

# Laredo College

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## TITLE IX

## Resource Guide



LAREDO COLLEGE

Laredo College takes campus safety very seriously for all our students, faculty, and staff. This guide is designed to inform anyone of their rights and responsibility regarding Title IX.



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To comply with legislative requirements for institutions receiving federal funds, Laredo College has established specific policies and procedures to address compliance with Title IX of the Higher Education Amendments of 1972 (20 U.S.C., Section 1681 Et. Seq. (Title IX)) which prohibits discrimination on the basis of sex in education programs or activities. Title IX prohibits sex discrimination, sexual harassment, sexual assault, dating violence, stalking, and retaliation targeting students.

Laredo College complies with the legislative requirements with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), The Violence Against Women Act 2013 (VAWA) and the Campus Sexual Violence Elimination Act of 2013 (Campus SaVe). Any individual who has a complaint regarding Title IX prohibited behaviors needs to contact the Title IX Officer to address this complaint.

These policies and procedures apply to all students and employees at Laredo College.

## *Definitions & Key Terms*

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

There is certain terminology used in both the policy and procedures that are important for you to know. Additionally, members of the Title IX team will use these terms in their written and verbal communication. Below is a chart of the most common terminology used and its definition:

Term	Definition
<b>Actual Knowledge</b>	Notice of sexual harassment or allegations of sexual harassment to Laredo College Title IX Coordinator or any official of Laredo College who has the authority to institute corrective measure on behalf of Laredo College.
<b>Advisor</b>	A person chosen by a party or appointed by the institution to accompany the party to meetings related to the resolution process, to advise the party on that process, and to conduct questioning for the party at the hearing, if any
<b>Complainant</b>	An individual who is alleged to be the victim of conduct that could constitute sexual harassment
<b>Dating Violence</b>	“Dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship
<b>Decision-Maker</b>	The person, panel, and/or Chair who hears evidence, determines relevance, and makes the final determination of whether the policy has been violated and/or assigns sanctions.
<b>Domestic Violence</b>	“Domestic violence” means violence committed by: <ul style="list-style-type: none"> <li>• A current or former spouse or intimate partner of the victim;</li> <li>• A person with whom the victim shares a child in common;</li> <li>• A person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;</li> </ul>

## Definitions & Key Terms

	<ul style="list-style-type: none"> <li>• Any other member of the victim’s family as defined by state law;</li> <li>• Any other current or former member of the victim’s household as defined by state law;</li> <li>• A person in a dating relationship with the victim as defined by state law; or</li> <li>• Any other person who acts against the victim in violation of the family violence laws of this state or the jurisdiction where the conduct occurs.</li> </ul>
<b>Formal Complaint</b>	A document filed by a Complainant or signed by the Title IX Coordinator alleging sexual harassment against a Respondent and requesting that Laredo College investigate the allegations of sexual harassment.
<b>Investigator</b>	The person or persons designated by Laredo College to gather facts about an alleged violation of the policy, assess relevance and credibility, synthesize the evidence, and compile this information into an investigation report of relevant evidence and a file of directly related evidence
<b>Notice</b>	When an employee, student, or third-party informs the Title IX Coordinator or other Official with Authority of the alleged occurrence of harassing, discriminatory, and/or retaliatory conduct
<b>Official with Authority (OWA)</b>	An employee of Laredo College explicitly vested with the responsibility to implement corrective measures for harassment discrimination, and/or retaliation on behalf of Laredo College
<b>Parties</b>	The Complainant(s) and Respondent(s), collectively
<b>Respondent</b>	An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.
<b>Sexual Harassment</b>	Sexual harassment of a student by a College District employee includes unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when: <ol style="list-style-type: none"> <li>1. A College District employee causes the student to believe that the student must submit to the conduct to participate in a college program or activity, or that the</li> </ol>

## Definitions & Key Terms

	<p>employee will make an educational decision based on whether or not the student submits to the conduct; or</p> <p>2. The conduct is so severe, persistent, or pervasive that it limits or denies the student’s ability to participate in or benefit from the College District’s educational program or activities.</p>
<b>Sexual Violence</b>	<p>Sexual violence is a form of sexual harassment. Sexual violence includes physical sexual acts perpetrated against a person’s will or where a person is incapable of giving consent due to the victim’s use of drugs or alcohol or due to an intellectual or other disability.</p>
<b>Stalking</b>	<p>“Stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress.</p> <p>For the purposes of this definition:</p> <ol style="list-style-type: none"> <li>1. “Course of conduct” means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.</li> <li>2. “Reasonable person” means a reasonable person under similar circumstances and with similar identities to the victim.</li> </ol>
<b>Supportive Measures</b>	<p>Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a formal complaint or where no formal complaint has been filed</p>

