



Policies Committee Meeting
Monday, September 8, 2025 at 12:15 p.m.
Gorgas Board Room

Meeting ID: 835 8218 3008
Passcode: 268403

Agenda

Item#	Code	Type	Policy Name	Recommendation	Presenters
1	CHA	Local	Site Management: Inspections	Delete Policy	Mr. Frank Perez
2	DIAB	Local	Freedom from Discrimination, Harassment, and Retaliation: Other Protected Characteristics	Revise Policy	Mr. Frank Perez
3	FFDB	Local	Freedom from Discrimination, Harassment, and Retaliation: Other Protected Characteristics	Revise Policy	Mr. Frank Perez
4	FLBC	Local	Student Conduct: Prohibited Organizations and Hazing	Add Policy	Mr. Frank Perez

TASB Update 49

Local Policies: CHA, DIAB, FFDB, and FLBC



Texas Southmost College District BOARD AGENDA ITEM REQUEST FORM

Division: Legal	Board Meeting Date: 09/18/2025
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Presenters:

Mr. Frank Perez, Board Legal Counsel

Agenda Item:

Consideration and possible action to approve the TASB Update 49 Local Policies: CHA, DIAB, FFDB, and FLBC

Rationale/Background:

The following LOCAL policies are included in TASB Update 49.

CHA Site Management: Inspections; TASB recommendation to **delete** this policy. Language at this policy, formerly CHA Site Management: Security, has been moved to policy CGF to accommodate the reorganization of policies related to security personnel.

DIAB Freedom from Discrimination, Harassment, and Retaliation: Other Protected Characteristics; TASB recommendation to **revise** policy. Language related to Retaliation has been updated and reorganized to clarify the scope and applicability of the prohibition on retaliation. The Examples have been revised to reference intimidation and coercion. Language related to False Claims has been reorganized and updated to provide clarity regarding the distinction between prohibited retaliation and discipline for false claims and the applicability of the prohibition on false claims to students.

FFDB Freedom from Discrimination, Harassment, and Retaliation: Other Protected Characteristics; TASB recommendation to **revise** policy. Language related to Retaliation has been updated and reorganized to clarify the scope and applicability of the prohibition on retaliation. The Examples have been revised to reference intimidation and coercion. Language related to Failure to Report and False Claims has been updated and reorganized for clarity, including the addition of references to an employee's responsibility to comply with reporting requirements and the prohibition on intentional false claims and statements.

FLBC Student Conduct: Prohibited Organizations and Hazing; TASB recommendation to **add** this policy. New recommended local policy language addresses campus hazing in response to the federal Stop Campus Hazing Act. Provisions have been added related to Hazing Prohibited, Reporting Procedures, Investigation of the Report, and Access to Policy, Procedures, and Related Material.

Recommended Action:

Motion to approve the following TASB Update 49 Local Policies: CHA, DIAB, FFDB, and FLBC

Fiscal Implications:

Budgeted Item: ☒ N/A ☐ Yes ☐ No If no, explain:

FOR OFFICE USE ONLY:

Board Action: Approved: ☐ Yes ☐ No ☐ N/A (Informational) ☐ Tabled for action on:

Certified by: _____ Title: _____ Date: _____

Attachments

CHA (Local) Site Management-Security

DIAB (Local) Freedom from Discrimination, Harassment, and Retaliation-Other Protected Characteristics

FFDB (Local) Freedom from Discrimination, Harassment, and Retaliation-Other Protected Characteristics

FLBC (Local) Student Conduct- Prohibited Organizations and Hazing

SITE MANAGEMENT
SECURITY

CHA
(LOCAL)

**College District
Security Department**

To ensure sufficient security and protection of students, staff, and property, the Board authorizes the implementation of a hybrid security model. Whereby the College District employs or contracts with licensed private security personnel or a licensed private security company and off-duty, uniformed, commissioned peace officers.

