

Ranger College

Title IX

Policies, Procedures, General Information



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Sexual Assault Communication Assistance for Faculty/Staff

If a student discloses to you:

1. Listen with empathy. Listening is the single most important thing that you can do. No one deserves to be the victim of violence, regardless of the circumstances. Let the victim know they are *not* to blame for the assault. Avoid asking questions that imply fault, such as “How much were you drinking?” or “Why didn’t you call the police?” Instead, say something simple and kind, like:

“I’m sorry that this happened to you.” or “Thank you for telling me.”

2. Support and respect his or her decisions. Victims are often met with disbelief when they tell someone. They may be hesitant to trust others with their story. Many victims do not immediately file a report with law enforcement. This is okay. Remember, you are not an investigator; you are someone the victim trusts. Avoid telling the victim what he or she “should” or “must” do. One of the most important things you can do is help the victim take back the power he or she has lost. Try phrases like:

“What kind of help do you need?” or “When you are ready, there is help available.”

3. Know where to refer the victim for further help. There are many offices on the campus and in the community that specialize in these issues. You are not expected to be an expert on sexual assault, dating violence or stalking; however, you can direct the victim to people who are experts and can provide advocacy and support. Refer to the Sexual Assault and Dating Violence Services brochures. Ask gentle questions, like:

“Would you like to see a nurse or doctor?” or “Are you interested in talking to a counselor?”

4. File a confidential third-party disclosure in cases of sexual assault. All Ranger College employees are required by state law to report any first-hand student disclosures of sexual assault to the Division of Student Services. These reports are confidential and do not include identifiable information about the individual victim.
5. Follow up with the student. Let the student know that you take his or her disclosure seriously and that you care about his or her well-being. You could begin the conversation with:

“I was thinking about the conversation we had the other day. How are you doing?”

Title IX of the Education Amendments Act of 1972.

Title IX is a federal law that applies to educational institutions receiving federal financial assistance and prohibits discrimination on the basis of sex in an educational institution's programs or activities (both on and off campus). Title IX protects all people regardless of their gender or gender identity from sex discrimination. Title IX requires institutions to take necessary steps to prevent sexual assault on their campuses, and to respond promptly and effectively when an assault is reported. The Clery Act requires colleges and universities to report annual statistics on crime, including sexual assault and rape, on or near campuses, and to develop and disseminate prevention policies. The Violence Against Women Reauthorization Act (VAWA) which includes the Campus SaVe Act clarifies that "sexual violence" includes domestic violence, dating violence and stalking, which must be included in campus Clery reports, and also requires that institutional policies address and prevent sexual violence through training, education, and certain disciplinary procedures.

Title IX of the Education Amendments Act of 1972 protects individuals from discrimination based on sex in education programs or activities which receive federal financial assistance. Under Title IX, the Ranger College has a responsibility to take immediate and effective steps to respond to sexual violence and/or sexual harassment. Title IX mandatory reporters are required to notify the Title IX Coordinator of any allegation of sexual misconduct. Mandatory reporters at the Ranger College include every administrative officer, dean, director, department head, supervisor, and all instructional personnel.

Questions concerning Title IX should be referred to Ranger College's Title IX Coordinator, Dr. Jennifer Kent (252-647-3243 Ext. 7039 or jkent@rangercollege.edu) or the U.S. Department of Education, Office for Civil Rights (<http://www2.ed.gov/about/offices/list/ocr/index.html>).

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

Jeanne Clery was a 19 year old Lehigh University freshman who was raped and murdered in her dorm room on April 5, 1996. Her parents later discovered that there were approximately 38 violent crimes on the Lehigh campus in the three years prior to Jeanne being murdered. The family of Jeanne joined with other victims of campus crime and worked with congress to enact a law. The law is 20 years old and is now known as the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act.

The Clery Act

In 1990, the Higher Education Act of 1965 (HEA) was amended to include the Crime Awareness and Campus Security Act of 1990. This amendment required all postsecondary institutions participating in Title IV student financial aid programs to disclose campus crime statistics and security information. In 1998 the act was renamed the Jeanne Clery Disclosure of Campus Security Policy and Crimes Statistics Act. This act is known universally as the "Clery Act". The Clery Act requires colleges and universities to:

- Publish an annual security report
- Collect, classify and count crime reports and statistics
- Maintain a daily crime log

- Submit crime statistics to the Department of Education
- Disclose missing student notification procedures □ Provide fire safety information

Disclosures

The Clery Act requires Ranger College to disclose crime statistics for certain crimes that occur on campus, in unobstructed public areas immediately adjacent to or running through the campus, and at certain non-campus facilities including remote classrooms. For purposes of the Clery Act, Campus Security Authorities (CSAs) are required to report suspected violations of this policy to the Ranger College Security Department for statistical purposes. Such reports are confidential and do not include identifying information.