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## Definitions & Key Terms

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### Key Terms

<b>Incapacitation</b>	<p>An individual lacks the ability to make informed, rational judgments and cannot consent to sexual activity. Incapacitation is defined as the inability, temporarily or permanently, to give consent because the individual is mentally and/or physically impaired, asleep, unconscious, and/or unaware that sexual activity is occurring. Incapacitation may also result from the use of alcohol and/or drugs. Incapacitation is a state beyond drunkenness or intoxication. The impact of alcohol and other drugs varies from person to person; however, warning signs that a person may be approaching incapacitation may include confusion, slurred speech, vomiting, unsteady gait, odor of alcohol, combativeness, or emotional volatility</p>
<b>Consent</b>	<p>Consent is defined as a clear “yes” either verbally or through action by both parties. Consent cannot be given by someone who is incapacitated through sleep, drugs, alcohol or certain physical or mental impairments. Consent cannot arise from the use of coercion, force, intimidation or threat.</p>



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## *Policies*

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For information related to Title IX institutional Policies please access Laredo Colleges Website ([www.laredo.edu](http://www.laredo.edu)) – select tab – “[About LC](#)” – select [Manual of Policy](#) – Select [Policy Online](#).

The following LC Institutional Policies address Title IX information:

<b>Students</b>	<b>Employees</b>
<a href="#">FFDA (LEGAL)</a>	<a href="#">DAA (LEGAL)</a>
<a href="#">FFDA (LOCAL)</a>	<a href="#">DGBA (LEGAL)</a>
<a href="#">FFDB (LEGAL)</a>	<a href="#">DIAA (LEGAL)</a>
<a href="#">FFDB (LOCAL)</a>	<a href="#">DIAA (LOCAL)</a>
<a href="#">FA (LEGAL)</a>	
<a href="#">FLD (LOCAL)</a>	
<a href="#">FLB (LOCAL)</a>	



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## *Quick Overview of Procedures*

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1. The Title IX Office receives report.
2. Title IX Office reaches out to reporting party for initial assessment provides resources and reporting options.
3. If requested or needed, Title IX Coordinator implements supportive measures.
4. If reporting party is interested in filing a formal complaint, the Title IX Coordinator will assign the case to an investigator. Notice of Investigation and Allegations are sent to both parties.
5. Investigator(s) interviews all parties involved and gather any evidence provided during interview(s).
6. After all interviews are conducted, the investigator(s) will draft an investigation report. Draft Investigation report is provided to both parties for a period of 10 days for review and comment.
7. After the 10 days both parties provide written response to draft investigation report. Investigator(s) review responses and investigate/interview any additional evidence/witness (es) to finalize Investigation Report.
8. Investigator(s) finalize Investigation Report and provide copies to both parties and designated Decision-Maker assigned to case. Parties will have another 10 days for review and comment of final report.
9. A pre-hearing meeting will be conducted by the Decision –Maker with each party and their advisor, separately.
10. A hearing will be held and parties will be questioned as part of the process.
11. The Decision-Maker and Panel will make a determination as to responsibility, as well as recommended sanctions, if applicable.

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## *Reporting Procedures*

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If you believe that you have experienced prohibited conduct, you have:

### Options

- Speak with a confidential resource about your options, See page 17 for a list of Laredo College confidential resources.
- Seek medical attention to treat any injuries, test for sexually transmitted infections, obtain emergency contraception (if needed), and/or perform a rape evidence collection procedure. A medical forensic exam can be performed up to seven days after an incident but is most effective if performed sooner. See page 19-21 for contact information.
- Contact the police to file a report. See page 19 for contact information.
- Contact the Title IX Coordinator or a Deputy Title IX Coordinator to report the incident to Laredo College. See page 18 for contact information.
- Preserve any physical evidence you have in case you decide to report the incident at a later date.

### Preserving evidence

Laredo College encourages individuals who have experienced sexual misconduct to preserve evidence to the greatest extent possible as this will preserve more options for them in the future. Some suggestions include the following:

- It is important that a victim of prohibited conduct go to a hospital for treatment and preservation of evidence, if applicable, as soon as practicable after the incident.
- If possible, do not shower, brush teeth, use the bathroom, or eat before going to the hospital or seeking medical attention. Do not wash clothes or bedding.
- Preserve evidence of electronic communications, such as text messages, pictures, and/or social networking pages, by saving them and/or taking screen shots.
- If there is suspicion that a drink may have been drugged, inform a medical assistance provider and/or police as soon as possible so they can collect evidence (e.g., from the drink, through urine or blood sample).