Private security personnel are those individuals who are either:

1. "Security officers" as defined in Section 1702.222 of the Texas Occupations Code and perform the duties of a security guard; or
2. "Commissioned security officers," meaning persons authorized by the Texas Department of Public Safety to carry a firearm.

Peace officer is a person elected, employed, or appointed as a peace officer under the provision of the Texas Occupations Code Section 1701.001, which includes sheriffs and their deputies, and those reserve deputies who hold a permanent peace officer license including marshals or police officers of an incorporated city, town, or village.

Jurisdiction

The jurisdiction of the College District's hybrid security force shall include all counties in which premises are owned, leased, rented, or otherwise under the control of the College District.

Officer Authority

While within the jurisdiction set out in this policy, private security personnel and off-duty peace officers employed or contracted by the College District shall have all the powers, privileges, and immunities of private security personnel and peace officers as afforded by state law. Subject to state and federal laws governing private security personnel and peace officers employed or contracted by the College District, private security personnel and peace officers shall have the authority, and in compliance with authorities regulating security guard personnel and off-duty peace officer authority as outlined in the state peace officer off-duty/contract personnel authorities, to:

1. Protect the safety and welfare of any person in the jurisdiction of the College District and protect the property of the College District.
2. Enforce all College District policies, protocols, and procedures including assistance and support for the enforcement of local, state, and federal statutes pertaining to school, safety, security, Title IX, and other afforded authorities directed by the Texas Southmost College Board of Trustees. They will also support, report, and collaborate with local law, state, and fed-

**SITE MANAGEMENT
SECURITY**

CHA
(LOCAL)

~~eral law enforcement in conjunction with their respective authorities. College District security will support said agencies if required in the performance of their duties in reference to municipal ordinances, county ordinances, and state laws and investigate violations of law as needed. Detention, investigation, and arrest authority will revert to state law in reference to licensed security guard personnel and in support of law enforcement personnel consistent with state and federal statutory and constitutional standards governing arrests, including arrests without warrant, for offenses that occur in the security guards or off-duty officers presence or under the other rules set out in the Texas Code of Criminal Procedure (if applicable).~~

- ~~3. Coordinate and cooperate with commissioned officers of all other law enforcement agencies in the enforcement of this policy as necessary.~~
- ~~4. Enforce College District policies, rules, and regulations on College District property or at College District functions.~~
- ~~5. Investigate violations of College District policies, rules, and regulations as requested by the College President and participate in hearings concerning alleged violations.~~
- ~~6. Carry weapons as directed by the head of security, authorized by law, and approved by the College President.~~
- ~~7. Carry out all other duties as directed by the head of security or College President.~~

**Temporary
Assignment**

~~College District security officers shall enforce all laws, including municipal ordinances, county ordinances, and state laws within another law enforcement agency's jurisdiction while temporarily assigned to the other agency.~~

**Relationship with
Outside Agencies**

~~The College District's security department and the law enforcement agencies with which it has overlapping jurisdiction shall enter into a memorandum of understanding that outlines reasonable communication and coordination efforts among the department and the agencies. The head of security and the College President or designee shall review the memorandum of understanding at least once every year. The memorandum of understanding shall be approved by the Board.~~

Use of Force

~~The use of force, including deadly force, shall be authorized only when reasonable and necessary, as outlined in the state regulations governing deadly force actions and training for security personnel and off-duty law enforcement personnel and department regulations.~~

