant does not wish to move forward with the complaint. A determination may be reached regarding any interim step recommendations.

The option of proceeding with informal resolution may also be explored.

6. Interim Steps. Individualized interim steps may be made at any time during these procedures depending on the circumstances. Interim steps may also be adjusted or reversed.

a Student-Respondent. In certain circumstances, an appropriate College official may ask a student-respondent to leave for the day. Any interim step that separates a student from their education for more than one day requires authorization. The appropriate college official must reasonably believe that (a) the harassment or sexual violence occurred, and (b) the student-respondent would be in a position to harm the College's community members if the student-respondent continues to be present in College classes. Any such finding must be approved by the applicable college president and the Chancellor in writing before the student can be removed or told not to return. However, during periods of disruption, the procedures in Chapter 51, Subchapter E-1 of the Texas Education Code apply.

b Employee-Respondent. An employee-respondent may be asked to leave for a day. Leave beyond one day must be approved by the applicable college president or vice chancellor in writing before the employee is informed. However, during periods of disruption, the procedures in Chapter 51, Subchapter E-1 of the Texas Education Code apply.

7. Informal Resolution. Informal resolution is available at any point following the intake assessment if all parties, including the College, agree to informal resolution. Parties may re-institute proceedings if informal resolution is not achieved.

8. Effective Delivery. For purposes of these procedures and 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 or, if not a student or employee, the address the College has available. All College employees and students must keep current and regularly monitor their designated College email addresses.

For purposes of these procedures, working days end at 5:00 p.m. central time. Working days are all days other than Saturdays, Sundays, and any days the College is closed according to its official calendar or at the direction of the Chancellor or designee. In calculating deadlines under these procedures, the working day on which an event occurs is "day zero" and the following working day is "day one." If an event occurs on a day which is not a working day, then the next working day is "day zero." Any deadlines under these procedures may be extended with the recipient's written consent or under extraordinary circumstances.

9. Complaint Notice to Respondent. The Title IX Coordinator or designee will provide written notice of the sexual misconduct complaint to the respondent within three working

days of receiving the complaint using Form 2 (Sexual Misconduct Complaint Notice). The notice will include complaint details, Board Policy and Procedures, and the Title IX Coordinator or designee's contact information.

10. Investigation. The Title IX Coordinator or designee will investigate sexual misconduct complaints. The investigation's length depends on the circumstances. The Title IX Coordinator or designee will complete the investigation within a reasonable time.

a. Interviews. Investigation interviews will be completed by phone unless in-person contact is requested by a party. Each party should have all relevant information and evidence (copies of emails, texts, pictures, etc.) available during the interview or preferably have submitted them to the Title IX Coordinator or designee prior to the interview. Individual interviews typically do not exceed two hours. While follow-up interviews may be necessary, follow-ups will be short and narrowly focused. One interviewer (the Title IX Coordinator or designee) and one note-taker may be present in an investigation interview.

b. Advisor. Parties have the right to consult with an advisor of their choosing. The advisor may be any person, including an attorney, who is not otherwise a party or witness involved in the investigation. A party may be accompanied by his or her advisor to any meeting or proceeding related to a complaint per policy. The advisor may provide support and advice to the party at any meeting or proceeding. The advisor, however, may not speak on the party's behalf or otherwise participate in or in any manner delay, disrupt, or interfere with any meeting and or proceeding.

11. Investigation Report and Response. The Title IX Coordinator or designee will complete an investigation report after concluding the investigation. The parties will have five working days to respond in writing to the investigation report. The Title IX Coordinator may add an addendum to the report to address the parties' responses.

12. Determining Proceedings. Within three working days of the date the Title IX Coordinator received or should have received the parties' responses to the investigation report, he or she will determine whether the allegations rise to the level of sexual violence. If the allegations rise to the level of sexual violence, the College will arrange for a hearing conducted by a third party hearing officer. If the allegations do not rise to the level of sexual violence, the Title IX Coordinator will make a determination.

13. Sexual Misconduct Excluding Sexual Violence Proceedings. The Title IX Coordinator will determine, using the preponderance of the evidence standard, whether the alleged sexual misconduct did or did not occur. The Title IX Coordinator will deliver the result using Form 3 within five working days of the Title IX Coordinator's proceeding determination.

Either party may appeal the Title IX Coordinator's result to the Office of the Chancellor by submitting a written request within five working days of receiving the result. The written request should include the basis of the appeal (e.g., procedural misstep, evidence that wasn't considered, etc.). The Chancellor's decision is final and will be provided within 10 working days of receipt.