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## Reporting Procedures

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### Supportive measures

If appropriate and regardless of whether a criminal or regulatory investigation regarding the alleged conduct is pending, the Title IX coordinator shall promptly provide supportive measures intended to address prohibited conduct, protect the safety of the parties and others, and protect the parties from retaliation prior to the completion of the investigation.

Laredo College can help you with supportive measures and/or support services

- Connect with on-campus and off-campus resources—including medical, counseling, student financial aid, and legal resources.
- File a police report or a complaint with the College or both.
- Request measures such as no-contact directives from the College, protective orders from a court, or academic accommodations.

Supportive Measures may include:

- Academic Assistance
- Dining Arrangements
- Student Financial Aid Arrangements
- No-contact Directives
- On campus workspace relocation
- Time off from Class or On-Campus Work
- Safety Planning

Contact the Title IX Coordinator or Deputy Title IX Coordinator for Students to request supportive measures (see page 18). Such measures will be kept confidential to the extent possible.

### About Reporting

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

Any student who believes that they have experienced prohibited conduct, or believes that another student has experienced prohibited conduct, should immediately report the alleged acts to the Title IX Coordinator, the College President, or any College District employee. A student shall not be required to report prohibited conduct to the individual alleged to have committed the conduct.

Alternatively, a student may submit a report electronically through **Palomino ALERT**, available on the [Laredo College Report It webpage](#) or directly at [Palomino ALERT Reporting Form](#).

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## *Reporting Procedures*

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Reports may be submitted anonymously; however, the submission of an anonymous report may limit the College District's ability to fully investigate and respond to the reported conduct.

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

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

### Confidentiality

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

### Complaints filed with OCR

A party has the right to file a complaint with the [U.S. Department of Education Office for Civil Rights \(OCR\)](#).

### Request Not to Investigate

The complainant may request that the College District not investigate the allegations. If the complainant requests that the allegations not be investigated, in deciding whether to initiate the investigation, the College District must consider the factors described by law and any other factors the College District considers relevant.

The College District shall promptly notify the complainant of the decision regarding whether it will conduct the investigation. If the College District decides not to investigate the allegations, the College District shall take reasonable steps to protect the health and safety of the College District community.

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## *Investigation*

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A victim of prohibited conduct has the right to report the incident to the College District and to receive a prompt and equitable resolution of the report. The College District may request, but shall not require, a written report. If a report is made orally, the Title IX coordinator or designee shall reduce the report to written form.

### Initial Assessment

Upon receipt or notice of a report, the Title IX coordinator shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy ([FFDA \(LOCAL\) Freedom from Discrimination, Harassment, and Retaliation Sex and Sexual Violence](#)). If so, the Title IX coordinator shall promptly offer supportive measures to the complainant (see page 7). The Title IX coordinator shall explain the process for filing a formal complaint and assess any request not to investigate. If the College District moves forward with the investigation, the Title IX coordinator shall immediately provide notice to the known parties to the complaint.

If the Title IX coordinator determines that the allegations, if proven, would not constitute prohibited conduct as defined by policy, ([FFDA \(LOCAL\) Freedom from Discrimination, Harassment, and Retaliation Sex and Sexual Violence](#)), but may constitute a violation of other College District rules or regulations, the Title IX coordinator shall refer the complaint for consideration under the appropriate policy.

### Formal Complaint

To be considered a formal complaint under Title IX, the complainant or the Title IX coordinator must sign the written report.

### Notice to Parties

The notice to the parties must describe the allegations and the formal and informal options for resolution of the complaint. The notice must state that the respondent is presumed not responsible until a determination regarding responsibility is made. The notice must also include information regarding the option to select an advisor, the opportunity to inspect and review evidence, and the prohibition on knowingly making false statements or submitting false information during the investigation and any ensuing proceedings.