Campus Security Authorities include the Ranger College President, Vice Presidents, Deans of the colleges, Associate Deans of the colleges, Department heads, and the Ranger College Security Officers, Residence Life staff (dorm directors) and Dining Services Director, Director of Athletics, Associate/Assistant ADs, Head Coaches, and Assistant Coaches, Director of Human Resources, Director of Retention, and Student Support Services, Director, Ranger College Counseling Center, the Registrar/ Dean of Enrollment; faculty advisors to Student Organizations and programs.

Questions concerning the Clery Act should be referred to the Ranger College Director of Security (254-631-9077 or dfox@rangercollege.edu).

The Campus SaVe Act

The Campus SaVE Act amends the Clery Act, which addresses campus sexual assault policies within the Higher Education Act of 1965. President Obama signed SaVE into law on March 7, 2013 as part of the Violence Against Women Act (VAWA) Reauthorization. The act has four central components in which institutions of higher learning must comply.

- Create a Campus Sexual Assault Bill of Rights
- Identify the institution's Campus Security Authority personnel
- Expand sexual crime reporting on campus
- Ensure the college has standard operating procedures for handling incidents of sexual violence.

Texas House Bill No. 699

Texas H.B. No. 699 is an ACT relating to requiring public institutions of higher education to establish a policy on campus sexual assault. Each institution of higher education shall adopt a policy on campus sexual assault. The policy must: include: definitions of prohibited behavior; sanctions for violations; and the protocol for reporting and responding to reports of campus sexual assault; and be approved by the institution's governing board before final adoption by the institution. Each institution of higher education shall make the institution's campus sexual assault policy available to students, faculty, and staff members by: including the policy in the

institution's student handbook and personnel handbook; and creating and maintaining a web page on the institution's Internet website dedicated solely to the policy. Each institution of higher education shall require each entering freshman or undergraduate transfer student to attend an orientation on the institution's campus sexual assault policy before or during the first semester or term in which the student is enrolled at the institution. The institution shall establish the format and content of the orientation. Each biennium, each institution of higher education shall review the institution's campus sexual assault policy and, with approval of the institution's governing board, revise the policy as necessary.

Ranger College is committed to creating a sustainable working and educational environment free of sex discrimination, sexual harassment, sexual violence, domestic violence, dating violence, and stalking.

Sexual Assault Victim's Bill of Rights

- Survivors shall be notified of their options to notify law enforcement.
- Accuser and accused must have the same opportunity to have others present.
- Both parties shall be informed of the outcome of any disciplinary proceeding.
- Survivors shall be notified of counseling services.
- Survivors shall be notified of options for changing academic and living situations.

SECTION 1: INTRODUCTION AND POLICY

A. Purpose and Scope

The Ranger College is committed to maintaining a respectful, safe, and non-threatening environment for its faculty, staff, students, contractors, and visitors ("College community"), and will address and resolve all complaints of sexual misconduct.

This document sets forth resources available to Ranger College community members, describes prohibited conduct, and establishes procedures for responding to incidents of sexual misconduct.

B. Policy

Sexual Misconduct involving Students is expressly prohibited and will not be tolerated. Sexual misconduct incorporates a range of behaviors including dating violence, domestic violence, hostile environment sexual harassment, sexual assault, sexual exploitation, sexual harassment, stalking, and any other conduct of a sexual nature that is nonconsensual.

C. Jurisdiction

This policy applies to sexual misconduct that is committed by any member of the Ranger College community when the misconduct occurs: (1) on Ranger College property, or (2) off property, if in connection with a Ranger College or Ranger College-recognized program or activity. Additionally, Ranger College may have an obligation to respond to student-on-student sexual harassment that

initially occurred off school grounds, outside a school's education program or activity, if the student files a complaint with the school.

D. Distribution

This policies and procedures document is available in hard copy (Office of the Vice President of Student Services, Golemon Library) and electronically (<http://www.rangercollege.edu>).

E. Notice of Nondiscrimination

Ranger College does not discriminate on the basis of sex in its education programs and activities, and is required by Title IX not to discriminate in such a manner. Questions regarding Title IX may be referred to the Ranger College's Title IX Coordinator or to the United States Department of Education Office of Civil Rights. Questions concerning Title IX may be referred to the Ranger College Title IX Coordinator, Dr. Jennifer Kent in person (Administration Building), by telephone (254-647-3234, Ext.7039), or by email (jkent@rangercollege.edu).