14. Sexual Violence Proceedings. If the Title IX Coordinator determines that the allegations rise to the level of sexual violence, then the College will hold a hearing conducted by a third party hearing officer.

a. Hearing Officer. An independent arbiter or mediator will be chosen to serve as the hearing officer. The Title IX Coordinator will send a copy of the complaint, policy, procedures, investigation report, investigation report responses received, and any other relevant documents to the hearing officer prior to the hearing.

b. Hearing Notice. The College will schedule the hearing to occur within 15 working days of the Title IX Coordinator's proceeding determination and provide at least seven calendar days' notice to the complainant and respondent using Forms 4A and 4B (Sexual Violence Hearing Notice). To postpone a scheduled hearing, the complainant, the respondent, and the College must all agree in writing.

c. Hearing Location and Timing. The hearing will be held in the College's Training and Development Center Board Room, located at 5000 Research Forest Drive, The Woodlands, Texas, 77381-4356 during normal working hours. The Title IX Coordinator will inform the parties of an alternate hearing location if the Training and Development Center Board Room is unavailable. The hearing will take no longer than three working days within the same workweek.

d. Hearing Attendance. The complainant and respondent may personally appear and may be accompanied by an advisor. The College may appear through the Title IX Coordinator or designee(s). Failure to appear by the complainant or respondent will not foreclose the hearing officer from convening the hearing and making a determination based on what is presented or provided.

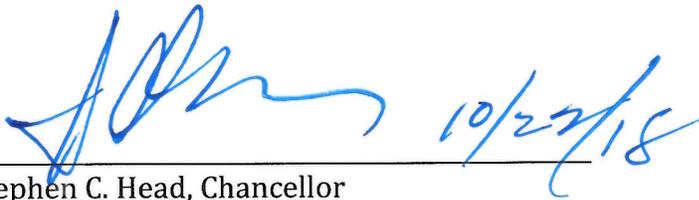
e. Hearing Presentation. Either party may request to present their case in front of the hearing officer privately. Both the complainant and the respondent may present witnesses or evidence during the hearing. The Texas and Federal Rules of Evidence will not apply to the hearing, and neither party may interrogate the other. The parties may, however, submit desired examination questions to the hearing officer on the date of the hearing or to the Title IX Coordinator prior to the hearing. The hearing officer has sole discretion as to whether or not he or she will ask the submitted examination questions during the hearing.

f. Hearing Conclusion. The hearing officer must employ a preponderance of the evidence standard, which means that the complaint is found to be true if it is more likely to be true than not true. Within 15 working days of the hearing's conclusion, the hearing officer will submit the hearing result using Form 5 (Sexual Violence Hearing Result) to the Chancellor. Within 10 working days after receiving the hearing result, the Chancellor or designee will provide the parties with the hearing result and the Chancellor's decision regarding the sanctions. The Chancellor's decision will be final.

15. Alternative Situations Involving Sexual Harassment Including Sexual Violence.

If the respondent is a College employee responsible for any part of the complaint proceedings, then the complainant should file his or her complaint with the Office of the Chancellor. The Chancellor will then designate the appropriate individuals to effectuate these procedures.

Effective Date:

A handwritten signature in blue ink, followed by the date "10/22/18" also in blue ink.

Stephen C. Head, Chancellor
Lone Star College

APPENDIX & FORMS

APPENDIX A
Responsible Employee Contact Information

Responsible Employees throughout the College, while non-exhaustive, are listed below.

| Location | Key Responsible Employees |
|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| College-wide | <p>Title IX Coordinator Karen Miner Executive Director, Compliance Education and Training 832-813-6614 karen.l.miner@lonestar.edu</p> <p>Lone Star College Police Department (LSCPD): 281-290-5911 832-813-0712 (TDD/TTY)</p> |
| LSC-CyFair | <p>Dr. Bennie Lambert 291-290-3955 Bennie.E.Lambert@lonestar.edu VP – Student Success</p> <p>Dr. Deana Sheppard 281-290-3932 Deana.K.Sheppard@lonestar.edu VP – Instruction</p> |
| LSC-Kingwood | <p>Dr. Darrin Rankin 281-312-1674 Darrin.Q.Rankin@lonestar.edu VP – Student Success</p> <p>Dr. David Baty 281-312-1618 David.F.Baty@lonestar.edu VP – Instruction</p> |
| LSC-Montgomery | <p>Dr. Michael Chavez 936-273-7235 Michael.F.Chavez@lonestar.edu VP – Student Success</p> <p>Dr. James McGee 936-273-7451 James.W.McGee@lonestar.edu VP – Instruction</p> |
| LSC-North Harris | <p>Dr. Derrick Manns 281-618-5417 Derrick.A.Manns@lonestar.edu</p> |