**SITE MANAGEMENT
SECURITY**

**CHA
(LOCAL)**

High-Speed Pursuit	Officers shall not engage in high-speed chases in a motor vehicle when the immediate danger to the public or the officer created by the pursuit exceeds the immediate or potential danger presented by the offenders remaining at large. Guidelines for high-speed pursuits shall be addressed in the department regulations manual.
Access to Recordings	Any recordings shall be considered law enforcement records, shall remain in the custody of the head of security, and shall be maintained as required by the department regulations manual and law.
Officer Training	All officers shall receive at least the minimum amount of education and training required by law.
Department Regulations Manual	To carry out the provisions in this policy, the security department shall compile and maintain a manual that describes and sets forth operational procedures, rules, and regulations pertaining to the administration of police services. The head of security and the College President or designee shall review the manual annually and make any appropriate revisions.
Racial Profiling	The head of security shall develop and implement regulations to ensure compliance with state law regarding racial profiling. Officers employed or contracted by the College District shall not initiate any law enforcement action based on an individual's race, ethnicity, or national origin.
Complaints	Complaints against a College District security officer shall be in writing on a form provided by the College District and shall be signed by the person making the complaint. In accordance with law, the College District shall provide the security company a copy of the complaint [see Complaint Against Peace Officer at CHA(LEGAL)] or appropriate state law requirement. Appeals regarding this complaint process shall be filed in accordance with DGBA, FLD, or GB, as appropriate.
Insurance	Contracts with private security companies shall maintain liability insurance coverage as required by law or contract.

FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION
OTHER PROTECTED CHARACTERISTICS

DIAB
(LOCAL)

Note: This policy addresses complaints of discrimination, harassment, and retaliation based on race, color, national origin, religion, age, or disability targeting employees. For legally referenced material relating to this subject matter, see DAA(LEGAL). For discrimination, harassment, and retaliation of students based on race, color, national origin, religion, age, or disability, see FFDB.

**Statement of
Nondiscrimination**

The College District prohibits discrimination, including harassment, against any employee on the basis of race, color, national origin, religion, age, disability, or any other basis prohibited by law. Retaliation against anyone involved in the complaint process is a violation of College District policy.

Discrimination

Discrimination against an employee is defined as conduct directed at an employee on the basis of race, color, national origin, religion, age, disability, or any other basis prohibited by law, that adversely affects the employee's employment.

Harassment

Prohibited harassment of an employee is defined as physical, verbal, or nonverbal conduct based on an employee's race, color, religion, national origin, age, disability, or any other basis prohibited by law, when the conduct is so severe, persistent, or pervasive that the conduct:

1. Has the purpose or effect of unreasonably interfering with the employee's work performance;
2. Creates an intimidating, threatening, hostile, or offensive work environment; or
3. Otherwise adversely affects the employee's performance, environment, or employment opportunities.

Examples

Examples of prohibited harassment may include offensive or derogatory language directed at another person's religious beliefs or practices, accent, skin color, or need for workplace accommodation; threatening or intimidating conduct; offensive jokes, name-calling, slurs, or rumors; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other stereotypes; or other types of aggressive conduct such as theft or damage to property.

Retaliation

~~The College District prohibits retaliation against an employee who makes a claim alleging to have experienced discrimination or harassment, or another employee who, in good faith, makes a report, serves as a witness, or otherwise participates in an investigation.~~

FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION
OTHER PROTECTED CHARACTERISTICS

DIAB
(LOCAL)

Examples	An employee who intentionally makes a false claim, offers false statements, or refuses to cooperate with a College District investigation regarding harassment or discrimination is subject to appropriate discipline. Examples of retaliation may include termination, refusal to hire, demotion, and denial of promotion. Retaliation may also include threats, unjustified negative evaluations, unjustified negative references, or increased surveillance.												
Prohibited Conduct	In this policy, the term "prohibited conduct" includes discrimination, harassment, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.												
Reporting Procedures	An employee who believes that he or she has experienced prohibited conduct or believes that another employee has experienced prohibited conduct should immediately report the alleged acts. The employee may report the alleged acts to his or her immediate supervisor. Alternatively, the employee may report the alleged acts to one of the College District officials below. For the purposes of this policy, College District officials are the ADA/Section 504 coordinator and the College President.												
Definition of College District Officials ADA / Section 504 Coordinator	The College District designates the following person to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, as amended, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973, as amended: <table><tr><td>Name:</td><td>Felix RecioLilia A. Leal Garcia</td></tr><tr><td>Position:</td><td>Title IX Coordinator and Visiting Professor</td></tr><tr><td>Address:</td><td>1700 Ridgely Road80 Fort Brown, Brownsville, TX 78520</td></tr><tr><td>Telephone:</td><td>(956) 295-3771 (956) 295-3774</td></tr><tr><td>Fax:</td><td>(956) 948-9459</td></tr><tr><td>Email:</td><td>lilia.lealgarcia@tsc.edu</td></tr></table>	Name:	Felix Recio Lilia A. Leal Garcia	Position:	Title IX Coordinator and Visiting Professor	Address:	1700 Ridgely Road 80 Fort Brown , Brownsville, TX 78520	Telephone:	(956) 295-3771 (956) 295-3774	Fax:	(956) 948-9459	Email:	lilia.lealgarcia@tsc.edu
Name:	Felix Recio Lilia A. Leal Garcia												
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Telephone:	(956) 295-3771 (956) 295-3774												
Fax:	(956) 948-9459												
Email:	lilia.lealgarcia@tsc.edu												
Other Anti-discrimination Laws	The College President or designee shall serve as coordinator for purposes of College District compliance with all other antidiscrimination laws.												

FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION
OTHER PROTECTED CHARACTERISTICS

DIAB
(LOCAL)

**Alternative
Reporting
Procedures**

An employee shall not be required to report prohibited conduct to the person alleged to have committed it. Reports concerning prohibited conduct, including reports against the ADA/Section 504 coordinator, may be directed to the College President or designee.

A report against the College President may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.

Timely Reporting

Reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to promptly report may impair the College District's ability to investigate and address the prohibited conduct.

Notice of Report

Any College District supervisor who receives a report of prohibited conduct shall immediately notify the appropriate College District official listed above and take any other steps required by this policy.

**Investigation of the
Report**

The College District may request, but shall not insist upon, a written report. If a report is made orally, the College District official shall reduce the report to written form.

Upon receipt or notice of a report, the College District official shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the College District official shall immediately authorize or undertake an investigation, regardless of whether a criminal or regulatory investigation regarding the same or similar allegations is pending.

If the College District official determines that the allegations, if proven, would not constitute prohibited conduct as defined by this policy but may constitute a violation of other College District rules or regulations, the College District official shall refer the complaint for consideration under the appropriate policy.

If appropriate, the College District shall promptly take interim action calculated to prevent prohibited conduct during the course of an investigation.

The investigation may be conducted by the College District official or a designee or by a third party designated by the College District, such as an attorney. When appropriate, the supervisor shall be involved in or informed of the investigation.

The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.

FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION
OTHER PROTECTED CHARACTERISTICS

DIAB
(LOCAL)

Concluding the Investigation

Absent extenuating circumstances, the investigation should be completed within ~~ten~~¹⁰ College District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation.

The investigator shall prepare a written report of the investigation. The report shall be filed with the College District official overseeing the investigation.

College District Action

If the results of an investigation indicate that prohibited conduct occurred, the College District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct.

The College District may take action based on the results of an investigation, even if the conduct did not rise to the level of prohibited or unlawful conduct.

Confidentiality

To the greatest extent possible, the College District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.

Retaliation

The College District prohibits retaliation against an employee alleged to have experienced prohibited conduct or another employee or a student who, in good faith, makes a report, serves as a witness, or otherwise participates in an investigation or proceeding under this policy. This prohibition does not apply to discipline of a person who perpetrated or assists in the perpetration of the prohibited conduct.

A person who is alleged to have experienced retaliation may pursue a claim under this policy or policy FFDB, as appropriate.

Examples

Examples of retaliation may include termination, refusal to hire, demotion, and denial of promotion. Retaliation may also include threats, intimidation, coercion, unjustified negative evaluations, unjustified negative references, or increased surveillance.

False Claims

An employee or student who intentionally makes a false claim or offers a false statement regarding prohibited conduct shall be subject to appropriate disciplinary action in accordance with law.