SECTION 2: REPORTING POLICIES AND PROCEDURES

A. Reporting options

Complainants, Reporters, and Respondents have a number of reporting options on and off campus. Individuals should be aware of confidentiality and reporting requirements when discussing their concerns (as described below).

1. Reporting to Ranger College

a. Title IX Coordinator

The Title IX Coordinator responds to reports of suspected violations of (1) Title IX of the Education Amendments of 1972, as amended; (2) Title VII of the Civil Rights Act of 1964, as amended; Reports can be made:

- i. By telephone (254-647-3234, Ext. 7039)
- ii. In person (Administration Building) (subject to Ranger College business hours);
- iii. By email (jkent@rangercollege.edu).

b. Vice President of Student Services

The Vice President of Student Services Office responds to reports of suspected violations of the *Student Code of Conduct*, which includes complaints related to sexual misconduct. Reports can be made:

- i. By telephone (254-647-3234 Ext. 7010);
- ii. In person (Golemon Library) (subject to Ranger College business hours); or
- iii. By email (dworrels@rangercollege.edu).

c. Office of Security

The Office of Security responds to reports of suspected violations of the *Student Code of Conduct*, which includes complaints related to sexual misconduct. Reports can be made:

- i. By telephone (254-631-9097);
- ii. In person (in the Goleman Library)
- iii. In person to a Security Office or Director of Security
- iv. By email (dfox@rangercollege.edu).

2. Reporting to law enforcement

In addition to reporting incidents to the Ranger College, Complainants and Reporters are strongly encouraged to report the incident to law enforcement by calling 911. Individuals unsure about which law enforcement agency to report to are encouraged to report to the Ranger College Security Department. The Ranger College Security Department will assist in referring the individual to another agency, if necessary.

3. Confidentiality options

Any report of sexual misconduct to the Ranger College's Counseling Center, or other mental health counselors, medical professionals, victim advocates, or clergy members is confidential by law and will not be reported to the Title IX Coordinator or other entities unless there is concern for the immediate health and safety of any individual or when a minor is involved in an incident of abuse. Information about an incident of sexual assault, domestic and dating violence, or stalking does not automatically meet the threshold of "immediate health and safety."

Individuals may keep an incident confidential by utilizing the following methods:

If a student wants to speak with someone confidentially concerning sexual assault incidents, he or she may speak with the Ranger College Counselor, Mr. Gabe Lewis located in the Academic Building at (254)6473234, ext. 7021 or the Eastland County Crisis Center for sexual assault, dating violence or stalking assistance (254) 629-3223.

B. Reporting obligations and confidentiality

Aside from the exceptions listed above, individuals should assume that information about an incident shared with a Ranger College employee will be reported to the Vice President of Student Services/Dean of Students Office, the Human Resources, The Title IX Coordinator, and the Ranger College Security Department. While the Ranger College will treat information it has received with appropriate sensitivity, Ranger College has certain mandatory reporting obligations under federal and state law:

C. Prohibition against retaliation

Ranger College prohibits retaliating against those who file a complaint or third-party report, or otherwise participate in the investigative and/or disciplinary process. Ranger College will take disciplinary action in accordance with Ranger College regulations if any retaliation occurs.

D. Amnesty

Ranger College will not sanction a student under the Ranger College disciplinary procedures for underage drinking if the alcohol use is revealed in a good-faith report of sexual misconduct, domestic and dating violence, or stalking.

E. Preservation of information and materials

If an individual is unsure about reporting to the Ranger College and/or law enforcement, Ranger College strongly encourages the individual to take certain steps to preserve information and materials. These steps include:

1. Preserving any materials connected to the incident(s), including but not limited to text messages, emails, voicemails, letters, and photos of injuries or property damage.
2. Writing down a complete account of the incident(s). Such account can assist in memory recall.
3. If applicable, obtaining a sexual assault forensic examination.

SECTION 3: INVESTIGATION POLICIES AND PROCEDURES

In cases of alleged sexual misconduct, Ranger College will review and respond in a prompt and equitable manner, as required by Title IX.

A. Protection orders, no contact orders, trespass orders, and other similar lawful orders

Ranger College respects the terms of any lawful order issued by a court, and will support and assist Ranger College community members protected by such an order. Ranger College community members are encouraged to provide a copy of the order to the Ranger College Security Department and the Ranger College Vice President of Student Services/Dean of Students (if the individual is a student) or the Ranger College Security Department and the Ranger College Human Resources Department (if the individual is an employee).

B. Students

In most cases, when the Respondent is a student, the reported violation of this policy will be addressed by the Vice President of Student Services Office according to the Student Code of Conduct.

C. Employees and third parties

When the Respondent is an employee or third party, the reported violation of this policy will be addressed by the Office of Human Resources.