| | |
|---------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <p>VP – Enrollment Management</p> <p>Dr. Laura Yannuzzi 281-765-7723 Laura.Yannuzzi@lonestar.edu VP – Instruction</p> |
| LSC-Tomball | <p>Ann Johnson 281-351-3313 Ann.P.Johnson@lonestar.edu VP – Student Success</p> <p>Dr. Scott Stallman Scott.Stallman@lonestar.edu VP – Instruction</p> |
| LSC-University Park | <p>Dr. Zack Coapland 281-290-2717 Zack.T.Coapland@lonestar.edu VP – Student Success</p> <p>Dr. Kathy Cecil-Sanchez 281-655-3715 Kathy.Cecil-Sanchez@lonestar.edu VP – Instruction</p> |

APPENDIX B
Campus Security Authority Contact Information

A Campus Security Authority (“CSA”) is a Clery-specific term that encompasses groups of individuals associated with an institution whose functions involve relationships with students and campus activities. CSAs can include public safety officers, law enforcement officers, academic and advising counselors, student activities personnel, athletic coaches, Vice Presidents of Student Success, Vice Presidents of Instructions, Deans, other senior administrative personnel who deal regularly with students, student orientation staff, overseers and advisors to student clubs and organizations, study abroad faculty and staff, human resource managers, and staff involved in student discipline and campus judicial proceedings. A non-exhaustive list of key CSAs employees is found below.

| Location | Key CSA Employees |
|---------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| College-wide | Title IX Coordinator Karen Miner Executive Director, Compliance Education and Training 832-813-6614 karen.l.miner@lonestar.edu Lone Star College Police Department (LSCPD): 281-290-5911 832-813-0712 (TDD/TTY) |
| LSC-CyFair | Dr. Bennie Lambert 291-290-3955 Bennie.E.Lambert@lonestar.edu VP – Student Success |
| LSC-Kingwood | Dr. Darrin Rankin 281-312-1674 Darrin.Q.Rankin@lonestar.edu VP – Student Success |
| LSC-Montgomery | Dr. Michael Chavez 936-273-7235 Michael.F.Chavez@lonestar.edu VP – Student Success |
| LSC-North Harris | Dr. Derrick Manns 281-618-5417 Derrick.A.Manns@lonestar.edu VP – Enrollment Management |
| LSC-Tomball | Ann Johnson 281-351-3313 Ann.P.Johnson@lonestar.edu VP – Student Success |
| LSC-University Park | Dr. Zack Coapland 281-290-2717 Zack.T.Coapland@lonestar.edu VP – Student Success |



Sexual Misconduct Report (Form 1)

*This report must be forwarded to the Title IX Coordinator.
A copy of this report may be provided to the Respondent.*

Complainant: _____

Respondent: _____

Incident Date(s): _____

Date Report Made: _____

Sexual Misconduct Report – Please explain the incident you are reporting. Attach additional pages or documents if needed and any evidence supporting the report. Please note that this report will be used by the College as the basis of a sexual misconduct investigation.

Sexual Misconduct Complaint Notice (Form 2)



Respondent: _____

College Email Address: _____

Title IX Coordinator or designee: _____

Email Address: _____

Phone Number: _____

Date Notice Sent: _____

Please carefully review the attached policy, procedures, and complaint.

This Sexual Misconduct Complaint Notice is being sent to the above-named Respondent. The College received notice alleging Respondent engaged in sexual misconduct in violation of Board Policy. I, the above-named Title IX Coordinator or designee, will be investigating the allegations attached. Please be assured that the College will be investigating this matter promptly. The College expects your full cooperation during the investigation.

Please be advised that the College has a firm policy prohibiting retaliation. Any reported retaliation may result in separate disciplinary action up to and including suspension, expulsion, or employment termination. If you have been advised of any interim measures, you must abide by those measures. Interim measure violation may result in a separate disciplinary action up to and including suspension, expulsion, or employment termination.