Appeal

A party who is dissatisfied with the outcome of the investigation may appeal 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]

FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION
OTHER PROTECTED CHARACTERISTICS

DIAB
(LOCAL)

The party may have a right to file a complaint with appropriate state or federal agencies.

Records Retention

Retention of records shall be in accordance with the College District's records retention procedures. [See CIA]

Access to Policy, Procedures, and Related Materials

Information regarding this policy and any accompanying procedures, as well as relevant educational and resource materials concerning the topics discussed in this policy, shall be distributed annually to College District employees and students in compliance with law and in a manner calculated to provide easy access and wide distribution, such as through electronic distribution and inclusion in the employee and student handbooks and other major College District publications. Information regarding the policy, procedures, and related materials shall also be prominently published on the College District's website, taking into account applicable legal requirements. Copies of the policy and procedures shall be readily available at the College District's administrative offices and shall be distributed to an employee who makes a report.

FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION
OTHER PROTECTED CHARACTERISTICS

FFDB
(LOCAL)

	Note: This policy addresses complaints of discrimination, harassment, and retaliation based on race, color, national origin, religion, age, or disability targeting students. For legally referenced material relating to this subject matter, see FA(LEGAL). For discrimination, harassment, and retaliation targeting employees based on race, color, national origin, religion, age, or disability, see DIAB.
Statement of Nondiscrimination	The College District prohibits discrimination, including harassment, against any student on the basis of race, color, national origin, disability, religion, age, or any other basis prohibited by law. Retaliation against anyone involved in the complaint process is a violation of College District policy and is prohibited.
Discrimination	Discrimination against a student is defined as conduct directed at a student on the basis of race, color, national origin, disability, religion, age, or on any other basis prohibited by law, that adversely affects the student.
Prohibited Harassment	Prohibited harassment of a student is defined as physical, verbal, or nonverbal conduct based on the student's race, color, religion, national origin, disability, age, or any other basis prohibited by law that is so severe, persistent, or pervasive that the conduct limits or denies a student's ability to participate in or benefit from the College District's educational program.
Examples	Examples of prohibited harassment may include offensive or derogatory language directed at another person's religious beliefs or practices, accent, skin color, or need for accommodation; threatening, intimidating, or humiliating conduct; offensive jokes, name-calling, slurs, or rumors; physical aggression or assault; display of graffiti or printed material promoting racial, ethnic, or other negative stereotypes; or other kinds of aggressive conduct such as theft or damage to property.
Retaliation	The College District prohibits retaliation by a student or College District employee against a student alleged to have experienced discrimination or harassment or another student who, in good faith, makes a report of harassment or discrimination, serves as a witness, or otherwise participates in an investigation.
Examples	Examples of retaliation may include threats, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.
False Claims	A student who intentionally makes a false claim, offers false statements, or refuses to cooperate with a College District investigation

FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION
OTHER PROTECTED CHARACTERISTICS

FFDB
(LOCAL)

	regarding discrimination or harassment shall be subject to appropriate disciplinary action.
Prohibited Conduct	In this policy, the term “prohibited conduct” includes discrimination, harassment, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.
Reporting Procedures	Any student who believes that he or she has experienced prohibited conduct or believes that another student has experienced prohibited conduct should immediately report the alleged acts to a responsible employee.
Student Report	
Employee Report	Any College District employee who suspects and any responsible employee who receives notice that a student or group of students has or may have experienced prohibited conduct shall immediately notify the appropriate College District official listed in this policy and shall take any other steps required by this policy.
<i>Exceptions</i>	A person who holds a professional license requiring confidentiality, such as a counselor, or who is supervised by such a person shall not be required to disclose a report of prohibited conduct without the student’s consent. A person who is a nonprofessional counselor or advocate designated in administrative procedures as a confidential source shall not be required to disclose information regarding an incident of prohibited conduct that constitutes personally identifiable information about a student or other information that would indicate the student’s identity without the student’s consent, unless the person is disclosing information as required for inclusion in the College District’s annual security report under the Clery Act. [See GCC]
Responsible Employee	For purposes of this policy, a “responsible employee” is an employee: 1. Who has the authority to remedy prohibited conduct. 2. Who has been given the duty of reporting incidents of prohibited conduct. 3. Whom a student reasonably believes has the authority to remedy prohibited conduct or has been given the duty of reporting incidents of prohibited conduct. The College District designates the following persons as responsible employees: any instructor, any administrator, or any College District official defined below.
Definition of College District Officials	For the purposes of this policy, College District officials are the ADA/Section 504 coordinator and the College President.

FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION
OTHER PROTECTED CHARACTERISTICS

FFDB
(LOCAL)

ADA / Section 504
Coordinator

Reports of discrimination based on disability may be directed to the ADA/Section 504 coordinator. The College District designates the following person to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, as amended, which incorporates and expands the requirements of Section 504 of the Rehabilitation Act of 1973, as amended:

Name: [Felix Recio](#)[Lilia A Leal Garcia](#)

Position: Title IX Coordinator and Visiting Professor

Address: [1700 Ridgely Road](#)~~80 Fort Brown~~, Brownsville, TX 78520

Telephone: ~~(956) 295-3774~~[\(956\) 295-3774](#)

Fax: [\(956\)948-9459](#)

Email: lilia.lealgarcia@tsc.edu

Other Anti-
discrimination Laws

The College President or designee shall serve as coordinator for purposes of College District compliance with all other antidiscrimination laws.

**Alternative
Reporting
Procedures**

A student shall not be required to report prohibited conduct to the person alleged to have committed the conduct. Reports concerning prohibited conduct, including reports against the ADA/Section 504 coordinator, may be directed to the College President.

A report against the College President may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.

Timely Reporting

Reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair the College District's ability to investigate and address the prohibited conduct.

**Investigation of the
Report**

The College District may request, but shall not require, a written report. If a report is made orally, the College District official shall reduce the report to written form.

Initial Assessment

Upon receipt or notice of a report, the College District official shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the College District official shall immediately authorize or undertake an investigation, except as provided below at Criminal Investigation.

If the College District official determines that the allegations, if proven, would not constitute prohibited conduct as defined by this policy but may constitute a violation of other College District rules

FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION
OTHER PROTECTED CHARACTERISTICS

FFDB
(LOCAL)

	or regulations, the College District official shall refer the complaint for consideration under the appropriate policy.
Interim Action	If appropriate and regardless of whether a criminal or regulatory investigation regarding the alleged conduct is pending, the College District shall promptly take interim action calculated to address prohibited conduct prior to the completion of the College District's investigation.
College District Investigation	The investigation may be conducted by the College District official or a designee or by a third party designated by the College District, such as an attorney. The investigator shall have received appropriate training regarding the issues related to the complaint and the relevant College District's policy and procedures. The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.
Criminal Investigation	If a law enforcement or regulatory agency notifies the College District that a criminal or regulatory investigation has been initiated, the College District shall confer with the agency to determine if the College District's investigation would impede the criminal or regulatory investigation. The College District shall proceed with its investigation only to the extent that it does not impede the ongoing criminal or regulatory investigation. After the law enforcement or regulatory agency has completed gathering its evidence, the College District shall promptly resume its investigation.
Concluding the Investigation	Absent extenuating circumstances, such as a request by a law enforcement or regulatory agency for the College District to delay its investigation, the investigation should be completed within ten<u>10</u> College District business days from the date of the report; however, the investigator shall take additional time if necessary to complete a thorough investigation. The investigator shall prepare a written report of the investigation. The report shall be filed with the College District official overseeing the investigation.
Notification of the Outcome	The College District shall provide written notice of the outcome, within the extent permitted by the Family Educational Rights and Privacy Act (FERPA) or other law, to the victim and the person against whom the complaint is filed.

FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION
OTHER PROTECTED CHARACTERISTICS

FFDB
(LOCAL)

**College District
Action**

Prohibited Conduct

If the results of an investigation indicate that prohibited conduct occurred, the College District shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct, in accordance with College District policy and procedures [see FM and FMA].