D. Role of the Title IX Coordinator

The Title IX Coordinator is responsible for coordinating the investigation of complaints related to sexual misconduct. As described above, if the Respondent is an employee or third party, the Title IX coordinator (or designee) will conduct the investigation. If the Respondent is a student, the Title IX coordinator (or designee) will review the Vice President of Student Services' process and final outcome, and make recommendations for additional remedies, if necessary.

SECTION 4: EDUCATION AND TRAINING

Ranger College offers education and training to students, faculty, and staff that promote the prevention and awareness of sexual misconduct. In July of 2015 Ranger College entered into an agreement with the Eastland County Crisis Center.

A. Students

Prevention programming for students is primarily provided by the Eastland County Crisis Center:

1. Presentations during Ranger Roundup to all parents and potential students;
2. Training for new students through mandatory meetings;
3. Ongoing campus-wide awareness programming for the Ranger College community, including at least one campus-wide program during the fall and spring semesters.

Additional prevention programming for students is provided by the Division of Student Services and other academic offices, including but not limited to, the Counseling Center, and the Athletics Department.

B. Employees

Ranger College provides training in accordance with Title IX of the Education Amendments Act of 1972, as amended and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, as amended by the Campus SaVE Act. For more information on employee training opportunities, contact the Human Resources Department at 254-647-3234.

APPENDIX A: DEFINITIONS

A. Complainant. The party who brings or initiates a complaint against a member of the Ranger College community.

B. Consent. A freely and affirmatively communicated willingness to participate in particular sexual activity or behavior, expressed either by words or clear, unambiguous actions.

Behaviors that do not communicate consent include, but are not limited to:

1. Past consent does not imply future consent
2. Lack of protest or resistance;
3. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another
4. Silence
5. Coercion, force, or threat of either invalidates consent

The following people are unable to give consent:

1. Persons who are asleep or unconscious
2. Persons who are incapacitated due to the influence of drugs, alcohol, or medication
3. Persons who are unable to communicate consent due to a mental or physical condition

4. Persons who are under the legal age of consent

C. Domestic and Dating Violence. Conduct that includes:

1. Physically abusing, threatening to physically abuse, attempting to cause or causing physical harm or acts which unreasonably restrain the personal liberty of any household member;
2. Placing a household member in reasonable fear of imminent physical harm;
3. Causing a household member to engage involuntarily in sexual activity by force, threat of force or duress; and/or
4. Intentionally interfering with a household member's ability to meet academic obligations.

D. Hostile environment sexual harassment. Unwelcome conduct of a sexual nature that is sufficiently serious that it affects an individual's ability to participate in or benefit from an education program or activity, or creates an intimidating, threatening or abusive educational environment.

*Source: U.S. Department of Education Office for Civil Rights
(<http://www2.ed.gov/about/offices/list/ocr/qa-sexharass.html>)*

E. Intimidation. Intentional behavior that would cause a reasonable person to fear that he/she is in danger of injury or harm.

F. Reporter. An individual who reports a possible violation of this Policy.

G. Respondent. The party against whom a complaint is brought or initiated.

H. Retaliation. An adverse action or threat made in reprisal against any individual who participates as an actual or potential party, witness or representative relating to a report under this policy.

I. Sexual assault. Any type of sexual contact or behavior that occurs without the explicit consent of the recipient. *Source: United States Department of Justice
(<http://www.ovw.usdoj.gov/sexassault.htm>).*

J. Sexual exploitation. When a person for any purpose, knowingly:

1. Causes, induces, entices, coerces or permits a child to engage in, or be used for, the making of child pornography;
2. Causes, induces, entices or coerces a child to engage in, or be used for, any explicit sexual conduct;
3. Manufactures, generates, creates, receives, distributes, reproduces, delivers or possesses with the intent to deliver, including through digital or electronic means, whether or not by computer, any child pornography; or
4. Possesses child pornography

K. Sexual harassment. Unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, or other verbal or physical conduct or communication of a sexual nature.

L. Sexual misconduct. Sexual misconduct incorporates a range of behaviors including dating violence, domestic violence, hostile environment sexual harassment, sexual assault, sexual exploitation, sexual harassment, stalking, and any other conduct of a sexual nature that is nonconsensual.

M. Stalking related to sexual misconduct. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

1. Fear for his or her safety or the safety of others; or
2. Suffer substantial emotional distress.

Source: *Proposed definition in the Violence Against Women Reauthorization Act of 2013 (VAWA)* (<http://www.ifap.ed.gov/dpccletters/GEN1413.html>).

N. Ranger College community. Faculty, staff, students, contractors, and visitors of the Ranger College