No judgment is being made regarding culpability at this point in the process. The College has received a serious complaint and is investigating as required. Please note that you are still a College community member and should govern yourself accordingly by following applicable College Board Policy and Procedures. Throughout the procedures, each party has the right to choose and consult with an advisor. The advisor may be any person, including an attorney, who is not otherwise a party or witness involved in the investigation. Your advisor may accompany you for your meeting with me or my designee to provide support and advice. Please notify me beforehand if you are being accompanied by an advisor so I can make appropriate accommodations. I will contact you soon regarding next steps.

Please contact me directly with any questions.

Sincerely,

Sexual Misconduct (Excluding Sexual Violence) Result

(Form 3)

To be completed by the Title IX Coordinator.



Complainant: _____

Respondent: _____

Title IX Coordinator: _____

Complaint Summary:

Investigation Summary:

I find, by a preponderance of evidence, that sexual misconduct:

DID OCCUR

DID NOT OCCUR

Additional information (if any): _____

Please contact me if you have any questions.

This result will be provided to the Chancellor. Either party may appeal this result to the Chancellor by submitting a written request within five working days of receiving the result and submitting it to the Office of the Chancellor. The written request should include the basis of the appeal (e.g., procedural misstep, evidence that wasn't considered, etc.). The Chancellor's decision is final.

Title IX Coordinator

Date



Sexual Violence Hearing Notice (Form 4A)

Allegations rise to the level of sexual violence.

Respondent: _____

College Email Address: _____

Hearing Date & Time: _____ **at** _____

Location: Training and Development Center, Board Room (unless otherwise notified)
Lone Star College System Office
5000 Research Forest Drive
The Woodlands, Texas, 77381-4356

Hearing Officer: _____

Title IX Coordinator: _____

Email Address: _____

Phone Number: _____

Date Notice Sent: _____

Please carefully review the attached policy and procedures.

This Sexual Misconduct Hearing Notice is being sent to the above-named Respondent. I, the above-named Title IX Coordinator, investigated the allegations and determined that the allegations rise to the level of sexual violence. Per College Board Policy, allegations rising to the level of sexual violence require a hearing with a third party hearing officer.

Please be advised that the College has a firm policy prohibiting retaliation. Any reported retaliation may result in separate disciplinary action up to and including suspension, expulsion, or employment termination. If you have been advised of any interim measures, you must continue to abide by those measures. Interim measure violation may result in a separate disciplinary action up to and including suspension, expulsion, or employment termination.

No judgment is being made regarding culpability at this point in the process. Please note that you are still a College community member and should govern yourself accordingly by following applicable College Board Policy and Procedures. Please carefully review the attached policy and procedures. If you desire to submit cross-examination questions, please submit those to me before the hearing date or provide them directly to the hearing officer on the day of the hearing.

Please contact me directly with any questions.

Sincerely,



Sexual Violence Hearing Notice (Form 4B)

Allegations rise to the level of sexual violence.

Complainant: _____

College Email Address: _____

Hearing Date & Time: _____ **at** _____

Location: Training and Development Center, Board Room (unless otherwise notified)
Lone Star College System Office
5000 Research Forest Drive
The Woodlands, Texas, 77381-4356

Hearing Officer: _____

Title IX Coordinator: _____

Email Address: _____

Phone Number: _____

Date Notice Sent: _____

Please carefully review the attached policy and procedures.

This Sexual Misconduct Hearing Notice is being sent to the above-named Complainant. I, the above-named Title IX Coordinator, investigated the allegations and determined that the allegations rise to the level of sexual violence. Per College Board Policy, allegations rising to the level of sexual violence require a hearing with a third party hearing officer.

Please be advised that the College has a firm policy prohibiting retaliation. Any reported retaliation against Complainant or Respondent may result in separate disciplinary action up to and including suspension, expulsion, or employment termination. If you have been advised of any interim measures, you must continue to abide by those measures. Interim measure violation may result in a separate disciplinary action up to and including suspension, expulsion, or employment termination.

No judgment is being made regarding the Respondent's culpability at this point in the process. Please carefully review the attached policy and procedures. If you desire to submit cross-examination questions, please submit those to me before the hearing date or provide them directly to the hearing officer on the day of the hearing.

Please contact me directly with any questions.

Sincerely,

Sexual Violence Result (Form 5)
To be completed by the Hearing Officer



Complainant: _____

Respondent: _____

Hearing Officer: _____

Hearing Date: _____

.....
Complaint Summary:

.....
I find, by a preponderance of evidence, that sexual violence:

DID OCCUR

DID NOT OCCUR

Recommended Sanction(s) (if any): _____

This result and recommendation was provided to the Chancellor. The Chancellor's sanction decision is final.

Hearing Officer

Date