Corrective Action

Examples of corrective action may include a training program for those involved in the complaint, a comprehensive education program for the College District community, counseling for the victim and the student who engaged in prohibited conduct, follow-up inquiries to determine if any new incidents or any instances of retaliation have occurred, involving students in efforts to identify problems and improve the College District climate, increasing staff monitoring of areas where prohibited conduct has occurred, and reaffirming the College District's policy against discrimination and harassment.

Improper Conduct

If the investigation reveals improper conduct 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.

Confidentiality

To the greatest extent possible, the College District shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.

Retaliation

The College District prohibits retaliation by a student or College District employee against a student alleged to have experienced prohibited conduct or another student or an employee who, in good faith, makes a report, serves as a witness, or otherwise participates in an investigation or proceeding under this policy. This prohibition does not apply to discipline of a person who perpetrated or assists in the perpetration of the prohibited conduct.

A person who is alleged to have experienced retaliation may pursue a claim under this policy or policy DIAB, as appropriate.

Examples

Examples of retaliation may include threats, intimidation, coercion, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.

Failure to Report and
False Claims

An employee who fails to make a required report or a student or employee who intentionally makes a false claim or offers a false

FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION
OTHER PROTECTED CHARACTERISTICS

FFDB
(LOCAL)

	<u>statement regarding prohibited conduct shall be subject to appropriate disciplinary action in accordance with law.</u>
Appeal	A party who is dissatisfied with the outcome of the investigation may appeal 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] A party shall be informed of his or her right to file a complaint with the U.S. Department of Education Office for Civil Rights.
Records Retention	Retention of records shall be in accordance with the College District's records retention procedures. [See CIA]
Access to Policy, Procedures, and Related Materials	Information regarding this policy and any accompanying procedures, as well as relevant educational and resource materials concerning the topics discussed in this policy, shall be distributed annually to College District employees and students in compliance with law and in a manner calculated to provide easy access and wide distribution, such as through electronic distribution and inclusion in the employee and student handbooks and other major College District publications. Information regarding the policy, procedures, and related materials shall also be prominently published on the College District's website, taking into account applicable legal requirements. Copies of the policy and procedures shall be readily available at the College District's administrative offices and shall be distributed to a student who makes a report.

STUDENT CONDUCT
PROHIBITED ORGANIZATIONS AND HAZING

FLBC
(LOCAL)

Hazing Prohibited	Hazing by students or student organizations, as defined by law, is prohibited even if the person being hazed consents to the hazing.
Reporting Procedures	Any student who believes that he or she has experienced hazing or believes that another student or group of students has experienced hazing should immediately report the alleged acts to the executive director of athletics and civility, the College President, or another employee.
Student Report	
Employee Report	Any College District employee who suspects or receives notice that a student or group of students has or may have experienced hazing shall notify the executive director of athletics and civility in accordance with FMA.
<i>Exceptions</i>	A report that includes allegations that may constitute discrimination or harassment on the basis of sex shall be submitted in accordance with FFDA. A report that includes allegations that may constitute discrimination or harassment on the basis of race, color, national origin, disability, religion, age, or any other basis prohibited by law shall be submitted in accordance with FFDB.
Investigation of the Report	Allegations of hazing shall be investigated under FMA.
Exception	Hazing allegations that may constitute discrimination or harassment on the basis of sex, race, color, national origin, disability, religion, age, or any other basis prohibited by law shall be investigated under FFDA or FFDB, as appropriate.
Access to Policy, Procedures, and Related Materials	Information regarding this policy and any accompanying procedures, as well as relevant educational and resource materials concerning the topics discussed in this policy, shall be distributed to College District employees and students after hire or admission and then annually in a manner calculated to provide easy access and wide distribution, such as through electronic distribution, publication on the College District's website, and inclusion in the employee and student handbooks and other major College District publications.