### Informal Resolution

The College District may offer to the parties a process for the informal resolution of a formal complaint as defined by law. If the parties voluntarily agree in writing to participate in informal resolution of the complaint, the Title IX coordinator shall determine within three days if informal resolution is appropriate for the complaint. If the Title IX coordinator determines that informal resolution is appropriate, then the Title IX coordinator or designee may facilitate that resolution

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## *Investigation*

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

### Formal Resolution

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

### Complaint Procedures

When a complaint is filed alleging sex discrimination, sexual harassment, sexual assault, dating violence, domestic violence, stalking, and/or retaliation targeting students misconduct in violation of Title IX, or such alleged conduct is brought to the attention of the Title IX Coordinator, the immediate process involves an initial inquiry by the Title IX Coordinator to determine if there is reasonable cause to believe the conduct or discrimination has occurred. If the Title IX Coordinator determines there is reasonable cause to believe the conduct or discrimination as alleged has occurred, the Title IX Coordinator will initiate a prompt, thorough and impartial investigation. This investigation is designed to provide a fair and reliable determination about whether the conduct or discrimination has occurred. If so, the College District will implement a prompt and effective remedy designed to end the conduct or discrimination, prevent its recurrence and address its effects.

### Investigation of the Report

A person designated by the Title IX Coordinator will conduct the investigation. All college officials involved from the initial investigation to the completion of the process (i.e., investigators, hearing officer, decision-maker, appeals officer, etc.) are trained in handling prohibited misconduct matters. The investigator(s) will conduct a prompt and thorough investigation, which includes: interviews of parties involved, identifying and interviewing witnesses, gathering and securing all documentation, and identifying other information. The Investigator(s) acts as a neutral party in the investigation and provides a detailed, unbiased report regarding the findings of the investigation.

### Standard of Evidence

The standard of evidence used in the investigation of sex discrimination, sexual harassment, sexual assault, dating violence, domestic violence, stalking, and retaliation targeting students, will be the “preponderance of the evidence” standard, wherein the investigator(s) are to

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## *Investigation*

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determine whether it is more likely than not that the behavior in question occurred and constituted a violation of college policy.

### Advisor

Each party to the complaint may be assisted by an advisor of the party's choice (except that the Advisor may not be another party or a witness in the matter under investigation) who may participate in the proceedings.

### Timeline

The investigation shall be completed within a reasonable time, not to exceed 30 days from the date of the report.

The investigator shall prepare a written report of the investigation. The investigation report shall be filed with the Title IX coordinator within five days following the completion of the investigation.

### Extensions of Timelines

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

### Dismissal of Complaint

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

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

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

Upon dismissal of a complaint, the Title IX coordinator or the **vice president of student success and compliance** or designee shall provide the parties written notice of the dismissal.

### Retaliation

The College District prohibits retaliation against any person for the purpose of interfering with a right or privilege under this policy; the complainant; or a person who, in good faith, makes a report or complaint, serves as a witness, or otherwise participates or refuses to participate in an

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## Investigation

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investigation, proceeding, or hearing under this policy. This prohibition does not apply to discipline of a person who perpetrated or assists in the perpetration of the prohibited conduct.

### Concluding the Investigation

The Title IX coordinator shall provide the investigation report, within the extent permitted by the Family Educational Rights and Privacy Act (FERPA) or other law, to the complainant and the respondent promptly following receipt. The parties shall be given ten days to respond to the report.

### College District Action

The Title IX coordinator shall submit the investigation report and any response from the parties to the **vice president of student success and compliance** promptly after receipt of the parties' response but no later than the expiration of the parties' deadline to respond.

The **vice president of student success and compliance** or designee shall summon the parties for a hearing to be held within a reasonable time, not to exceed ten days, following the receipt of the investigation report. The hearing shall be conducted in accordance with law and College District procedures.

After the hearing, the **vice president of student success and compliance** or designee shall determine whether each individual allegation of prohibited conduct occurred using a preponderance of the evidence standard and determine the appropriate disciplinary or corrective action (See Disciplinary or Corrective Action [FFDA \(LOCAL\) Freedom from Discrimination, Harassment, and Retaliation Sex and Sexual Violence](#)). In making the determination, the **vice president of student success and compliance** or designee shall evaluate all relevant evidence objectively and shall not make credibility assessments based on a person's status as the complainant, the respondent, or a witness. The **vice president of student success and compliance** or designee shall create a written determination regarding responsibility in accordance with law and College District procedures within five days following the hearing and submit the determination to the parties simultaneously.

### Improper Conduct

If the **vice president of student success and compliance** or designee determines that improper conduct occurred that did not rise to the level of prohibited conduct, the College District may take disciplinary action in accordance with College District policy and procedures or other corrective action reasonably calculated to address the conduct

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## *Appeals*

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All appeals related to this policy may be submitted through the applicable grievance policy beginning at the appropriate level. [[See DGBA\(LOCAL\) for employees, FLD\(LOCAL\) for students, and GB\(LOCAL\) for community members](#)]

After the appeal, the decision is considered final, and the case will be closed.

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## *Resources and Help*

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### Confidential Resources

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

#### **Counselor(s)**

**Ms. Cynthia Diaz**  
**Student Health Services and Wellness**  
**Kazen Student Center Room #132**  
**956-721-5151**  
[cynthia.diaz@laredo.edu](mailto:cynthia.diaz@laredo.edu)

**Ms. Mary Sosa**  
**Student Health Services and Wellness**  
**Kazen Student Center Room #132**  
**956-721-5137**  
[maryc.sosa@laredo.edu](mailto:maryc.sosa@laredo.edu)

**Ms. Jennifer Chapa**  
**Student Health Services and Wellness**  
**Kazen Student Center Room #132**  
**956-721-5151**  
[jennifer.chapa@laredo.edu](mailto:jennifer.chapa@laredo.edu)

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## *Resources and Help*

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**Title IX Coordinator and Deputy Title IX Coordinators  
(to report concerns to Laredo College)**

**Raquel A. Peña, Title IX Coordinator for Students**

**956-794-4988**

**[rapena@laredo.edu](mailto:rapena@laredo.edu)**

**Veronica Cardenas, Title IX Coordinator for Employees**

**956-721-5138**

**[veronica.cardenas@laredo.edu](mailto:veronica.cardenas@laredo.edu)**

**Veronica Garcia, Title IX Deputy Coordinator**

**956-721-5185**

**[veronica.garcia@laredo.edu](mailto:veronica.garcia@laredo.edu)**

**Araceli Lozano, Deputy Title IX Coordinator**

**(for complaints involving faculty and staff)**

**956-764-5432**

**[araceli.lozano@laredo.edu](mailto:araceli.lozano@laredo.edu)**

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## *Resources and Help*

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### **Emergency Resources**

**Laredo College  
Campus Police**  
956-794-4444 (Emergency)  
956-764-5900 (Non-Emergency)  
[lcpolice@laredo.edu](mailto:lcpolice@laredo.edu)

**Laredo Police Department**  
911 or 956-795-2800  
[www.laredopd.com](http://www.laredopd.com)

### **Medical Resources**

**Laredo College  
Campus Police**  
956-794-4444 (Emergency)  
956-764-5900 (Non-Emergency)  
[lcpolice@laredo.edu](mailto:lcpolice@laredo.edu)

**Laredo Medical Center**  
911 or 956-796-5000  
[www.laredomedical.com](http://www.laredomedical.com)

**Doctor's Hospital**  
911 or 956-523-2000  
[www.doctorshosplaredo.com](http://www.doctorshosplaredo.com)

**Border Region MHMR**  
956-794-3000  
[www.borderregion.org](http://www.borderregion.org)

**Serving Children and Adults in Need (SCAN)**  
(956) 724-3177  
<http://www.scan-inc.org/>

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## *Resources and Help*

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**Gateway Community Health Center**

Behavioral Health Services

(956) 795-8100

<http://gatewaychc.com/behavioral-health/>

**City of Laredo Health Department**

(956) 795-4900

<https://www.cityoflaredo.com/health/health.htm>

**PILLAR**

(956) 723-7457

<https://pillarstrong.org/>

**Methodist Ministries of Laredo**

Community Counselor

(956) 206-0587

**Texas A & M International University (TAMIU)**

**Community Stress Center**

(956) 326-3120

<https://www.tamtu.edu/coas/psy/mastercounpsy/CommunityStressCenter.shtml>

**Mercy Ministries of Laredo**

(956) 718-6810

<https://www.mercy.net/practice/mercy-ministries-of-laredo/>

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## *Resources and Help*

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### **24-hour services**

#### **Border Region MHMR**

##### **Crisis Hotline**

**1-800-643-1102**

#### **National Suicide Prevention Hotline**

**1-800-273-TALK (8255)**

#### **Bullying**

**1-800-420-1479**

#### **Domestic Violence**

**1-800-799-SAFE (7233)**

#### **Eating Disorders**

**1-630-577-1330**

#### **Sexual Assault**

**1-800-656-4673**

#### **Self-harm/Self-injury**

**1-800-366-8288**

#### **Substance Use**

**1-877-726-4727**

#### **Grief Support**

**1-650-321-5272**

#### **Crisis Text Line**

**Text HOME to 741741**